

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6716-5]

**Proposed Settlement Under Sections 122(g)(1)(B) and 122(g)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act; Land Trust No. 40966, Chicago Title and Trust Company, as Trustee; Northern Trust Company, as Trustee for the John F. Stack Residuary Trust; Mary Stack; Dorothy Stack Spaulding; John Stack, Jr.; Robert Stack and Eugene Stack****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Request for public comment.

**SUMMARY:** In accordance with section 122(i)(1) of the Comprehensive Environmental Response, Compensation and Liability Act of 1984, as amended (CERCLA), notice is hereby given of a proposed administrative settlement concerning the Vacant Lot hazardous waste site at the northeast corner of Commonwealth Avenue and Martin Luther King Drive in North Chicago, Illinois (Site).

The agreement was proposed by EPA Region 5 on January 12, 1998. Subject to review by the public pursuant to this Notice, the agreement has been approved by the United States Department of Justice. Land Trust No. 40966, Chicago Title and Trust Company, as trustee; Northern Trust Company, as trustee for the John F. Stack Residuary Trust; Mary Stack; Dorothy Stack Spaulding; John Stack, Jr.; Robert Stack and Eugene Stack have executed binding certifications of their consent to participate in the settlement.

EPA is entering into this agreement under the authority of section 122(g) and 107 of CERCLA. Section 122(g) authorizes settlements with *de minimis* parties to allow them to resolve their liabilities at Superfund sites without incurring substantial transaction costs. Under the proposed settlement, Site property will be transferred to BREMS Realty, L.L.C. (which has entered into a proposed prospective purchaser agreement with EPA). The sale proceeds of \$35,000 would be paid directly to EPA and applied to its outstanding response costs of approximately 3.1 million at the Site. These settling parties would agree not to sue the United States for any claims arising out of the response actions taken at the Vacant Lot site. In exchange for that covenant and in consideration of the payment to be received, EPA would provide a covenant not to sue the settling parties and the contribution protection

provided by Sections 113(f)(2) and 122(g)(5) of CERCLA, 42 U.S.C. 9613(f)(2) and 9622(g)(5). EPA has determined that these parties are owners or have potential ownership interests at the Site and that they did not conduct or permit the generation, transportation, storage, treatment, or disposal of any hazardous substances at the site, and did not contribute to the release or threat of release of a hazardous substance at the site through any act or omission.

The Environmental Protection Agency will receive written comments relating to this agreement for 30 days from the date of publication of this notice. EPA will consider all comments received and may decide not to enter this proposed agreement if comments disclose facts or considerations which indicate that the proposed agreement is inappropriate, improper or inadequate.

**DATES:** Comments must be provided on or before July 19, 2000.

**ADDRESSES:** Comments should be addressed to the Docket Clerk, U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590, and should refer to: In Re Vacant Lot Site, North Chicago, Illinois, U.S. EPA Docket No. V-W-00C-94.

**FOR FURTHER INFORMATION CONTACT:**

Thomas J. Krueger, U.S. Environmental Protection Agency, Office of Regional Counsel, C-14J, 77 West Jackson Boulevard, Chicago, Illinois, 60604-3590, (312) 886-0562.

A copy of the proposed administrative settlement agreement may be obtained in person or by mail from the EPA's Region 5 Office of Regional Counsel, 77 West Jackson Boulevard, Chicago Illinois 60604-3590. Additional background information relating to the settlement is available for review at the EPA's Region 5 Office of Regional Counsel.

**Authority:** The Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9601-9675.

**Bruce Sypniewski,**

*Acting Director, Superfund Division.*

[FR Doc. 00-15396 Filed 6-16-00; 8:45 am]

**BILLING CODE 6560-50-M**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6718-7]

**Proposed CERCLA Administrative Cost Recovery Settlement; West Site/Hows Corner Superfund Site, Plymouth, Maine****AGENCY:** Environmental Protection Agency (EPA).**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 for recovery of past response costs concerning the West Site/Hows Corner Superfund Site, Plymouth, Maine with the Hows Corner/West Site RI/FS PRP Group. The settlement provides a \$300,000 credit towards settlement of past costs for the RI/FS PRP Group, in exchange for the PRP Group's performance of a Remedial Investigation/Feasibility Study at the Site. For thirty (30) days following the date of publication of this document, the United States Environmental Protection Agency will receive written comments relating to the settlement. The United States Environmental Protection 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 United States Environmental Protection Agency's response to any comments received will be available for public inspection at U.S. Environmental Protection Agency, EPA-New England, One Congress Street, Suite 1100, Boston, MA 02114.

