

does not discuss specific effluent guideline regulations currently under development.

The meeting is open to the public, and limited seating for the public is available on a first-come, first-served basis. The public may submit written comments to the Task Force regarding improvements to the Effluent Guidelines program. Comments should be sent to Beverly Randolph at the above address. Comments submitted by November 24, 1998 will be considered by the Task Force at or subsequent to the meeting.

Dated: November 12, 1998.

**Tudor T. Davies,**

*Director, Office of Science and Technology.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6190-7]

### Notice of Proposed Settlement; Talisman Sugar Corporation Properties, Palm Beach and Hendry Counties, Florida

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement.

**SUMMARY:** Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and under section 7003(d) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6973(d), the United States Environmental Protection Agency (EPA) proposes to enter into a "prospective purchaser agreement" (PPA) concerning property owned by the Talisman Sugar Corporation ("Talisman") in Palm Beach and Hendry Counties, Florida. EPA proposes to enter into the PPA with The Nature Conservancy ("TNC"), a non-profit District of Columbia corporation, and the South Florida Water Management District, (the "District"), a special ad valorem taxing authority established by the Florida legislature, which is responsible for management of water delivery in South Florida. The PPA concerns the acquisition by TNC and the District of certain real property presently owned or leased by Talisman in Palm Beach and Hendry Counties, Florida.

The real property in question (the "Property") consists of approximately 50,757 acres in the Everglades Agricultural Area ("EAA"). Most of the Property is currently owned by Talisman, but the Property includes

certain parcels leased by Talisman. The Property is the subject of a Purchase and Sale Agreement between Talisman and the TNC (the "Purchase and Sale Agreement"), dated July 2, 1998, which gives TNC the right to purchase Talisman's interest in the Property.

TNC is also a party to a Cooperative Agreement with the United States Department of the Interior and the District (the "Cooperative Agreement"), dated July 24, 1998, pursuant to which portions of the Property may be transferred to the District. The purpose of TNC's and the District's participation in the Purchase and Sale Agreement and/or Cooperative Agreements is to further restoration of the Florida Everglades ecosystem. The PPA obligates TNC and the District to manage portions of the Property that they acquire in a manner that is consistent with the comprehensive Everglades restoration program envisioned by the Cooperative Agreement.

Pursuant to the PPA, TNC and the District will be protected from CERCLA liability and from liability under section 7003(d) of RCRA, 42 U.S.C. 6973(d), which may arise from their participation in the acquisition of the Property, as described above. This protection is contingent on TNC's and the District's management of the property as described above.

EPA will consider public comments on the proposed settlement for thirty (30) days. 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). EPA may withdraw from or modify the proposed settlement should public comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper or inadequate.

Copies of the proposed settlement are available from Ms. Paula V. Batchelor, Waste Management Division, U.S. EPA, Region 4, Atlanta Federal Center, 61 Forsyth Street, S.W., Atlanta, Georgia 30303-8909.

Written comments may be submitted to Ms. Batchelor within thirty (30) calendar days of the date of publication.

**Franklin E. Hill,**

*Chief, Program Services Branch, Waste Management Division.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6190-3]

### Proposed Administrative Penalty Assessments and Opportunity to Comment

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed assessments of Clean Water Act Class I administrative penalties and opportunity to comment.

**SUMMARY:** EPA is providing notice of proposed administrative penalties for alleged violations of the Clean Water Act. EPA is also providing notice of opportunity to comment on the proposed penalties.

EPA is authorized under section 309(g) of the Act, 33 U.S.C. 1319(g), to assess a civil penalty after providing the person subject to the penalty notice of the proposed penalty and the opportunity for a hearing, and after providing interested persons notice of the proposed penalty and a reasonable opportunity to comment on its issuance. Under section 309(g), any person who without authorization discharges a pollutant to a navigable water, as those terms are defined in section 502 of the Act, 33 U.S.C. 1362, may be assessed a penalty in a "Class I" administrative penalty proceeding. Class I proceedings under section 309(g) are conducted in accordance with proposed consolidated rules of practice governing the administrative assessment of civil penalties, published at 63 FR 9464 (Feb. 25, 1998).

EPA is providing notice of the following proposed Class I penalty proceedings initiated by the Water Division, U.S. EPA, Region 9, 75 Hawthorne St., San Francisco, CA 94105:

In the Matter of S&H Dairy, Docket No. CWA-IX-FY98-28, filed September 28, 1998; proposed penalty, \$5,000; for unauthorized discharge from the S&H Dairy, 4125 Bentley Road, Oakdale, CA 95361, on January 23, 1998, to a canal operated by the Oakdale Irrigation District; and

In the Matter of Bairos Brothers Dairy, Inc., Docket No. CWA-IX-FY98-27, filed September 28, 1998; proposed penalty, \$5,000; for unauthorized discharge from the Bairos Brothers Dairy, 3037 Albers Road, Modesto, CA 95357, on January 23, 1998, to the Albers Lateral of the Oakdale Irrigation District.

Procedures by which the public may comment on a proposed Class I penalty or participate in a Class I penalty