

defined in 258.1(f) until October 9, 1996.

Today's action takes effect on April 19, 1995. EPA believes it has good cause under section 553(d) of the Administrative Procedures Act, 5 U.S.C. 553(d), to put this action into effect less than thirty days after publication in the **Federal Register**. All of the requirements and obligations in the State's/Tribe's program are already in effect as a matter of State/Tribal law. EPA's action today does not impose any new requirements that the regulated community must begin to comply with. Nor do these requirements become enforceable by EPA as Federal law. Consequently, EPA finds that it does not need to give notice prior to making its approval effective.

*Compliance With Executive Order 12866*

The Office of Management and Budget has exempted this notice from the requirements of Section 6 of Executive Order 12866.

*Certification Under the Regulatory Flexibility Act*

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this tentative approval will not have a significant economic impact on a substantial number of small entities. It does not impose any new burdens on small entities. This proposed notice, therefore, does not require a regulatory flexibility analysis.

**Authority:** This notice is issued under the authority of sections 2002, 4005, and 4010 of the Solid Waste Disposal Act as amended; 42 U.S.C. 6912, 6945, and 6949(a).

Dated: April 4, 1995.

**Jack McGraw,**

*Acting Regional Administrator.*

[FR Doc. 95-9380 Filed 4-14-95; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5191-8]

**42 U.S.C. Section 122(h)**

**Proposed Administrative Agreement**

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

**ACTION:** Proposed settlement.

**SUMMARY:** USEPA is proposing to settle a claim under Section 107 of CERCLA for response costs incurred during removal activities at the Union Scrap Iron and Metal (Union Scrap III) site in Minneapolis, MN. Respondents have agreed to reimburse USEPA in the amount of \$936,000. USEPA today is proposing to approve this settlement

offer because it reimburses USEPA, in part, for costs incurred during USEPA's removal action.

**DATES:** Comments on this proposed settlement must be received on or before May 17, 1995.

**ADDRESSES:** Copies of the proposed settlement are available at the following address for review: (It is recommended that you telephone Ms. Cheryl Allen at (312) 353-6196 before visiting the Region V Office).

U.S. Environmental Protection Agency, Region V, Office of Superfund, Removal and Enforcement Response Branch, 77 W. Jackson Blvd., Chicago, Illinois 60604

Comments on this proposed settlement should be addressed to: (Please submit an original and three copies, if possible)

Cheryl Allen, Community Relations Coordinator, Office of Public Affairs, U.S. Environmental Protection Agency, Region V, 77 W. Jackson Boulevard (P-19J), Chicago, Illinois 60604, (312) 353-6196.

**FOR FURTHER INFORMATION CONTACT:**

Cheryl Allen, Office of Public Affairs, at (312) 353-6196.

**SUPPLEMENTARY INFORMATION:** The Union Scrap III site, a scrap yard contaminated with lead and polychlorinated biphenyls (PCBs), is not on the National Priorities List. In response to a request from the State of Minnesota, USEPA investigated the Union Scrap III site and undertook response actions designed to minimize the immediate threat, test the materials involved and properly dispose of the hazardous waste.

Respondents are a variety of individuals and corporate entities that generated hazardous substances at the Site in the form of lead batteries, lead contaminated scrap and polychlorinated biphenyls (PCBs) from metal and oil-based sources. A 30-day period, beginning on the date of publication, is open pursuant to section 122(i) of CERCLA for comments on the proposed settlement.

Comments should be sent to Ms. Cheryl Allen of the Office of Public Affairs (P-19J), U.S. Environmental Protection Agency, Region V, 77 W. Jackson Boulevard, Chicago, Illinois 60604.

**Thomas P. Turner,**

*Assistant Regional Counsel, Environmental Protection Agency.*

[FR Doc. 95-9540 Filed 4-14-95; 8:45 am]

BILLING CODE 6560-50-M

[OPPT-59343; FRL-4947-7]

**Certain Chemicals; Approval of Test Marketing Exemptions**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's approval of applications for test marketing exemptions (TMEs) under section 5(h)(1) of the Toxic Substances Control Act (TSCA) and 40 CFR 720.38. EPA has designated these applications as TMEs-95-1 and 95-2. The test marketing conditions are described below.

**EFFECTIVE DATES:** April 5, 1995. Written comments will be received until May 2, 1995.

**FOR FURTHER INFORMATION CONTACT:** Shirley D. Howard, New Chemicals Branch, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-447H, 401 M St. SW., Washington, DC 20460, (202) 260-3780.

**SUPPLEMENTARY INFORMATION:** Section 5(h)(1) of TSCA authorizes EPA to exempt persons from premanufacture notification (PMN) requirements and permit them to manufacture or import new chemical substances for test marketing purposes if the Agency finds that the manufacture, processing, distribution in commerce, use, and disposal of the substances for test marketing purposes will not present an unreasonable risk of injury to human health or the environment. EPA may impose restrictions on test marketing activities and may modify or revoke a test marketing exemption upon receipt of new information which casts significant doubt on its finding that the test marketing activity will not present an unreasonable risk of injury.

EPA hereby approves TMEs-95-1 and 95-2. EPA has determined that test marketing of the new chemical substances described below, under the conditions set out in the TME applications, and for the time period and restrictions specified below, will not present an unreasonable risk of injury to human health or the environment. Production volume, use, and the number of customers must not exceed that specified in the applications. All other conditions and restrictions described in these applications and in this notice must be met.

Inadvertently the notice of receipt of these applications was not published. Therefore, an opportunity to submit comments is being offered at this time. The complete nonconfidential