

Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified in the "FOR FURTHER INFORMATION CONTACT" section.

#### *E. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

- Explain your views as clearly as possible.
- Describe any assumptions that you used.
- Provide copies of any technical information and/or data you used that support your views.
- If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
- Provide specific examples to illustrate your concerns.
- Offer alternative ways to improve the rule or collection activity.
- Make sure to submit your comments by the deadline in this notice.
- To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

## II. Background

### *A. What Action is the Agency Taking?*

On April 7, 1999, EPA announced the receipt of a pesticide petition (PP 9F5050) (64 FR 16965) (FRL-6069-8) from AgrEvo USA Company. The petition, 9F5050, proposed an amendment to 40 CFR 180.1192 to expand the current exemption from the requirement of a tolerance for *Bacillus thuringiensis* subspecies *tolworthi* Cry9C protein and the genetic material necessary for its production in corn from corn used for feed only (and associated residues in meat, poultry, milk, or eggs resulting from animals fed such feed) to all food commodities. EPA has completed its initial review of the data submitted in support of this petition and is soliciting public comment on the data evaluation records, and a list of questions regarding human allergenicity assessment for non-digestible proteins expressed as plant-pesticides. This issue will also be one of the subjects of a FIFRA Science Advisory Panel (SAP) meeting in early February 2000.

### *B. What is the Agency's Authority for Taking this Action?*

The Agency is soliciting input to aid in determining whether there is a reasonable certainty of no harm for the proposed expansion of the exemption from the requirement of a tolerance under the Federal Food, Drug and Cosmetic Act (FFDCA).

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: December 9, 1999.

**Janet L. Andersen,**

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. 99-32871 Filed 12-17-99; 9:17 am]

**BILLING CODE 6560-50-F**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6511-9]

### Proposed Settlement Agreement, Clean Air Act Citizen Suit

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Proposed Consent Decree; Request for Public Comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed partial consent decree, which was lodged with the United States District Court for the District of Columbia by the United States Environmental Protection Agency ("EPA") on December 1, 1999, to address a lawsuit filed by the Natural Resources Defense Council, Environmental Defense Fund, Conservation Law Foundation, Clean Air Council, Natural Resources Council of Maine, and Sierra Club (collectively referred to as "NRDC"). This lawsuit, which was filed pursuant to section 304(a) of the Act, 42 U.S.C. 7604(a), addresses EPA's alleged failure to meet a mandatory deadline under section 110(c) of the Act, 42 U.S.C. 7410(c), to promulgate federal implementation plans establishing attainment demonstrations for certain ozone nonattainment areas classified as serious or severe and located in the eastern part of the United States and to impose sanctions in those areas. *NRDC v. EPA*, No. 1:99CV02976 (D.D.C.).

**DATES:** Written comments on the proposed consent decree must be received by January 20, 2000.

**ADDRESSES:** Written comments should be sent to Jan M. Tierney, Air and Radiation Law Office (2344-A), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Copies of the proposed consent decree are available from Phyllis J. Cochran, (202) 564-7606. A copy of the proposed consent decree was lodged with the Clerk of the United States District Court for the District of Columbia on December 1, 1999.

**SUPPLEMENTARY INFORMATION:** NRDC alleges that EPA has a mandatory duty to promulgate federal implementation plans (FIPs) and impose sanctions on 10 nonattainment areas located in 13 States and the District of Columbia. There are four areas that are classified as serious ozone nonattainment areas for the 1-hour ozone standard: Greater Connecticut located in Connecticut; Metropolitan Washington located in Washington, DC, Maryland and Virginia; Springfield/Western Massachusetts located in Massachusetts; and Atlanta located in Georgia. There are six areas classified as severe ozone nonattainment for the 1-hour ozone standard: New York-Northern New Jersey-Long Island located in Connecticut, New York and New Jersey; Philadelphia-Wilmington-Trenton located in Pennsylvania, Delaware, Maryland, and New Jersey; Baltimore located in Maryland; Houston-Galveston-Brazoria located in Texas; Chicago-Gary-Lake County located in Illinois and Indiana; and Milwaukee-Racine located in Wisconsin.

The proposed partial consent decree provides, in part, that EPA will promulgate full attainment FIPs by May 15, 2001 for the serious areas without fully approved attainment demonstration SIPs as of that date and will promulgate full attainment demonstration FIPs by June 14, 2002 for the severe areas without fully approved attainment demonstration SIPs as of that date. In addition, the consent decree provides for the FIP promulgation dates to be advanced (to February 28, 2001 for serious areas and July 31, 2001 for severe areas) if by May 31, 2000, EPA does not either (1) find that for purposes of transportation conformity the areas have adequate motor vehicle emissions budgets associated with submitted attainment demonstration SIPs, or (2) disapprove the submitted attainment demonstration SIPs. Finally, the consent decree provides that plaintiffs will file for dismissal of two lawsuits that are pending in the United States Court of Appeals for the District of Columbia Circuit and that were filed by some or all of the plaintiffs in the District Court

