

**ENVIRONMENTAL PROTECTION AGENCY**

[OPP-50877; FRL-6758-8]

**Issuance of Experimental Use Permits****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** EPA has granted an experimental use permit (EUP) to the following pesticide applicant. An EUP permits use of a pesticide for experimental or research purposes only in accordance with the limitations in the permit.

**FOR FURTHER INFORMATION CONTACT:** *By mail:* Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

*In person or by telephone:* Contact the designated person at the following address at the office location, telephone number, or e-mail address cited in the experimental use permit: 1921 Jefferson Davis Hwy., Arlington, VA.

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

This action is directed to the public in general. Although this action may be of particular interest to those persons who conduct or sponsor research on pesticides, 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 information in this action, consult the designated contact person listed for the EUP.

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

You may obtain electronic copies of this document 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/>.

**II. EUPs**

EPA has issued the following EUP:  
064500-EUP-1. Issuance. U.S. Department of Agriculture, Agricultural Research Service, Pacific West Area (PWA), Department of Plant Pathology, University of California, One Shield

Ave., Davis, CA 95616. This experimental use permit allows the use of 25 gallons of the biochemical pesticide sucrose octanoate esters on 50 acres of grapevines to evaluate the control of glassy-winged sharpshooter during post harvest. The program is authorized only in the State of California. The experimental use permit is effective from September 15, 2000 to December 15, 2000. This is a non-crop destruct EUP. (S. Diana Hudson; Rm. 910, Crystal Mall #2; telephone number: (703) 308-8713; e-mail address: hudson.diana@epa.gov).

Persons wishing to review the EUP are referred to the designated contact person. Inquiries concerning the permit should be directed to the person cited above. It is suggested that interested persons call before visiting the EPA office, so that the appropriate file may be made available for inspection purposes from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

**Authority:** 7 U.S.C. 136.**List of Subjects**

Environmental protection,  
Experimental use permits.

Dated: November 29, 2000.

**Janet L. Andersen,**

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

[FR Doc. 00-31059 Filed 12-5-00; 8:45 am]

**BILLING CODE 6560-50-S****ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6912-3]

**ILCO Superfund Site; Notice of Proposed Settlement****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of proposed settlement.

**SUMMARY:** The United States Environmental Protection Agency is proposing to enter into two settlement agreements with a total of 45 de-minimis parties for response costs pursuant to section 122(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) regarding the Interstate Lead Company (ILCO) Superfund Site located in Leeds, Alabama. EPA will consider public comments on the proposed settlements for thirty (30) days. EPA may withdraw from or modify the proposed settlements should such comments disclose facts or

considerations which indicate the proposed settlement is inappropriate, improper or inadequate. Copies of the proposed settlements are available from: Ms. Paula V. Batchelor, U.S. EPA, Region 4 (WMD-PSB), Sam Nunn Atlanta Federal Center, 61 Forsyth Street SW., Atlanta, Georgia 30303, (404) 562-8887.

Written comments may be submitted to Ms. Batchelor on or before January 5, 2001.

Dated: November 20, 2000.

**Anita Davis,**

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

[FR Doc. 00-31052 Filed 12-5-00; 8:45 am]

**BILLING CODE 6560-50-U****ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6912-1]

**Proposed Settlement Under Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act, as Amended, 42 U.S.C. 9622(h), Tokeland Cow Dip Pit CERCLA Site, Pacific County, Washington****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of proposed settlement and request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended by the Superfund Amendment and Reauthorization Act ("CERCLA"), notice is hereby given of a proposed settlement to resolve a claim against Estate of Virginia M. Nelson. The proposed settlement concerns the federal government's past response costs at the Tokeland Cow Dip Pit CERCLA Site, Pacific County, Washington. The settlement requires the settling party, the Estate of Virginia M. Nelson, to pay \$57,111.55 to the Hazardous Substance Superfund. For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region 10, office at 1200 Sixth Avenue, Seattle, Washington 98101. A copy of the proposed settlement may be obtained from Mary Shillcutt, Regional Hearing Clerk, EPA, Region 10, 1200 Sixth Avenue, Seattle, Washington 98101, telephone number (206) 553-2429. Comments should

reference the "Tokeland Cow Dip Pit CERCLA Site" and EPA Docket No. CERCLA-10-97-0043 and should be addressed to Ms. Shillcutt at the above address.

