

was no treatment-related increase in tumor incidence.

6. *Animal metabolism.* In the rat metabolism study, the percentage of dose did not exceed 0.21% in any tissue and the total percentage of dose in all tissues was 0.26–0.40%. The majority of the dose was excreted in the urine (about 80% within 72 hours). The predominant metabolite was p-hydroxy carboxin sulfide and the other major metabolite was 4-acetamidophenol. Unchanged carboxin was not detected in the excreta.

7. *Metabolite toxicity.* Although no toxicology studies have been conducted on carboxin metabolites per se, none of these would be expected to have significant toxicity. The residue of concern is the parent compound only.

8. *Endocrine disruption.* No specific studies have been conducted to evaluate potential estrogenic or endocrine effects; however, the standard battery of required studies has not demonstrated any evidence that is suggestive of hormonal effects. Evaluation of the rat multi-generational study demonstrated no effect on the time to mating or on the mating and fertility indices. Chronic and sub-chronic toxicity studies in rats and dogs did not demonstrate any evidence of toxicity to the male or female reproductive tract or to any endocrine organ associated with endocrine disruption.

#### C. Aggregate Exposure

1. *Food.* The potential dietary exposure from food was assessed using the conservative assumptions that all residues would be at tolerance levels (existing tolerances and a proposed tolerance on onions and the proposed tolerance on canola) and that all commodities would contain residues (100% crop treated). Although meal from canola is a livestock feed item, the 3X exaggerated rate study showed no residue at the LOQ. Thus, a processing study was not required and no additional residues are expected in livestock. The existing tolerances for animal commodities are adequate. Potential chronic exposures were estimated using NOVIGEN's Dietary Exposure Evaluation Model (DEEM Version 6.76), which uses USDA food consumption data from the 1989–1992 survey. The total dietary exposure is estimated to be about 11% of the reference dose (RfD) for adults and 25% for infants and 23% for children. The chronic RfD is 0.01 mg/kg/day, based on the NOAEL of 1 mg/kg/day in the rat and dog chronic studies and a 100-fold safety factor. The exposure contribution from canola will be less than 0.1% of the RfD.

2. *Drinking water.* There are no established Maximum Concentration Levels (MCL's) for residues of carboxin in drinking water. Health Advisory (HA) Levels for carboxin drinking water for adults are 4 and 0.7 mg/L (longer term and life time HA levels, respectively) and 1-day, 10-day and longer term HA levels are all 1 mg/L for children. Seed treatment uses do not typically require a drinking water assessment. Use of carboxin as a seed treatment (at an application rate of <0.01 ounce active ingredient per acre) is not expected to impact ground water or surface waters or result in significant human exposure.

3. *Non-dietary exposure.* Carboxin is registered only for commercial agricultural use and not for homeowner use. Therefore, non-occupational exposure to the general population from carboxin is unlikely and is not considered in the aggregate exposure assessments.

#### D. Cumulative Effects

The potential for cumulative effects of carboxin and other substances that have a common mechanism was considered. The mammalian toxicity of carboxin is well defined, with the kidney being identified as target organ. However, since the biochemical mechanism of toxicity of this compound is not known, it cannot be determined if toxic effects produced by carboxin would be cumulative with any other chemical compound. Thus, only the potential risk of carboxin is considered in the aggregate exposure assessment.

#### E. Safety Determination

Exposure to carboxin would occur primarily from the dietary route. Maximum theoretical levels of carboxin in drinking water were well below drinking water levels of concern for adults and children. Non-occupational exposure to the general population is not expected. Because calculation of the dietary exposure used tolerance levels for all crops and animal commodities and assumed 100% of the crop was treated, the exposure values are considered to be overestimates. Consideration of anticipated residues and actual percent crop treated would likely result in a significantly lower dietary exposure.

1. *U.S. population chronic dietary exposure.* Chronic dietary exposure to the general U. S. population from existing uses and the proposed use on onions and canola is 11.6% of the RfD. The highest levels calculated are for non-nursing infants and children (1–6 years), the exposures are 23.2% and 26.6% of the RfD respectively. Therefore, there is a reasonable certainty

that no harm will result from dietary exposure to carboxin residues.

2. *Infants and children.* The potential for carboxin to induce toxic effects in children at a greater sensitivity than the general population has been assessed using the rat and rabbit developmental and two generation reproduction studies. There was no evidence of embryo toxicity or teratogenicity and no effects on reproductive parameters as a result of carboxin exposure. The lowest NOAEL for any developmental effect in these studies (15 mg/kg/day reduced pup growth during lactation in the rat reproduction study) is considerably greater than the NOAEL for systemic toxicity in rats (1 mg/kg/day for nephritis in the rat chronic feeding study). This result demonstrates that there is no prenatal or postnatal sensitivity to carboxin. Therefore, it is inappropriate to assume that infants and children are more sensitive than the general population to the effects from exposure to carboxin residues.

#### F. International Tolerances

The Codex Alimentarius Commission has not established a maximum residue level for carboxin.

[FR Doc. 00–4242 Filed 2–22–00; 8:45 am]

BILLING CODE 6560–50–F

## ENVIRONMENTAL PROTECTION AGENCY

[FRL–6541–7]

### Proposed Prospective Purchaser Agreement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as Amended by the Superfund Amendments and Reauthorization Act—Idaho Springs, CO

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** Notice is hereby given of a proposed Prospective Purchaser Agreement concerning the Big Five Waste Rock Pile which is a part of the Clear Creek/Central City, Colorado Superfund Site (Site). The proposed Administrative Agreement and Covenant Not to Sue, also known as a Prospective Purchaser Agreement (PPA), enables the City of Idaho Springs, Colorado to buy contaminated property without incurring liability for the current contamination.

