

Therefore, it is exempt from review by the Office of Management and Budget as required for rules and regulations by Executive Order 12291. Nor is a Regulatory Impact Analysis being prepared under Executive Order 12291 for this determination, since it is not a rule.

In addition, this action is not a rule as defined in the Regulatory Flexibility Act, 5 U.S.C. 601(2). Therefore, EPA has not prepared a supporting regulatory flexibility analysis addressing the impact of this action on small business entities.

Finally, the Administrator has delegated the authority to make determinations regarding waivers of Federal preemption under section 209(b) of the Act to the Assistant Administrator for Air and Radiation.

Dated: July 28, 1999.

**Robert Perciasepe,**

*Assistant Administrator for Air and Radiation.*

[FR Doc. 99-20200 Filed 8-4-99; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6413-7]

**National Drinking Water Advisory Council; Small Systems Implementation Working Group, Notice of Conference Call**

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

**ACTION:** Notice.

**SUMMARY:** Under Section 10(a)(2) of Public Law 92-423, "The Federal Advisory Committee Act," notice is hereby given that a conference call of the Small Systems Implementation Working Group of the National Drinking Water Advisory Council established under the Safe Drinking Water Act, as amended (42 U.S.C. S300f *et seq.*), will be held on August 24, 1999, from 1:00 p.m. to 3:00 p.m. EDT. The call will be held at the U.S. Environmental Protection Agency, 401 M Street S.W., Room 1132 East Tower, Washington, D.C. The meeting is open to the public to observe, but seating will be limited.

The purpose of this meeting is to review draft papers on seven policy issues related to small systems. These papers are an initial step towards formulating the working group's recommendations to the National Drinking Water Advisory Council.

For more information, please contact Peter E. Shanaghan, Designated Federal Officer, Small Systems Implementation

Working Group, U.S. EPA, Office of Ground Water and Drinking Water (4606), 401 M Street, S.W., Washington, D.C. 20460. The telephone number is 202-260-5813 and the email address is shanaghan.peter@epa.gov.

Dated: July 29, 1999.

**Elizabeth J. Fellows,**

*Acting Designated Federal Officer, National Drinking Water Advisory Council.*

[FR Doc. 99-20202 Filed 8-4-99; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6415-5]

**Proposed Settlement Under Section 122 (h) (1) of the Comprehensive Environmental Response, Compensation and Liability Act**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed administrative settlement agreement and opportunity for public comment—Pijak Farm and Spence Farm Superfund sites.

**SUMMARY:** The United States Environmental Protection Agency (EPA) is proposing to enter into an administrative settlement to resolve certain claims under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA). Notice is being published to inform the public of the proposed settlement and the opportunity to comment. This settlement concerns the Pijak Farm and Spence Farm Superfund Sites in Plumsted Township, Ocean County, New Jersey and is intended to resolve the recovery of certain past costs incurred by EPA.

**DATES:** Comments must be provided by September 7, 1999.

**ADDRESSES:** Comments should be addressed to the United States Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th Floor, New York, NY 10007, and should refer to: In the Matter of the Pijak Farm and Spence Farm Superfund Sites, Agreement for Recovery of Past Response Costs, U.S. EPA Index No. II-CERCLA-02-99-2018. **FOR FURTHER INFORMATION CONTACT:** U.S. Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th Floor, New York, NY 10007; Attention: Damaris Urdaz Cristiano, Esq. Ms. Cristiano can be reached at (212) 637-3140.

**SUPPLEMENTARY INFORMATION:** In accordance with section 122(i)(1) of

CERCLA, notice is hereby given of a proposed administrative settlement concerning the Pijak Farm and Spence Farm Superfund Sites located in Plumsted Township, Ocean County, New Jersey. Section 122(h)(1) of CERCLA provides EPA with authority to settle certain claims for response costs incurred by the United States when the settlement has received the approval of the Attorney General of the United States of America. The settling parties will pay \$16,526.72 to reimburse EPA for past response costs incurred at the Pijak Farm and Spence Farm Superfund Sites.

Dated: July 26, 1999.

**John S. Frisco,**

*Acting Director, Emergency and Remedial Response Division.*

[FR Doc. 99-20204 Filed 8-4-99; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

[OPPTS-42190B; FRL-6090-6]

**Dibasic Esters; Final Enforceable Consent Agreement and Testing Consent Order**

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

**ACTION:** Notice.

**SUMMARY:** Under section 4 of the Toxic Substances Control Act (TSCA), EPA has issued a testing consent order (Order) that incorporates an enforceable consent agreement (ECA) with the Aceto Corporation, E.I. du Pont de Nemours and Company, and Solutia Inc. (the "Companies"). The Companies have agreed to perform toxicity and dermal penetration rate testing on dimethyl adipate (CAS No. 627-93-0) (DMA), dimethyl glutarate (CAS No. 1119-40-0) (DMG), and dimethyl succinate (CAS No. 106-65-0) (DMS), known collectively as dibasic esters (DBEs). This notice announces the ECA and Order for DBEs and summarizes the terms of the ECA.

**DATES:** The effective date of the ECA and Order is August 5, 1999.

**FOR FURTHER INFORMATION CONTACT:** *For general information contact:* Christine M. Augustyniak, Associate Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone numbers: (202) 554-1404 and TDD: (202) 554-0551; e-mail address: TSCA-Hotline@epa.gov.

*For technical information contact:* George Semeniuk, Project Manager,