

Dated: March 11, 1996.
 Stephen L. Johnson,
*Director, Registration Division, Office of
 Pesticide Programs.*
 [FR Doc. 96-6427 Filed 3-14-96; 8:45 am]
 BILLING CODE 6560-60-M

[OPP-300419; FRL-5355-2]

Identification of Pesticide Tolerances Under Settlement Agreement

AGENCY: Environmental Protection Agency (EPA).
ACTION: Notice.

SUMMARY: With this notice EPA identifies various pesticide food additive regulations under a court-approved settlement agreement. Today's notice does not affect the regulatory status of any raw or processed food tolerance.

FOR FURTHER INFORMATION CONTACT: By mail: Jean M. Frane, Policy and Special Projects Staff (7501C), Environmental Protection Agency, 401 M St., SW., Washington, DC, 20460. Office location: Room 1113, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. Telephone: 703-305-5944; e-mail address: frane.jean@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On February 9, 1995, in a court-approved settlement agreement, EPA agreed to take certain actions related to the Delaney clause of the Federal Food, Drug and Cosmetic Act (FFDCA). The Delaney clause prohibits the establishment or maintenance of any food additive regulation (commonly referred to as a tolerance) for a pesticide that is found to induce cancer.

One of the actions agreed to by EPA is to review, within 5 years of the date of approval of the settlement, toxicological and food processing studies submitted as of the date of settlement, to determine the following:

1. Whether any such toxicological studies show that any pesticides not included in Appendix III of the settlement "induce cancer" within the meaning of the Delaney clause. Additionally, EPA agreed to identify any existing or needed processed food tolerances for such pesticides found to induce cancer, and

2. Whether any such food processing studies show that any pesticides included in Appendix III need processed food tolerances.

EPA agreed to issue a notice in the Federal Register, annually for 5 years,

listing any pesticide food additive tolerances and underlying raw food tolerances identified in its review of the toxicological and processing studies. Today's notice is the first such annual notice.

II. Listing of Pesticide Tolerances

A. Pesticides Newly Identified as "Inducing Cancer"

Prior to and since the settlement agreement, EPA has issued a series of proposed revocations of processed food tolerances, in which the Agency has made determinations that the pesticide induces cancer. Each of these pesticides is currently identified in Appendix III of the settlement, and thus are not considered to be newly identified for the purposes of this notice.

EPA has made no determinations that any pesticide not currently identified in Appendix III of the settlement "induces cancer" within the meaning of the Delaney clause.

B. Pesticides Newly Identified as Having or Needing Food Additive Tolerances

EPA has determined, based upon its review of processing studies, that the pesticides listed in the following table have raw food tolerances and need processed food tolerances. This listing is merely a reporting of determinations made at various times over the past year. Such determinations were made in accordance with policies in existence at the time of the review. In the last year, EPA has revised many of its policies that determine when a processed food tolerance is needed. Some of today's determinations on the need for a processed food or feed tolerance do not reflect consideration of EPA's revised policies. Before taking any regulatory action with respect to the raw or processed tolerances in today's notice, EPA will evaluate the need for a food/feed additive tolerance in accordance with its new policies.

Pesticide	Raw crop tolerance (CFR cite)	Processed Food/Feed Form
Iprodione	Fresh prune (180.399)	Dried prune
Metolachlor	Potatoes (180.368)	Processed potato waste
Permethrin	Apples (180.378)	Wet apple pomace
Phosmet	Grapes (180.261)	Raisin waste
.....		Pomace (wet and dry)
Thiophanate-methyl.	Apples (180.371)	Wet apple pomace

Dated: March 6, 1996.
 Penelope A. Fenner-Crisp,
Acting Director, Office of Pesticide Programs.
 [FR Doc. 96-6158 Filed 3-14-96; 8:45 am]
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[FRL-5442-2]

Notice of Proposed Administrative Settlement Under the Comprehensive Environmental Response, Compensation, and Liability Act and the Resource Conservation and Recovery Act

AGENCY: Environmental Protection Agency.
ACTION: Notice; Request for public comment; opportunity for public meeting.

SUMMARY: In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), notice is hereby given of a proposed administrative *de minimis* settlement concerning the Novak Sanitary Landfill Superfund Site in Lehigh County, Pennsylvania, with the parties listed below. The settlement requires the settling parties to pay a total of \$300,920.38 to the Hazardous Substances Superfund. The settlement includes an EPA covenant not to sue the settling parties pursuant to Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, and Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6973. Section 122(g) of CERCLA, 42 U.S.C. 9622(g), provides EPA with authority to enter into *de minimis* settlements.

For thirty days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will reconsider 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 the Parkland Library located at 4422 Walbert Avenue, Allentown, PA and at the USEPA Region III, 841 Chestnut Street, Philadelphia, PA 19107. Commenters may request an opportunity for a public meeting in the affected area in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

DATES: Comments must be provided on or before April 15, 1996.

ADDRESSES: A copy of the proposed settlement may be obtained from Joan Martin-Banks (3HWI) in EPA's Region III Office, 841 Chestnut Building, Philadelphia, PA 19107, (telephone: 215/597-1192). Comments should be addressed to the Docket Clerk, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA 19107, and should refer to: *In Re Novak Sanitary Landfill Superfund Site*, Lehigh County, Pennsylvania, U.S. EPA Docket No. III-95-57-DC.

