

be sent to the Applicant's representatives.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6239-1]

### Ambient Air Monitoring Reference and Equivalent Methods: Designation of a New Reference Method

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of designation.

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has designated, in accordance with 40 CFR part 53, a new reference method for measuring concentrations of PM<sub>2.5</sub> in ambient air.

**FOR FURTHER INFORMATION CONTACT:** Frank F. McElroy, Human Exposure and Atmospheric Sciences Division (MD-46), National Exposure Research Laboratory, U.S. EPA, Research Triangle Park, North Carolina 27711; Phone: (919) 541-2622, email: mcelroy.frank@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** In accordance with regulations at 40 CFR part 53, the EPA examines various methods for monitoring the concentrations of certain pollutants in the ambient air. Methods that are determined to meet specific requirements for adequacy are designated as either reference or equivalent methods, thereby permitting their use under 40 CFR part 58 by States and other agencies in determining attainment of the National Ambient Air Quality Standards. EPA hereby announces the designation of a new reference method for measuring PM<sub>2.5</sub> in ambient air. This designation is made under the provisions of 40 CFR part 53, as amended on July 18, 1997 (62 FR 38764).

The new reference method for PM<sub>2.5</sub> is a manual monitoring method based on a particular commercially available PM<sub>2.5</sub> sampler. The newly designated method is identified as follows:

RFPS-0299-128, "Andersen Instruments, Incorporated Model RAAS2.5-200 PM<sub>2.5</sub> Audit Sampler," configured as a PM<sub>2.5</sub> reference method and operated with software (firmware) version 4B, for 24-hour continuous sample periods at a flow rate of 16.67 liters/minute, in accordance with the Model RAAS2.5-200 Operator's Manual and with the requirements and sample collection

filters specified in 40 CFR part 50, appendix L.

An application for a reference method determination for this method, based on the Andersen Instruments, Incorporated Model RAAS2.5-200 PM<sub>2.5</sub> Audit Sampler, was received by the EPA on July 6, 1998, and a notice of the receipt of this application was published in the **Federal Register** on October 29, 1998. The method is available commercially from the applicant, Andersen Instruments, Incorporated, 500 Technology Court, Smyrna, Georgia 30082.

Test samplers representative of this method have been tested by the applicant in accordance with the test procedures specified in 40 CFR part 53 (as amended on July 18, 1997). After reviewing the results of those tests and other information submitted by the applicant, EPA has determined, in accordance with part 53, that this method should be designated as a reference method. The information submitted by the applicant will be kept on file at EPA's National Exposure Research Laboratory, Research Triangle Park, North Carolina 27711 and will be available for inspection to the extent consistent with 40 CFR part 2 (EPA's regulations implementing the Freedom of Information Act).

As a designated reference method, this method is acceptable for use by states and other air monitoring agencies under the requirements of 40 CFR part 58, Ambient Air Quality Surveillance. For such purposes, the method must be used in strict accordance with the operation or instruction manual associated with the method, the specifications and limitations (e.g., sample period or measurement range) specified in the applicable designation method description (see identification of the method above), and the specifications and requirements set forth in appendix L to 40 CFR part 50. Use of the method should also be in general accordance with the guidance and recommendations of applicable sections of the "Quality Assurance Guidance Document 2.12." Vendor modifications of a designated reference or equivalent method used for purposes of part 58 are permitted only with prior approval of the EPA, as provided in part 53. Provisions concerning modification of such methods by users are specified under section 2.8 of appendix C to 40 CFR part 58 (Modifications of Methods by Users).

In general, a method designation applies to any sampler or analyzer which is identical to the sampler or analyzer described in the application for

designation. In some cases, similar samplers or analyzers manufactured prior to the designation may be upgraded (e.g., by minor modification or by substitution of a new operation or instruction manual) so as to be identical to the designated method and thus achieve designated status at a modest cost. The manufacturer should be consulted to determine the feasibility of such upgrading.

Part 53 requires that sellers of designated reference or equivalent method analyzers or samplers comply with certain conditions. These conditions are given in 40 CFR 53.9 and are summarized below:

(a) A copy of the approved operation or instruction manual must accompany the sampler or analyzer when it is delivered to the ultimate purchaser.

(b) The sampler or analyzer must not generate any unreasonable hazard to operators or to the environment.

(c) The sampler or analyzer must function within the limits of the applicable performance specifications given in parts 50 and 53 for at least one year after delivery when maintained and operated in accordance with the operation or instruction manual.

(d) Any sampler or analyzer offered for sale as part of a reference or equivalent method must bear a label or sticker indicating that it has been designated as part of a reference or equivalent method in accordance with part 53 and showing its designated method identification number.

(e) If such an analyzer has two or more selectable ranges, the label or sticker must be placed in close proximity to the range selector and indicate which range or ranges have been included in the reference or equivalent method designation.

(f) An applicant who offers samplers or analyzers for sale as part of a reference or equivalent method is required to maintain a list of ultimate purchasers of such samplers or analyzers and to notify them within 30 days if a reference or equivalent method designation applicable to the method has been canceled or if adjustment of the sampler or analyzer is necessary under 40 CFR 53.11(b) to avoid a cancellation.

