

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6314-4]

[Docket No. CERCLA-7-99-008]

**Notice of Proposed Settlement Under Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act, as Amended, 42 U.S.C. 9622(h), Peerless Industrial Paint Coatings Site, St. Louis, MO**

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement and 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 a proposed administrative settlement for recovery of past and projected future response costs concerning the Peerless Industrial Paint Coatings Site in St. Louis, Missouri with the following parties: Boise Cascade Corporation, Cook Composite and Polymers Company, Morton International, Inc., and U.S. Polymers, Inc.

**DATES:** On or before April 26, 1999, the Agency will receive written comments relating to the settlement terms regarding the payment of past and future costs as required by Section 9622(h) and (i) of CERCLA, 42 U.S.C. 9622(h) and (i). The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate.

The Agency's response to any comments received will be available for public inspection at Region VII's offices located at 726 Minnesota Avenue, Kansas City, Kansas 66101.

**ADDRESSES:** The proposed settlement and a fact sheet providing additional background information relating to the settlement is available at Region VII's offices located at 726 Minnesota Avenue, Kansas 66101. A copy of the proposed settlement may be obtained from Venessa Cobbs, Regional Hearing Clerk, EPA Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101, telephone number (913) 551-7630. Comments should reference the "Peerless Industrial Paint Coatings Site" and EPA Docket No. CERCLA-7-99-0008 and should be addressed to Ms. Cobbs at the above address. For further

information, contact Denise Roberts, Assistant Regional Counsel, EPA Region VII, Office of Regional Counsel, 726 Minnesota Avenue, Kansas City, Kansas 66101, telephone number (913) 551-1349.

**SUPPLEMENTARY INFORMATION:** The settlement requires the settling parties to pay \$525,000, including interest, to the Hazardous Substance Superfund. The settling parties also agree to finance and perform the future removal action, including payment of future oversight costs, estimated to cost \$305,000. The value of the PRPs' settlement is \$830,000. The government's past costs, after deduction of payments made by the *de minimis* parties, are calculated to be \$1,321,202.50. EPA is forgiving \$796,202.50 of unreimbursed past costs, representing the orphan share for this Site. This was one of 11 Superfund sites designated by the U.S. Environmental Protection Agency (EPA) to be one of the Allocation Pilots wherein EPA agreed to reimburse costs attributed to the orphan share, the share attributed to insolvent and defunct parties. In this case, the PRPs are paying 50% of past and future costs and EPA is contributing its 50% share through forgiveness of a portion of the past costs.

The settlement includes a covenant not to sue the settling parties pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607(a). There is also reservation of rights to allow the United States to recover costs in certain circumstances.

Dated: March 10, 1999.

**William Rice,**

*Regional Administrator, United States Environmental Protection Agency, Region VII.*  
[FR Doc. 99-7182 Filed 3-25-99; 8:45 am]

BILLING CODE 6560-50-M

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6316-1]

**Administrative Order on Consent Between the United States Environmental Protection Agency and Wise Garage, Inc., a CERCLA § 122(g) Deminimis Party at the Powell Road Landfill Site; In the Matter of Powell Road Landfill Site; Huber Heights, OH**

AGENCY: Environmental Protection Agency (EPA).

**ACTION:** Administrative Order on Consent authorizing an installment payment arrangement with a deminimis party at the Powell Road Landfill Site.

**SUMMARY:** Wise Garage, Inc. ("Wise") is a deminimis party at the Powell Road Landfill Site ("Site"), but was unable to

execute the January 21, 1998, deminimis settlement Administrative Order on Consent ("AOC") because of an inability to pay. Under the terms of the January 21, 1998, deminimis settlement, Wise has a payment amount of \$83,583. An analysis by U.S. EPA determined that an installment payment arrangement was justified by Wise's financial condition. On April 23, 1998, a signature copy of the Wise installment payment Administrative Order on Consent ("Wise AOC") was sent to Wise by the U.S. EPA. On July 1, 1998, Wise sent the U.S. EPA a signed version of the Wise AOC. The Wise AOC requires a lump sum payment of \$10,000 within 60 days of the effective date of the order. Wise is then required to pay five equal installments of \$14,717 each over the next five years.

In approximately October, 1996, U.S. EPA sent "first point of contact letters" to several hundred deminimis generators and transporters informing them of the impending deminimis settlement offer. On May 13, 1997, U.S. EPA issued deminimis settlement offers to 182 eligible deminimis PRPs, including Wise Garage, Inc. By the deadline for submission of signature pages on July 14, 1997, 71 of 182 eligible deminimis PRPs submitted signature pages to U.S. EPA certifying their commitment to participate in the settlement. The deminimis settlement AOC was executed on October 17, 1997. As required by section 122(g)(4) of CERCLA, the deminimis settlement AOC was approved by the Attorney General's designee on November 7, 1997. Pursuant to section 122(i) of CERCLA, U.S. EPA published notice of the proposed deminimis settlement in the **Federal Register** on November 28, 1997. The 30-day public notice and comment period ended on December 28, 1997. On January 21, 1998, the deminimis settlement AOC was approved as a final matter and became effective.

