

List of Subjects

Environmental protection, Chemicals, Premanufacturer notices.

Dated: November 3, 2000.

Deborah A. Williams,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 00-28717 Filed 11-08-00; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-51957; FRL-6754-8]

Certain New Chemicals; Receipt and Status Information

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5 of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory) to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a premanufacture notice (PMN) or an application for a test marketing exemption (TME), and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which covers the period from October 9, 2000 to October 20, 2000, consists of the PMNs and TMEs, both pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period. The "S" and "G" that precede the chemical names denote whether the chemical identity is specific or generic.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the

SUPPLEMENTARY INFORMATION. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPPTS-51957 and the specific PMN number in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: Barbara Cunningham, Director, Office of Program Management and Evaluation, Office of Pollution Prevention and Toxics (7401), Environmental Protection

Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:**I. General Information***A. Does this Action Apply to Me?*

This action is directed to the public in general. As such, the Agency has not attempted to describe the specific entities that this action may apply to. Although others may be affected, this action applies directly to the submitter of the premanufacture notices addressed in the action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

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

1. *Electronically.* You may obtain copies of this document and certain other available documents from the EPA Internet Home Page at <http://www.epa.gov/>. On the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," 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/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPPTS-51957. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, any test data submitted by the Manufacturer/Importer 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, North East Mall 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 of the Center is (202) 260-7099.

C. How and to Whom Do I Submit Comments?

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-51957 and the specific PMN number in the subject line on the first page of your response.

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

2. *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.

3. *Electronically.* You may submit your comments electronically by e-mail to: oppt.ncic@epa.gov, or mail your computer disk to the address identified in this unit. 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 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPPTS-51957 and the specific PMN number. Electronic comments may also be filed online at many Federal Depository Libraries.

D. 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 disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. 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 listed under **FOR FURTHER INFORMATION CONTACT.**"

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

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

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the notice or collection activity.
7. Make sure to submit your comments by the deadline in this document.
8. 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. Why is EPA Taking this Action?

Section 5 of TSCA requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a PMN or an application for a TME and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which covers the period from October 09, 2000 to October 20, 2000, consists of the PMNs and TMEs, both pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period.

III. Receipt and Status Report for PMNs

This status report identifies the PMNs and TMEs, both pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period. If you are interested in information that is not included in the following tables, you may contact EPA as described in Unit II. to access additional non-CBI information that may be available. The "S" and "G" that precede the chemical names denote whether the chemical identity is specific or generic.

In table I, EPA provides the following information (to the extent that such information is not claimed as CBI) on the PMNs received by EPA during this period: the EPA case number assigned to the PMN; the date the PMN was received by EPA; the projected end date for EPA's review of the PMN; the submitting manufacturer; the potential uses identified by the manufacturer in the PMN; and the chemical identity.