(g) An applicant who modifies a sampler or analyzer previously designated as part of a reference or equivalent method is not permitted to sell the sampler or analyzer (as modified) as part of a reference or equivalent method (although it may be sold without such representation), nor to attach a label or sticker to the sampler or analyzer (as modified) under the provisions described above, until the

applicant has received notice under 40 CFR 53.14(c) that the original designation or a new designation applies to the method as modified, or until the applicant has applied for and received notice under 40 CFR 53.8(b) of a new reference or equivalent method determination for the sampler or analyzer as modified.

(h) An applicant who offers PM<sub>2.5</sub> samplers for sale as part of a reference or equivalent method is required to maintain the manufacturing facility in which the sampler is manufactured as an ISO 9001-certified facility.

(i) An applicant who offers PM<sub>2.5</sub> samplers for sale as part of a reference or equivalent method is required to submit annually a properly completed Product Manufacturing Checklist, as specified in part 53.

Aside from occasional breakdowns or malfunctions, consistent or repeated noncompliance with any of these conditions should be reported to: Director, Human Exposure and Atmospheric Sciences Division (MD-77), National Exposure Research Laboratory, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of this reference method is intended to assist the States in establishing and operating their air quality surveillance systems under 40 CFR part 58. Questions concerning the commercial availability or technical aspects of this method should be directed to the applicant.

**Norine E. Noonan,**

*Assistant Administrator, Office of Research and Development.*

[FR Doc. 99-6033 Filed 3-10-99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6308-1]

### Prospective Purchaser Agreement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended by the Superfund Amendments and Reauthorization Act

**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. 9601-9675,

notice is hereby given that a prospective purchaser agreement ("Purchaser Agreement") associated with the Deaconess Hospital Superfund Site ("Site"), in Wenatchee, Chelan County, Washington was executed by the Environmental Protection Agency and the Department of Justice and is now subject to public comment, after which the United States may modify or withdraw its consent if comments received disclose facts or considerations which indicate that the Purchaser Agreement is inappropriate, improper, or inadequate. The Purchaser Agreement would resolve certain potential EPA claims under section 107 of CERCLA, 42 U.S.C. 9607, against Willard Aldridge and Associates ("Aldridge"). The settlement would require Aldridge to, among other things, (1) pay to the Superfund \$235,000, plus interest, over four years; and (2) perform specified general abatement projects at the Property, in accordance with the Scope of Work attached to the PPA, estimated to cost \$250,000.

For thirty (3) days following the date of publication of this document, the Agency will receive written comments relating to the Purchaser Agreement. The Agency's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region X, 1200 Sixth Avenue, Seattle, Washington 98101.

**DATES:** Comments must be submitted on or before April 5, 1999.

**AVAILABILITY:** The Purchaser Agreement and additional background information relating to the Purchaser Agreement are available for public inspection at the U.S. Environmental Protection Agency, Region X, 1200 Sixth Avenue, Seattle, Washington 98101. A copy of the Purchaser Agreement may be obtained from Cara Steiner-Riley (ORC-158), Assistant Regional Counsel, U.S. Environmental Protection Agency, Region X, 1200 Sixth Avenue, Seattle, Washington 98101.

Comments should reference the "Deaconess Hospital Superfund Site, Prospective Purchaser Agreement" and "EPA Docket No. 10-04-0225-CERCLA" and should be forwarded to Cara Steiner-Riley at the above address.

**FOR FURTHER INFORMATION, CONTACT:** Cara Steiner-Riley (ORC-158), Assistant Regional Counsel, U.S. Environmental Protection Agency, Region X, 1200 Sixth Avenue, Seattle, Washington 98101, phone: (206) 553-1142.

Dated: February 24, 1999.

**Chuck Findley,**

*Acting Regional Administrator, Region X.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6239-2]

### Proposed Administrative Order on Consent; Reclaim Barrel Site, Salt Lake County, UT

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

**ACTION:** Notice; proposed section 107 settlement.

**SUMMARY:** In accordance with the requirements of section 107, of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9607 *et seq.*, notice is hereby given of a proposed administrative settlement agreement under section 107, 42 U.S.C. 9607, concerning the Reclaim Barrel Site in Salt Lake County, Utah (the "Site"). The proposed Administrative Order on Consent ("AOC") requires the settling party, Bruce Jones, to pay a total of \$1,000 to resolve his liability for response costs incurred and to be incurred by the United States Environmental Protection Agency ("EPA") in connection with the remediation of the Reclaim Barrel Site.

**DATES:** Comments must be submitted to EPA on or before April 12, 1999.

**ADDRESSES:** Comments should be addressed to Matthew Cohn, (8ENF-L), Senior Enforcement Attorney, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2466, and should refer to: In the Matter of: Reclaim Barrel Site Administrative Settlement Agreement for Bruce Jones.

**FOR FURTHER INFORMATION CONTACT:** Matthew Cohn, (8ENF-L), Senior Enforcement Attorney, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado, 80202-2466, (303) 312-6853.

**SUPPLEMENTARY INFORMATION:** Notice of section 107, 42 U.S.C. 9607, Administrative Order on Consent Settlement: In accordance with section 107 of CERCLA, 42 U.S.C. 9607, notice is hereby given that the terms of an AOC for a cost recovery settlement have been agreed to by the settling party, Bruce Jones.

By the terms of the proposed AOC, Bruce Jones will pay \$1,000 to the EPA Hazardous Substance Superfund. In exchange for payment, as provided for by CERCLA, the settling party will receive a covenant not to sue for liability under section 107(a) of CERCLA, 42 U.S.C. 9607(a), and contribution protection under section