

United States Department of Justice. This Agreement is subject to final approval after the comment period. The PPA would resolve certain potential EPA claims under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9606 and 9607, against Fall Creek Redevelopment, L.L.C., the prospective purchaser.

The settlement would require the purchaser to pay \$50,000 to EPA. The purchaser intends to use a parcel of land that is part of the Site property to create a commercial/residential development in the Ithaca Falls area in the City of Ithaca, New York. That property, and adjoining Site property which is expected to be dedicated as parkland by the City of Ithaca, are currently subject to an EPA response action under CERCLA for the removal of lead-contaminated soils. The purchaser has agreed to provide EPA with an irrevocable right of access to the Site, to conduct all business in compliance with all applicable local, State, and federal laws and regulations, and to exercise due care at the Site. The purchaser will record a notice with the County Clerk's Office that the property is part of the Site subject to the EPA removal action.

For thirty (30) days following the date of publication of this document, the Agency will receive written comments relating to the proposed settlement. The Agency's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region II, 290 Broadway, New York, New York 10007-1866.

**Availability:** The proposed settlement is available for public inspection at the U.S. Environmental Protection Agency, Region II, 290 Broadway, New York, New York 10007-1866. A copy of the proposed Agreement may be obtained from George A. Shanahan, Assistant Regional Counsel, U.S. Environmental Protection Agency, Region II, 290 Broadway, New York, New York 10007-1866. Comments should reference the "Ithaca Gun Superfund Site Prospective Purchaser Agreement" and should be forwarded to Mr. Shanahan, at the above address.

**FOR FURTHER INFORMATION CONTACT:**

George A. Shanahan, Assistant Regional Counsel, U.S. Environmental Protection Agency, Region II, 290 Broadway, New York, New York 10007-1866 or at (212) 637-3171.

Dated: January 29, 2003.

**William J. Muszynski,**

*P.E., Deputy Regional Administrator, EPA Region 2.*

[FR Doc. 03-3415 Filed 2-10-03; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-7450-6]**

**Proposed CERCLA Section 122(h) Administrative Agreement for Recovery of Response Costs for the Ithaca Gun Company Superfund Site, City of Ithaca, Tompkins County, NY**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given by the U.S. Environmental Protection Agency ("EPA"), Region II, of a proposed administrative agreement pursuant to section 122(h) of CERCLA, 42 U.S.C. 9622(h), for recovery of response costs concerning the Ithaca Gun Company Superfund Site ("Site") located in the City of Ithaca, Tompkins County, New York. The settlement requires the settling parties, City of Ithaca ("Ithaca") and State Street Associates L.P. II ("SSAII") to pay \$150,000 and \$165,000, respectively, in reimbursement of EPA's response costs at the Site. The settlement includes a covenant not to sue the settling parties pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a), in exchange for their payments. For 30 days following the date of publication of this notice, EPA will receive written comments relating to the settlement. EPA will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations that indicate that the proposed settlement is inappropriate, improper or inadequate. EPA's response to any comments received will be available for public inspection at EPA Region II, 290 Broadway, New York, New York 10007-1866.

**DATES:** Comments must be submitted on or before March 13, 2003.

**ADDRESSES:** The proposed settlement is available for public inspection at EPA Region II offices at 290 Broadway, New York, New York 10007-1866. Comments should reference the Ithaca Gun

Company Superfund Site located in the City of Ithaca, Tompkins County, New York, Index No. CERCLA-02-2002-2021. To request a copy of the proposed settlement agreement, please contact the individual identified below.

**FOR FURTHER INFORMATION CONTACT:**

George A. Shanahan, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 17th Floor, 290 Broadway, New York, New York 10007-1866. Telephone: 212-637-3171.

Dated: January 29, 2003.

**William J. Muszynski,**

*Deputy Regional Administrator, EPA Region 2.*

[FR Doc. 03-3414 Filed 2-10-03; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-7450-5]**

**Proposed CERCLA Administrative Cost Recovery Settlements: Stickney Avenue Landfill and Tyler Street Dump Superfund Sites**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of two proposed administrative settlements for recovery of past response costs concerning the Stickney Avenue Landfill and Tyler Street Dump Superfund Sites in Toledo, Lucas County, Ohio, between the United States Environmental Protection Agency ("U.S. EPA" or "the Agency") and the following nine settling parties:

International Paper (f.k.a. Chase Bag);  
The Dial Corporation;  
Earl Scheib of Ohio, Inc.;  
Eastman Kodak Company;  
Hanson Building Materials America, Inc., (f/k/a Hanson North America, Inc.), as successor to Dura Corporation;  
Reichert Stamping Company;  
SafetyKleen Envirosystems Company, (f.k.a. Inland Chemical Corporation);  
The Sherwin-Williams Company;  
Sunoco, Inc. (R&M).

There are two separate settlement agreements. One agreement covers a settlement between U.S. EPA and SafetyKleen Envirosystems Company