TABLE I. 38 PREMANUFACTURE NOTICES RECEIVED FROM: 10/09/00 TO 10/20/00

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
P-01-0022	10/10/00	01/08/01	Shin-Etsu Silicones of America, Inc.	(S) Additive for silicone rtv rubber compounds;additive for primer	(S) Propanoic acid, 2-(trimethoxysilyl)-ethyl ester
P-01-0023	10/10/00	01/08/01	CBI	(G) Epoxy hardener - open, non-dispersive use	(G) Part acrylated epoxy cresol novolac acrylate
P-01-0024	10/10/00	01/08/01	CBI	(G) Uv sensitive resin-open, non-dispersive use	(G) Carboxylated epoxy cresol novolac acrylate
P-01-0025	10/10/00	01/08/01	CBI	(S) Waterbased uv curing polymer for wood topcoats (kitchen cabinets) and plastic picture frames and moldings	(G) Polyester polyurethane acrylate block copolymer
P-01-0026	10/10/00	01/08/01	CBI	(G) Open, non-dispersive use	(G) Acrylic polymer salt
P-01-0027	10/10/00	01/08/01	CBI	(G) Destructive use	(G) Acid functional acrylic polymer
P-01-0028	10/10/00	01/08/01	CBI	(G) Open,non-dispersive use	(G) Hydroxy functional acrylic polymer
P-01-0029	10/10/00	01/08/01	CBI	(S) Release finish;textile additive	(G) Dimethicone copolyol polyacrylate
P-01-0030	10/10/00	01/08/01	Ashland Inc.	(G) Lamination adhesive	(G) Polyurethane prepolymer
P-01-0031	10/10/00	01/08/01	CBI	(S) Lubricant for both offshore and onshore oil production sites	(G) Amine phosphate
P-01-0032	10/13/00	01/11/01	CBI	(G) Component of coating with open use	(G) Urethane acrylate
P-01-0033	10/11/00	01/09/01	FMC Corporation	(S) Chemical intermediate	(G) Sulfonamide
P-01-0034	10/12/00	01/10/01	CBI	(G) Component of coating with open use	(G) Modified amino triazine
P-01-0035	10/12/00	01/10/01	Arch Chemicals, Inc.	(S) Photo-acid generator f/chemically amplified resist systems	(G) Perfluorooctanesulfonate
P-01-0036	10/12/00	01/10/01	CBI	(G) This component will be a minor wear inhibitor ingredient formulated into selected natural gas and railroad lubricating oil concentrates for delivery to commercial and industrial finished oil blenders and end cutomers for these products. in actual service, this component will be degraded, as intended, to afford enhance protection from lead bearing corrosion in these types of internal combustion engines	(G) Polyalkenyl succinimide, ammonium salt

TABLE I. 38 PREMANUFACTURE NOTICES RECEIVED FROM: 10/09/00 TO 10/20/00—Continued

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
P-01-0037	10/12/00	01/10/01	Cytec Industries Inc.	(S) Anti-scalant in oil field and oil refinery operations	(G) Polymeric scale inhibitor
P-01-0038	10/13/00	01/11/01	Dow Corning Corporation	(S) Siloxane endblocker	(G) Alkyl phenyl siloxane
P-01-0039	10/13/00	01/11/01	Dow Corning Corporation	(S) Hydraulic/heat transfer fluid	(G) Dimethyl, methyl phenyl siloxane
P-01-0040	10/13/00	01/11/01	CBI	(G) Open, dispersive use; component of asphalt and concrete emulsions	(G) Salt of polymerized rosin
P-01-0041	10/16/00	01/14/01	CBI	(G) Open, non-dispersive use	(G) Hydroxy functional acrylic polymer
P-01-0042	10/16/00	01/14/01	Cognis Corporation	(G) Textile sizing resin	(G) Polyether epoxy polyurethane
P-01-0043	10/13/00	01/11/01	CBI	(S) Specialty polymer	(G) Silyl substituted bicyclic olefin
P-01-0044	10/16/00	01/14/01	CBI	(G) Component of coating with open use	(G) Cationic epoxy dispersion
P-01-0045	10/16/00	01/14/01	CIBA Specialty Chemicals Corporation	(S) Colorant in polymers	(G) Diketo-pyrrolopyrrol pigment derivative
P-01-0046	10/13/00	01/11/01	CBI	(G) Lubricant additive	(G) Modified alkyl ester
P-01-0047	10/13/00	01/11/01	CBI	(G) Lubricant additive	(G) Modified alkyl ester
P-01-0048	10/13/00	01/11/01	CBI	(G) Lubricant additive	(G) Modified alkyl ester
P-01-0049	10/13/00	01/11/01	CBI	(G) Lubricant additive	(G) Modified alkyl ester
P-01-0050	10/13/00	01/11/01	CBI	(G) Lubricant additive	(G) Modified alkyl ester
P-01-0051	10/13/00	01/11/01	CBI	(G) Lubricant additive	(G) Modified alkyl ester
P-01-0052	10/18/00	01/16/01	Warner-Jenkinson Co., Inc.	(S) Technical dye	(S) 1h-pyrazole-3-carboxylic acid, 4,5-dihydro-5-oxo-1-(4-sulfophenyl)-4-[(4-sulfophenyl)azo]-, sodium salt, compd. with 2-aminoethanol
P-01-0053	10/18/00	01/16/01	CBI	(G) Dispersive use	(G) Poly carboxylic acid, sodium salt
P-01-0054	10/18/00	01/16/01	CBI	(G) Dispersive use	(G) Polycarboxylate
P-01-0055	10/18/00	01/16/01	CBI	(G) Dispersive use	(G) Polycarboxylate
P-01-0056	10/18/00	01/16/01	CBI	(G) Dispersive use	(G) Polycarboxylate, sodium salt
P-01-0057	10/18/00	01/16/01	CBI	(G) Dispersive use	(G) Polycarboxylate, sodium salt
P-01-0058	10/19/00	01/17/01	BASF Corporation	(S) Process aid for leather finishing	(G) Counter ions of alkenes, hydroformylation products, distn. residues
P-01-0059	10/20/00	01/18/01	CBI	(G) Plastics additive	(S) Fatty acids, c8-10, esters with 3,3'-oxybis[1,2-propanediol]