**DATES:** Comments must be submitted on or before July 19, 2000.

**ADDRESSES:** The proposed settlement is available for public inspection at U.S. Environmental Protection Agency, EPA-New England, One Congress Street, Suite 1100, Boston, MA 02114. A copy of the proposed settlement may be obtained from Barbara O'Toole, Responsible Party Coordinator, U.S. EPA, Region 1, One Congress Street, Suite 1100 (HBS), Boston, MA 02114, (617) 918-1408. Comments should reference the West Site/Hows Corner Superfund Site, Plymouth, Maine and EPA Docket No. CERCLA 1-2000-005 and should be addressed to Barbara O'Toole, Responsible Party Coordinator,

U.S. EPA, EPA-New England, One Congress Street, Suite 1100 (HBS), Boston, MA 02114.

**FOR FURTHER INFORMATION CONTACT:** Barbara O'Toole, Responsible Party Coordinator, U.S. EPA, EPA-New England, One Congress Street, Suite 1100 (HBS), Boston, MA 02114, (617) 918-1408.

Dated: May 26, 2000.

**Patricia L. Meaney,**

*Director, Office of Site Remediation and Restoration, EPA-New England.*

[FR Doc. 00-15399 Filed 6-16-00; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-59371; FRL-6593-7]

### Approval of Test Marketing Exemption for a Certain New Chemical With Restrictions and Comments

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's approval of an application for test marketing exemption (TME) under section 5(h)(1) of the Toxic Substances Control Act (TSCA) and 40 CFR 720.38. EPA has designated this application as TME-00-3. The test marketing conditions are described in the TME application and in this notice.

**DATES:** Approval of this TME is effective on June 13, 2000. Written comments will be received until July 5, 2000.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit III of the "SUPPLEMENTARY INFORMATION." To ensure proper receipt by EPA, it is imperative that you identify the docket control number "[OPPTS-59371]" and the TME number "[TME 00-3]" in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** For general information contact: Barbara Cunningham, Director, Office of Program Management, and Evaluation, Office of Pollution Prevention and Toxics (7401), Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 202 554-1404; and e-mail address: TSCA-Hotline@epa.gov.

For technical information contact: Adella Watson, New Chemicals Notice Management Branch, Chemical Control

Division (7405), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 260-3752; and e-mail address: watson.adella@epa.gov.

#### SUPPLEMENTARY INFORMATION:

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

This action is directed in particular to the chemical manufacturer and/or importer who submitted the TME to EPA. This action may, however, be of interest to the public in general. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed in the "FOR FURTHER INFORMATION CONTACT" section.

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

A. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations" and then look up the entry for this document under the "Federal Register—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

B. *In person.* The Agency has established an official record for this action under docket control number OPPTS-59371. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the TSCA Nonconfidential Information Center (NCIC), North East Mall (NEM) Rm. B-607, Waterside Mall, 401 M St., SW., Washington, DC. The Center is open from noon to 4 p.m., Monday through Friday, excluding legal holidays. The

telephone number for the Center is (202) 260-7099.

##### III. How and to Whom Do I Submit Comments?

Notice of receipt of this application was not published in advance of approval. Therefore an opportunity to submit comments is being offered at this time. You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPPTS-59371 in the subject line on the first page of your response. The complete nonconfidential document is available in the TSCA NCIC at the above address in Unit II. B. between noon and 4 p.m., Monday through Friday, excluding legal holidays. EPA may modify or revoke the test marketing exemption if comments are received which cast significant doubt on its finding that the test marketing activities will not present an unreasonable risk of injury.

A. *By mail.* Submit your comments to: Document Control Office (7407), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC 20460.

B. *In person or by courier.* Deliver your comments to: OPPT Document Control Office (DCO) in East Tower Rm. G-099, Waterside Mall, 401 M St., SW., Washington, DC. The DCO is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the DCO is (202) 260-7093.

C. *Electronically.* You may submit your comments electronically by e-mail to: "oppt.ncic@epa.gov," or mail your computer disk to the address identified above. Do not submit any information electronically that you consider to be CBI. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on standard disks in WordPerfect 6.1/8.1 or ASCII file format. All comments in electronic form must be identified by docket control number OPPTS-59370. Electronic comments may also be filed online at many Federal Depository Libraries

##### IV. How Should I Handle CBI That I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be