case. These two cases are: *Delaware Valley Citizens' Council for Clean Air v. Browner*, No. 96-1316 (D.C. Cir.) (challenge to EPA's findings of failure to submit certain portions of the attainment demonstration), and *Delaware Valley Citizens' Council for Clean Air v. Browner*, No. 98-1079 (D.C. Cir.) (challenge to EPA's "Guidance for Implementing the 1-Hour Ozone and Pre-Existing PM10 NAAQS," issued by Richard D. Wilson, Acting Assistant Administrator for Air and Radiation, dated December 29, 1997 (63 FR 8196 (Feb. 18, 1998))).

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed consent decree from persons who were not named as parties or interveners to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, following the comment period, that consent is inappropriate, the final consent decree will be entered with the court and will establish deadlines for promulgation of federal implementation plans in the absence of approved state plans.

Dated: December 9, 1999.

**Gary S. Guzy,**  
General Counsel.

[FR Doc. 99-32862 Filed 12-20-99; 8:45 am]

BILLING CODE 6560-50-M

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6512-9]

### Notice of Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement concerning the Crews Plating Superfund site, with Mr. Kent McNair.

The settlement requires the settling party to pay a total of \$27,301.44 as payment of past response costs to the Hazardous Substances Superfund. The settlement includes a covenant not to sue pursuant to section 107 of CERCLA, 42 U.S.C. 9607.

For thirty (30) days following the date of publication of this document, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to 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 1445 Ross Avenue, Dallas, Texas 75202-2733.

**DATES:** Comments must be submitted on or before January 20, 2000.

**ADDRESSES:** The proposed settlement and additional background information relating to the settlement are available for public inspection at 1445 Ross Avenue, Dallas, Texas 75202-2733. A copy of the proposed settlement may be obtained from Carl Bolden, 1445 Ross Avenue, Dallas, Texas 75202-2733 at (214) 665-6713. Comments should reference the Crews Plating Superfund Site, Dallas, Dallas County, Texas, and EPA Docket Number 6-21-99, and should be addressed to Carl Bolden at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Michael Boydston, 1445 Ross Avenue, Dallas, Texas 75202-2733 at (214) 665-7376.

Dated: December 15, 1999.

**Myron O. Knudson,**

Acting Regional Administrator, Region 8.

[FR Doc. 99-33024 Filed 12-20-99; 8:45 am]

BILLING CODE 6560-50-M

## EXECUTIVE OFFICE OF THE PRESIDENT

### Office of Science and Technology Policy

#### Request for Comment on Proposed Statement of Principles of the Government-University Research Partnership

**AGENCY:** Office of Science and Technology Policy.

**ACTION:** Request for comment on proposed statement of principles of the government-university research partnership.

**SUMMARY:** An April 27, 1999 Presidential Memorandum directed that

the National Science and Technology Council "in consultation with research universities and other stakeholders in the Federal science and technology enterprise, shall develop a statement of principles that clearly articulates the roles, responsibilities, and expectations of each of the partners and establishes a framework for addressing future issues as they arise. Ultimately, this statement of principles will serve to shape future discussions and guide policy development and decision making." President Clinton asked that this action be completed within twelve months of the date of the memorandum. The findings and recommendations contained in the NSTC report on *Renewing the Federal Government-University Research Partnership for the 21st Century* should provide the basis for proceeding. The report proposed a draft statement of principles developed by the NSTC and recommended that it be finalized in consultation with the interested community. As part of this process, this notice seeks public comment.

**DATES:** The Office of Science and Technology Policy welcomes comments on the proposed policy. In order to be assured consideration, comments must be postmarked no later than February 18, 2000.

**ADDRESSES:** Written comments should be mailed to Dr. Arthur Bienenstock, Associate Director for Science, Office of Science and Technology Policy, Washington, DC 20502. The entire NSTC report may be viewed electronically by going to the following web site: <http://www.whitehouse.gov/WH/EOP/OSTP/html/rand/index.htm>. In order to provide comments electronically, click on "Your comments," then on "Click here to provide your electronic comments."

**FOR FURTHER INFORMATION CONTACT:** Anne-Marie Mazza, Office of Science and Technology Policy, Executive Office of the President, Washington, DC 20502. Tel: 202-456-6040; Fax: 202-456-6027; e-mail: [amazza@ostp.eop.gov](mailto:amazza@ostp.eop.gov).

**SUPPLEMENTARY INFORMATION:** In order for the partnership between the Federal government and the university community to thrive, there must be a clear understanding on the part of both parties of the goals of the partnership and the responsibilities of the partners. The following questions sometimes arise in consideration of this partnership: Why does the Federal government invest in university research? What is the role of graduate students in the research enterprise? On what basis are the costs of research allocated among the parties? Federal