In table II, EPA provides the following information (to the extent that such information is not claimed as CBI) on the TMEs received:

TABLE II. 1 TEST MARKETING EXEMPTION NOTICES RECEIVED FROM: 10/09/00 TO 10/20/00

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
T-01-0001	10/13/00	11/27/00	CBI	(G) Component of coating with open use	(G) Urethane acrylate

In table III, EPA provides the following information (to the extent that such information is not claimed as CBI) on the Notices of Commencement to manufacture received:

TABLE III. 30 NOTICES OF COMMENCEMENT FROM: 10/09/00 TO 10/20/00

Case No.	Received Date	Commencement/Import Date	Chemical
P-00-0123	10/10/00	09/29/00	(G) Amino alkane
P-00-0190	10/16/00	09/27/00	(G) Amine functional acrylic polymer salted with an organic acid
P-00-0349	10/10/00	09/20/00	(G) Benzoic acid, 3,5-diamino-2,4-bis[[4-[[2-(sulfoxy)ethyl]sulfonyl]azo]-6-[[2-sulfo-4-[substituted]phenyl]azo]-, sodium salt
P-00-0452	10/11/00	09/14/00	(S) 3h-indol-3-one, 5-bromo-2-(5-bromo-1,3-dihydro-3-oxo-2h-indol-2-ylidene)-1,2-dihydro-
P-00-0545	10/17/00	10/14/00	(G) Piperidinyl derivative
P-00-0680	10/13/00	10/08/00	(G) Fatty acids, reaction products
P-00-0710	10/19/00	10/02/00	(G) Benzenesulfonic acid, 2,2'-(9,10-dihydro-5,8-dihydroxy-9,10-dioxo-1,4-anthracenediyl) (substituted)-, disodium salt

TABLE III. 30 NOTICES OF COMMENCEMENT FROM: 10/09/00 TO 10/20/00—Continued

Case No.	Received Date	Commencement/ Import Date	Chemical
P-00-0711	10/19/00	10/02/00	(G) Benzenesulfonic acid, 2,2'-(9,10-dihydro-5,8-dihydroxy-9,10-dioxo-1,4-anthracenediyl) (substituted)-,disodium salt
P-00-0712	10/19/00	10/02/00	(G) Benzenesulfonic acid, 2,2'-(9,10-dihydro-5,8-dihydroxy-9,10-dioxo-1,4-anthracenediyl) (substituted)-,disodium salt
P-00-0750	10/10/00	09/27/00	(G) Reaction product of: 1,2 ethane diamine, aliphatic diisocyanate and polyether polyols
P-00-0763	10/20/00	10/04/00	(G) Polyester modified polydimethylsiloxane
P-00-0792	10/13/00	10/06/00	(G) Silicone copolymer
P-00-0814	10/16/00	10/03/00	(G) Isocyanate terminated urethane pre-polymer
P-00-0816	10/20/00	09/20/00	(G) Alkyl aminosulfonylcarboxylate
P-00-0836	10/10/00	09/12/00	(G) Modified copolymer of acrylic esters and styrene
P-00-0846	10/11/00	09/20/00	(G) Polyester acrylate
P-00-42	10/17/00	09/23/00	(G) Alkylated naphthylamine
P-00-48	10/10/00	09/24/00	(G) Coconut fatty acid polyester
P-00-52	10/20/00	10/09/00	(G) Polyester polyurethane prepolymer
P-00-58	10/17/00	09/22/00	(G) 1-propanethiol, 3-(trisubstituted)-,hydrolysis products with dichlorodimethylsilane and silica
P-00-59	10/17/00	09/22/00	(G) 1-propanethiol, 3-(trisubstituted)-,hydrolysis products with dichlorodimethylsilane and silica
P-00-60	10/16/00	10/06/00	(G) Polyakyleneoxy aliphatic urethane
P-00-1003	10/19/00	10/12/00	(G) Aliphatic urethane
P-95-1565	10/13/00	09/20/00	(G) Amine functional epoxy resin salted with an organic acid
P-98-0367	10/10/00	07/29/99	(G) Organic acid amine salt
P-98-0870	10/11/00	09/15/00	(G) Sodium alcoholate
P-99-0457	10/17/00	09/17/00	(G) Polymer of styrene and mixed acrylates
P-99-0603	10/13/00	01/20/00	(G) Acrylic polymer resin
P-99-0604	10/13/00	09/25/99	(G) Oil-free alkyd
P-99-0840	10/19/00	09/25/00	(G) Hexamethylene diisocyanate, polymer with alkanepolyols, dimethyl terephthalate, benzenepolycarboxylic acid and alkanepolycarboxylic acid