**DATES:** Comments on this Administrative Order on Consent must be received on or before April 26, 1999.

**ADDRESSES:** Written comments relating to this Administrative Order on Consent, Docket No. VW-98-C-499, should be sent to William H. Clune, Assistant Regional Counsel, U.S. Environmental Protection Agency, Region 5, Mail Code C-14J, 77 West Jackson Blvd., Chicago, IL, 60604.

**SUPPLEMENTARY INFORMATION:** Copies of the Administrative Order on Consent and the Administrative record for this Site are available at the following address for review. It is strongly recommended that you telephone Mike

Bellot at (312) 353-6425 before visiting the Region 5 office.

U.S. Environmental Protection Agency,  
Region 5, Superfund Division, 77  
West Jackson Blvd., Chicago, IL 60604

**Authority:** The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 *et seq.*

**William E. Munro,**

*Director, Superfund Division.*

[FR Doc. 99-7431 Filed 3-25-99; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Sunshine Act Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 11:41 a.m. on Tuesday, March 23, 1999, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters relating to the Corporation's corporate, resolution, and supervisory activities.

In calling the meeting, the Board determined, on motion of Vice Chairman Andrew C. Hove, Jr., seconded by Director Ellen S. Seidman (Director, Office of Thrift Supervision), concurred in by Director John D. Hawke, Jr. (Comptroller of the Currency), and Chairman Donna Tanoue, that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no notice of the meeting earlier than March 19, 1999, was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10)).

The meeting was held in the Board Room of the FDIC Building located at 550 17th Street, NW., Washington, DC.

Dated: March 24, 1999.

Federal Deposit Insurance Corporation.

**Valerie J. Best,**

*Assistant Executive Secretary.*

[FR Doc. 99-7676 Filed 3-24-99; 3:57 pm]

BILLING CODE 6714-01-M

## FEDERAL MARITIME COMMISSION

### Request for Additional Information

This is a notice that additional information was requested from the Transpacific Stabilization Agreement.

**Agreement No.:** 203-011223-020

**Title:** Transpacific Stabilization Agreement.

**Parties:**

American President Lines, Ltd.  
APL Co. PTE Ltd.  
COSCO Container Lines Ltd.  
Evergreen Marine Corp. (Taiwan) Ltd.  
Hanjin Shipping Co., Ltd.  
Hapag-Lloyd Container Linie GmbH  
Hyundai Merchant Marine Co., Ltd.  
Kawasaki Kisen Kaisha, Ltd.  
A.P. Moller-Maersk Line  
Mitsui O.S.K. Lines, Ltd.  
Nippon Yusen Kaisha  
Orient Overseas Container Line, Inc.  
P&O Nedlloyd B.V.  
P&O Nedlloyd Limited  
Sea-Land Service, Inc.  
Yangming Marine Transport Corp.

**Synopsis:** The Federal Maritime Commission hereby gives notice, pursuant to section 6(d) of the Shipping Act of 1984, 46 U.S.C. app. Sections 1701 *et seq.*, that it has requested the agreement parties to submit additional information regarding their agreement. Further information is necessary to evaluate the impact of the proposed agreement modification. This action prevents the agreement from becoming effective as originally scheduled.

Dated: March 22, 1999.

By Order of the Federal Maritime Commission.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 99-7303 Filed 3-24-99; 8:45 am]

BILLING CODE 6730-01-M

## FEDERAL TRADE COMMISSION

[File No. 9923039]

### Abercrombie & Fitch, Inc.; Analysis to Aid Public Comment

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed consent agreement.

**SUMMARY:** The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint that accompanies the consent agreement and the terms of the consent order—embodied in the consent

agreement—that would settle these allegations.

**DATES:** Comments must be received on or before May 26, 1999.

**ADDRESSES:** Comments should be directed to: FTC/Office of the Secretary, Room 159, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580.

**FOR FURTHER INFORMATION CONTACT:**

Carol Jennings, FTC/S-4302, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580, (202) 326-3010.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46, and Section 2.34 of the Commission's Rules of Practice, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for March 16, 1999), on the World Wide Web, at "http://www.ftc.gov/os/actions97.htm." A paper copy can be obtained from the FTC Public Reference Room, Room H-130, 600 Pennsylvania Avenue, NW, Washington, DC 20580, either in person or by calling (202) 326-3627.

Public comment is invited. Comments should be directed to: FTC/Office of the Secretary, Room 159, 600 Pennsylvania Avenue, NW, Washington, DC 20580. Two paper copies of each comment should be filed, and should be accompanied, if possible, by a 3½ inch diskette containing an electronic copy of the comment. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with Section 4.9(b)(6)(ii) of the Commission's Rules of Practice (16 CFR 4.9(b)(6)(ii)).

### Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission has accepted, subject to final approval, an agreement to a proposed consent order from respondent Abercrombie & Fitch, Inc.

The proposed consent order has been placed on the public record for sixty (60) days for reception of comments by interested persons. Comments received during this period will become part of