**DATES:** Comments must be submitted by March 9, 2000.

**ADDRESSES:** The proposed settlement is available for public inspection at the EPA Superfund Record Center, 999 18th Street, 5th Floor, North Tower, Denver, Colorado. Comments should be addressed to Kelcey Land, Enforcement Specialist, (8ENF-T), U.S. Environmental Protection Agency, 999 18th Street, Suite 500, Denver, Colorado, 80202-2405, and should reference the Clear Creek/Central City site Prospective Purchaser Agreement (EPA Docket No. CERCLA-8-2000-06).

**FOR FURTHER INFORMATION CONTACT:** Kelcey Land, Enforcement Specialist, at (303) 312-6393.

**SUPPLEMENTARY INFORMATION:** Notice of Prospective Purchaser Agreement: notice is hereby given that the terms of an Administrative Agreement and Covenant Not to Sue, also known as a Prospective Purchaser Agreement (PPA) have been agreed to by the City of Idaho Springs, the State of Colorado and the Environmental Protection Agency.

The proposed PPA will allow the City of Idaho Springs, Colorado to purchase certain property on the western edge of Idaho Springs which is a part of the Clear Creek/Central City Superfund Site. The property in question is known as the Big Five Waste Rock Pile which was contaminated by mining waste in the early 1900's. The State and EPA are currently financing a cleanup of the Big Five Waste Rock Pile. The PPA allows the City of Idaho Springs to purchase the property without incurring liability for the existing contamination. The City intends to use the property as part of a bicycle and pedestrian path. In exchange for the covenants, the City has agreed to perform maintenance activities to ensure the protectiveness of the remedy implemented by the State and EPA.

For a period of fifteen (15) days from the date of this publication, the public may submit comments to EPA relating to this proposed Prospective Purchaser Agreement.

A copy of the proposed agreement may be obtained from Kelcey Land (8ENF-T), U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Colorado 80202-2405, (303) 312-6393. Additional background information relating to the agreement is available for review at the Superfund Records Center at the above address.

It is So Agreed:

**Jack W. McGraw,**

*Acting Regional Administrator, Region VIII.*  
[FR Doc. 00-4232 Filed 2-22-00; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6541-6]

### Westgate Mobile Home Superfund Site; Notice of Proposed Settlement

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement.

**SUMMARY:** The United States Environmental Protection Agency is proposing to enter into a settlement with the Exide Corporation for response cost pursuant to section 122(h)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9622(h)(1) concerning the Westgate Mobile Home Superfund Site (Site) located in Greer, Greenville County, South Carolina. 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 the proposed settlement is inappropriate, improper or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, U.S. EPA, Region 4, (WMD-CPSB), 61 Forsyth Street SW, Atlanta, Georgia 30303, (404) 562-8887.

Written comments may be submitted to Ms. Batchelor on or before March 9, 2000.

Dated: February 8, 2000.

**Franklin E. Hill,**

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

[FR Doc. 00-4234 Filed 2-22-00; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-62162A; FRL-6488-5]

### Asbestos-Containing Materials in Schools; State Request for Waiver from Requirements; Notice of Final Decision

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

**ACTION:** Notice of final decision on requested waiver.

**SUMMARY:** EPA is issuing a final decision which approves the request from Texas for a waiver from the Agency's asbestos-in-schools program. A waiver of these requirements is granted since EPA has determined, after notice and comment and opportunity for a public hearing, that Texas is implementing or intends to

implement a program of asbestos inspection and management at least as stringent as EPA's program. This notice announces the official grant of the waiver.

**ADDRESSES:** A copy of the complete waiver application submitted by the State, identified by docket control number OPPTS-62162, is on file and available for review at the EPA Region VI office in Dallas, TX.

**FOR FURTHER INFORMATION CONTACT:** Neil Pflum, Asbestos Coordinator, (6PD-T), Region VI, Environmental Protection Agency, 1445 Ross Ave., Dallas, TX 75202; telephone: (214) 665-2295; e-mail: pflum.neil@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

This action is directed to the public in general. This action may, however, be of special interest to teachers and other school personnel, their representatives, and parents in Texas, and asbestos professionals working in Texas. Since other entities may also be interested, the Agency has not attempted to describe all entities that may be affected by this action. If you have any questions regarding the applicability of this action to any entity, contact the person under "FOR FURTHER INFORMATION CONTACT."

###### B. How Can I Get Additional Information, Including Copies of this Document or Other Related Documents?

EPA has established an official record for this action under docket control number OPPTS-62162. The official record consists of the documents referenced in this action and is available by contacting the person under, "FOR FURTHER INFORMATION CONTACT."

##### II. Background

###### A. What Action is the Agency Taking and under What Authority?

On October 29, 1999, EPA published a notice of proposed waiver in the **Federal Register** (64 FR 58406) (FRL-6386-8) on the proposed grant of a waiver of the asbestos-in-schools program in Texas, soliciting written comments and providing an opportunity for a public hearing. No comments and no requests for a public hearing were received during the comment period, which ended on December 28, 1999. Consequently, no public hearing was held.

EPA is granting, with conditions, a waiver of the asbestos-in-schools program to Texas. The waiver is issued under section 203(m) of TSCA and 40