FOR FURTHER INFORMATION CONTACT: Wendy Miller (Mail Code 3RC32) (215) 597-3230, U.S. Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania 19107.

SUPPLEMENTARY INFORMATION: Notice of *De Minimis* Settlement: In accordance with Section 122(i)(1) of CERCLA, notice is hereby given of a proposed administrative settlement concerning the Novak Sanitary Landfill Superfund Site, in Lehigh County, Pa. Notice of an opportunity for a public meeting pursuant to Section 7003 of the Resource Conservation and Recovery Act ("RCRA") is also hereby given. The agreement was proposed by EPA Region III. Subject to review by the public pursuant to this Notice, the agreement has met with the approval of the Attorney General or her designee, United States Department of Justice.

Below are listed the parties who have executed binding certifications of their consent to participate in this settlement:

1. Acoustical Spray Insulators, Inc.
2. American National Can Company
3. Ecolab Inc.
4. Howmet Cercast (U.S.A., Inc.)
5. International Multifoods Corporation
6. Mancor PA, Inc.
7. The Asbury Graphite Mills, Inc.

These seven parties collectively have agreed to pay \$300,920.38, subject to the contingency that EPA may elect not to complete the settlement if comments received from the public during this comment period or at a public meeting, if one is requested, disclose facts or considerations which indicate the proposed settlement is inappropriate, improper, or inadequate. Money collected from *de minimis* parties will be used for past response costs incurred at or in connection with the Site. The amounts to be paid by the *de minimis* parties include a premium to cover the risk that unknown conditions are discovered or information previously unknown to EPA is received.

EPA is entering into this agreement under the authority of Sections 122(g) and 107 of CERCLA and Section 7003 of RCRA. Section 122(g) authorizes settlements with *de minimis* parties to allow them to resolve their liabilities at Superfund Sites without incurring substantial transaction costs. Each of the *de minimis* parties is responsible for less than one percent of the volume of waste that may have contained hazardous substance disposed of at the Site. EPA issued a draft settlement proposal on May 10, 1995 and agreed to a thirty day negotiation period. On July 31, 1995, EPA issued a final settlement proposal embodied in the Administrative Order on Consent which included several modifications made in response to comments by *de minimis* parties in letters to EPA and during negotiations with the Agency. The proposed settlement reflects and was agreed upon based on conditions known to parties on or about July 31, 1994. Six of the *de minimis* settling parties will be required to pay their volumetric share of the Government's past response costs, estimated costs incurred by the potentially responsible parties that performed the Remedial Investigation/Feasibility Study ("RI/FS") for the Site, and the estimated future response costs at the Site (excluding any federal claims for natural resource damages or any State claims), plus the premium amount. One *de minimis* party, The Asbury Graphite Mills, Inc., is required to pay its volumetric share of the Government's past response costs and the estimated future response costs at the Site (excluding any federal claims for natural resources damages or any State claims), plus the premium amount. The Asbury Graphite Mills, Inc. is not required to pay any amount toward the estimated costs of the RI/FS because it was among the parties that agreed to perform the RI/FS and it has certified that it paid more than its volumetric share toward that performance.

Stanley L. Laskowski,
Regional Administrator, Region III.
[FR Doc. 96-6246 Filed 3-14-96; 8:45 am]
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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Commission announces that it intends to submit to the Office of Management and Budget a request to extend without change the existing collection of information listed below. The Commission is seeking public comments on the proposed extension.

DATES: Written comments on this notice must be submitted on or before May 14, 1996.

ADDRESSES: Comments should be submitted to Frances M. Hart, Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 10th Floor, 1801 L Street NW., Washington, DC 20507. As a convenience to commentators, the Executive Secretariat will accept comments transmitted by facsimile ("FAX") machine. The telephone number of the FAX receiver is (202) 663-4114. (This is not a toll free number.) Only comments of six or fewer pages will be accepted via FAX transmittal. This limitation is necessary to assure access to the equipment. Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663-4078 (voice) or (202) 663-4399 (TDD). (These are not toll-free numbers.) Copies of comments submitted by the public will be available for review at the Commission's library, Room 6502, 1801 L Street NW., Washington, DC, between the hours of 9:30 a.m. and 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Margaret Ulmer Holmes, Office of Management, Room 2204, 1801 L Street NW., Washington, DC 20507, (202) 663-4279 (voice) or (202) 663-7114 (TDD).

SUPPLEMENTARY INFORMATION:

Collection Title: Recordkeeping Requirements of Uniform Guidelines on Employee Selection Procedures, 29 C.F.R. Part 1607.

Form Number: None.

Frequency of Report: None required.

Type of Respondent: Businesses or other institutions, state or local governments, and farms.

Standard Industrial Classification (SIC) Code: Multiple.

Description of Affected Public: Any employer, labor organization, or employment agency covered by the federal equal employment opportunity laws.

Responses: 666,000.

Reporting Hours: 1,450,000.

Number of Forms: None.

Abstract: The records required to be maintained by 29 C.F.R. 1607.4 and