List of Subjects

Environmental protection, Chemicals, Premanufacturer notices.

Dated: November 3, 2000.

Deborah A. Williams,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6898-6]

Clean Water Act Class II: Proposed Administrative Penalty Assessments and Opportunities to Comment Regarding Mr. Richard Westra, H&R Westra Dairy and Mr. Bernard Teunissen, Beranna Dairy

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Proposed Assessments of Clean Water Act Class II Administrative Penalties and opportunity to comment.

SUMMARY: EPA is providing notice of proposed administrative penalties for alleged violations of the Clean Water Act. EPA is also providing notice of

opportunity to comment on the proposed penalties.

EPA is authorized under section 309(g) of the Act, 33 U.S.C. 1319(g), to assess a civil penalty after providing the person subject to the penalty notice of the proposed penalty and the opportunity for a hearing, and after providing interested persons notice of the proposed penalty and a reasonable opportunity to comment on its issuance. Under section 309(g), any person who has violated the conditions of a National Pollutant Discharge Elimination System permit may be assessed a penalty in a "Class II" administrative penalty proceeding. Class II proceedings under section 309(g) are conducted in accordance with consolidated rules of practice governing the administrative assessment of civil penalties, 40 CFR part 22.

EPA is providing notice of the following Class II penalty proceedings:

In the Matter of Richard Westra, Docket No. CWA-9-2000-0011; Complainant, Alexis Strauss, Director, Water Division, U.S. EPA, Region 9, 75 Hawthorne St., San Francisco, CA 94105; Respondent, Mr. Richard Westra, H&R Westra Dairy, 7851 Bickmore Avenue, Chino, CA 91710; filed September 28, 2000; seeking a penalty of up to \$137,500 for various discharges from H&R Westra Dairy to a natural

drainage channel which flows to the Prado Flood Control Basin and the Santa Ana River, in violation of "General Waste Discharge Requirements for Concentrated Animal Feeding Operations, including Dairies, within the Santa Ana Region," NPDES No. CAG018001, and for various violations of conditions of that permit related to construction and maintenance of containment structures, inundation protection, surface runoff, drainage diversion, and other operational requirements.

In the Matter of Bernard Teunissen, Docket No. CWA-9-2000-0012; Complainant, Alexis Strauss, Director, Water Division, U.S. EPA, Region 9, 75 Hawthorne St., San Francisco, CA 94105; Respondent, Mr. Bernard Teunissen, Beranna Dairy, 16015 Mountain Avenue, Chino, CA 91710; filed September 29, 2000; seeking a penalty of up to \$137,500 for various discharges from Beranna Dairy to Cypress Creek Channel, which flows to Chino Creek, the Prado Flood Control Basin and the Santa Ana River, in violation of "General Waste Discharge Requirements for Concentrated Animal Feeding Operations, including Dairies, within the Santa Ana Region," NPDES No. CAG018001, and for various violations of conditions of that permit related to construction and maintenance