

summarizing the comments received and actions it intends to take in response.

### Compliance Assistance

#### *Small Business Compliance Challenges and Approaches to Promoting Compliance*

- Is EPA developing the types of compliance assistance tools and compliance and enforcement policies that small businesses need?
- What additional activities should EPA undertake to promote compliance by small businesses?

#### *Appropriate Roles of the States, Tribes, Localities and the Federal Government With Regard to Providing Compliance Assistance*

- What should be the relative role of the Federal government, States, Tribes, localities and the private sector, with regard to providing compliance assistance? On what activities should their efforts be focused?
- What should be EPA's role with regard to providing compliance assistance? Where should Federal efforts be focused?

#### *Integrated Compliance Assistance and Enforcement Approaches*

- What types of compliance strategies are most effective for small businesses?

### Information and Accountability

#### *Making Valuable Enforcement and Compliance Information Publicly Available*

- What enforcement and compliance assurance information is useful and valuable to the public? Who is in a position to provide the information? What is it about this information that makes it valuable?
- What are the most appropriate means for making valuable information publicly available?
- Given that much of EPA's information originates from external sources (e.g. states and regulated community), how can we best ensure the quality of the information?

### Compliance Incentives

#### *Compliance Incentives For Top Performers in the Field: What's the Right Mix of Elements of Incentives to Encourage Top Performers?*

- Who is a top performer?
- Should rewards, recognition, or other special treatment be given to top performers?
- If so, what incentives should be conferred for what behaviors?

#### *Encouraging Self-Evaluation and Correction*

- How has EPA's principal compliance incentive, the Audit/Self-Policing Policy, worked over the three years it has been in place?
- How can it be improved?

#### *Inspections and Enforcement as Compliance Motivators*

- What influences or motivates companies to improve compliance and overall environmental performance? What specific actions or programs would you suggest be adopted by government to motivate companies to comply?
- How can EPA and the States use the full range of tools available, including inspections, enforcement, compliance assistance and compliance incentives, to maximize compliance with environmental requirements and foster improved environmental performance?

### Innovative Approaches to Enforcement

- How effective are EPA enforcement policies in assuring a fair and reasonably consistent response to violations that are either self-disclosed, or discovered through traditional enforcement actions?
- How important is deterrence to compliance?
- What role should enforcement play in securing compliance with high-risk violations like wet weather discharges, and failure to permit and control air pollutants and RCRA wastes?
- Do EPA settlement policies obtain the maximum environmental benefit, consistent with fair treatment of defendants and maintaining deterrence?
- How can EPA better educate the regulated community as to how to avoid common types of violations?
- How should EPA best integrate compliance assistance, incentives, and enforcement actions into one coherent strategy? Are incentive and assistance programs more effective when combined with the perceived risk of enforcement actions?

Dated: February 19, 1999.

**Sylvia Lowrance,**

*Principal Deputy Assistant Administrator, Office of Enforcement and Compliance Assurance.*

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL-6237-4]

#### **Southeastern Wood Preserving Superfund Site; Notice of Proposed Settlement**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement.

**SUMMARY:** Under section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the United States Environmental Protection Agency (EPA) proposes to enter into a cost recovery settlement pursuant to section 122(h)(1) of CERCLA, 42 U.S.C. 9622(h)(1) with the Madison County Mississippi Economic Development Authority. This administrative settlement would resolve the settling party's liability for past response costs incurred by EPA at the Southeastern Wood Preserving Superfund Site. EPA will consider public comments on the proposed settlement for thirty (30) days. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or considerations which indicate that the proposed settlement is inappropriate, improper, or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Bachelor, Waste Management Division, U.S. EPA Region 4, 61 Forsyth Street, Atlanta, GA 30303, (404) 562-8887.

Written comments may be submitted to Ms. Bachelor within 30 calendar days of the date of publication.

Dated: February 16, 1999.

**Franklin E. Hill,**

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

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL-6237-3]

#### **Sun Laboratories SuperFund Site/ Atlanta, Georgia; Notice of Proposed Settlement**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement.

**SUMMARY:** Under Section 122(h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Environmental Protection Agency (EPA) has proposed to settle claims for response costs at the