

60 days, and seeks to compel EPA to respond to the petition.

The settlement agreement provides that, within ten days after execution by the parties, the parties will file a joint motion with the court requesting the lawsuit be stayed. Plaintiff may request the court to lift the stay of the lawsuit, and establish a schedule for further proceedings if EPA fails to sign a response to the petition by November 20, 2003.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement from persons who were not named as parties or interveners to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, based on any comment which may be submitted, that consent to the settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

## II. Additional Information About Commenting on the Proposed Settlement

### A. How Can I Get a Copy of the Settlement?

EPA has established an official public docket for this action under Docket ID No. OGC-2003-0003 which contains a copy of the proposed settlement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket identification number.

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in EPA's electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

### B. How and to Whom Do I Submit Comments?

You may submit comments as provided in the ADDRESSES section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public

docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through EPA's electronic public docket, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: November 18, 2003.

**Richard Ossias,**

*Acting Associate General Counsel, Air and Radiation Law Office, Office of General Counsel.*

[FR Doc. 03-29317 Filed 11-21-03; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[RCRA-2003-0023; FRL-7590-8]

### Hazardous Waste Management System: Petroleum Refining Process Wastes; Identification of Characteristically Hazardous Self-Heating Solids; Land Disposal Restrictions: Treatment Standards for Spent Hydrorefining Catalyst (K172) Hazardous Waste—Extension of Comment Period; Correction

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Extension of comment period; correction.

**SUMMARY:** On October 20, 2003 (68 FR 59935) EPA published a notice of data availability (NODA) to make available to the public certain analytical data pertaining to spent hydrorefining catalyst from petroleum refining operations (K172). The original comment period was to expire on December 4, 2003; today's notice extends the comment period to January 18, 2004. In addition, in the ADDRESSES section of the October 20, 2003 NODA, EPA made an inadvertent reference to a "treatability study" and "peer review documents." EPA is correcting this by indicating today that there is no "treatability study" or "peer review documents" related to this NODA.

**DATES:** Submit comments on or before January 18, 2004. Comments postmarked after this date will be marked "late" and may not be considered.

**ADDRESSES:** Comments may be submitted electronically, by mail, by facsimile, or through hand delivery/courier. Follow the detailed instructions as provided in section I of the SUPPLEMENTARY INFORMATION section of

the October 20, 2003 **Federal Register** document.

**SUPPLEMENTARY INFORMATION:** This document extends the public comment period established in the **Federal Register** issued on October 20, 2003 (68 FR 59935). In that document, EPA published a notice of data availability (NODA) to make available to the public certain analytical data pertaining to the polyaromatic hydrocarbon (PAH) content of spent hydrorefining catalyst from petroleum refining operations (K172). The data were originally submitted by the Vanadium Producers and Reclaimers Association (VPRA), formerly known as The Ferroalloys Association (TFA), in a petition requesting EPA to amend the land disposal restriction (LDR) treatment standards for the K172 listed waste. The VPRA petition also asserted that K171 and K172 wastes are often being landfilled without being decharacterized for their ignitability/reactivity potential. In the October 20, 2003 NODA, EPA provided information supporting the petitioner's assertions and requested comment and submittal of any additional relevant documentation, but only on the analytical data for K172 and information supporting VPRA's concerns about characteristically hazardous solids. EPA is hereby extending the comment period, which was set to end on December 4, 2003 to January 18, 2004.

To submit comments, or access the official public docket, please follow the detailed instructions as provided in Section I of the **SUPPLEMENTARY INFORMATION** section of the October 20, 2003 **Federal Register** document. If you have questions, contact Ross Elliott at (703) 308-8748, [elliott.ross@epa.gov](mailto:elliott.ross@epa.gov), or write him at the Office of Solid Waste, Mail Code 5304W, U.S. EPA, 1200 Pennsylvania Avenue NW., Washington, DC 20460.

Dated: November 7, 2003.

**Matt Hale,**

*Acting Director, Office of Solid Waste.*

[FR Doc. 03-29319 Filed 11-21-03; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7589-9]

### Proposed Administrative Settlement; Richmond Townhouse Apartments Site

**AGENCY:** Environmental Protection Agency (EPA).

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

**SUMMARY:** In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA), 42 U.S.C. 9600 *et seq.*, notice is hereby given that a proposed Agreement and Covenant Not to Sue (Prospective Purchaser Agreement) associated with the Richmond Townhouse Apartments Superfund Site was executed by the United States Environmental Protection Agency (EPA) on November 12, 2003. The proposed Prospective Purchaser Agreement would resolve certain potential claims of the United States under sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a) against Carlson Boulevard, L.P.; Community Housing Development Corporation of North Richmond; Devine & Gong, Inc.; and The John Stewart Company (the Purchaser). The Purchaser plans to acquire the 10-acre parcel constituting the Superfund Site, located at 2989 Carlson Boulevard, Richmond, California, and continue to operate it as low income housing.

In exchange for the settlement, Carlson has agreed to pay EPA \$100,000 in cash. In addition, Carlson has agreed to comply with a Covenant to Restrict Use of Property.

For thirty (30) calendar days following the date of publication of this notice, EPA will receive written comments relating to the proposed settlement. EPA's response to any comments received will be available for public inspection at 75 Hawthorne Street, San Francisco, CA 94105.

**DATES:** Comments must be submitted on or before December 24, 2003.

**ADDRESSES:** The proposed Prospective Purchaser Agreement is available for public inspection at EPA Region IX, 75 Hawthorne Street, San Francisco, California. A copy of the proposed settlement may be obtained from Janet Magnuson, EPA Region IX, 75 Hawthorne Street, ORC-3, San Francisco, CA 94105, telephone number 415-972-3887. Comments should reference the Richmond Townhouse Apartments Superfund Site, Richmond, California and EPA Docket No. 2004-05 and should be addressed to Janet Magnuson at the above address.

**FOR FURTHER INFORMATION CONTACT:** Janet Magnuson, Assistant Regional Counsel (ORC-3), Office of Regional Counsel, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105; phone: (415) 972-3887; fax: (415) 947-3570; e-mail: [magnuson.janet@epa.gov](mailto:magnuson.janet@epa.gov).

Dated: November 14, 2003.

**Nancy Lindsay,**

*Acting Director, Superfund Division, Region IX.*

[FR Doc. 03-29316 Filed 11-21-03; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7589-6]

### Proposed CERCLA Administrative Cost Recovery Settlement; Richmond Townhouse Apartments Site

**AGENCY:** Environmental Protection Agency (EPA).

**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 a proposed administrative settlement for recovery of past response costs concerning the Richmond Townhouse Apartments Site in Richmond, Contra Costa County, California with the following settling parties: Richmond Townhouses Apartments, Ltd.; Partnership Investor Services, Inc.; Westport Housing Corporation; Stephen D. Moses; and S. Chandler Sweetser, Jr. The settlement requires the settling parties to pay \$1,400,000 to the Hazardous Substance Superfund. The settlement includes a covenant not to sue the settling party pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607(a). For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. 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 75 Hawthorne Street, San Francisco, CA 94105.

**DATES:** Comments must be submitted on or before December 24, 2003.

**ADDRESSES:** The proposed settlement is available for public inspection at EPA Region IX, 75 Hawthorne Street, San Francisco, California. A copy of the proposed settlement may be obtained from Janet Magnuson, EPA Region IX, 75 Hawthorne Street, ORC-3, San Francisco, CA 94105, telephone number 415-972-3887. Comments should