**FOR FURTHER INFORMATION CONTACT:**

Jennifer Byrne, Assistant Regional Counsel, EPA Region 10, Office of Regional Counsel, 1200 Sixth Avenue, Seattle, Washington 98101, telephone number (206) 553-0050.

Dated: November 21, 2000.

**Charles E. Findley,**

*Acting Regional Administrator, Region 10.*

[FR Doc. 00-30909 Filed 12-5-00; 8:45 am]

**BILLING CODE 6560-50-U**

**OFFICE OF SCIENCE AND TECHNOLOGY POLICY**

**Executive Office of the President;  
Federal Policy on Research  
Misconduct; Preamble for Research  
Misconduct Policy**

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

**ACTION:** Notification of Final Policy.

**SUMMARY:** The Office of Science and Technology Policy (OSTP) published a request for public comment on a proposed Federal research misconduct policy in the October 14, 1999 **Federal Register** (pp. 55722-55725). OSTP received 237 sets of comments before the public comment period closed on December 13, 1999. After consideration of the public comments, the policy was revised and has now been finalized. This notice provides background information about the development of the policy, explains how the policy has been modified, and discusses plans for its implementation.

**EFFECTIVE DATE:** December 6, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Holly Gwin, Office of Science and Technology Policy, Executive Office of the President, Washington, DC 20502. Tel: 202-456-6140; Fax: 202-456-6021; e-mail: hgwin@ostp.eop.gov.

**SUPPLEMENTARY INFORMATION:** Advances in science, engineering, and all fields of research depend on the reliability of the research record, as do the benefits associated with them in areas such as health and national security. Sustained public trust in the research enterprise also requires confidence in the research record and in the processes involved in its ongoing development. For these reasons, and in the interest of achieving greater uniformity in Federal policies in this area, the National Science and Technology Council (NSTC) initiated discussions in April 1996 on the

development of a research misconduct policy. The Office of Science and Technology Policy (OSTP) provided leadership and coordination. The NSTC approved the proposed draft policy in May 1999, clearing the way for the October 14, 1999 **Federal Register** notice. Public comments in response to that notice have been reviewed. The purpose of this notice is to provide information about the policy as it has now been finalized.

This policy applies to federally-funded research and proposals submitted to Federal agencies for research funding. It thus applies to research conducted by the Federal agencies, conducted or managed for the Federal government by contractors, or supported by the Federal government and performed at research institutions, including universities and industry.

The policy establishes the scope of the Federal government's interest in the accuracy and reliability of the research record and the processes involved in its development. It consists of a definition of research misconduct and basic guidelines for the response of Federal agencies and research institutions to allegations of research misconduct.

The Federal agencies that conduct or support research will implement this policy within one year of the date of publication of this notice. An NSTC interagency research misconduct policy implementation group has been established to help achieve uniformity across the Federal agencies in implementation of the research misconduct policy. In some cases, this may require agencies to amend or replace extant regulations addressing research misconduct. In other cases, agencies may need to put new regulations in place or implement the policy through administrative mechanisms.

The policy addresses research misconduct. It does not supersede government or institutional policies or procedures for addressing other forms of misconduct, such as the unethical treatment of human research subjects or mistreatment of laboratory animals used in research, nor does it supersede criminal or other civil law. Agencies and institutions may address these other issues as authorized by law and as appropriate to their missions and objectives.

**Summary of Comments**

The Office of Science and Technology Policy received 237 comments on the proposed Federal Research Misconduct Policy. Letters were signed by individuals, and by representatives of universities, university associations,

Federal agencies, and private entities. Comments are available for review. Comments that resulted in a modification of the policy are summarized below. A section that addresses other questions raised by the comments follows the summary of modifications.

*Uniform Federal Policy*

*Issue:* Many comments recommended various mechanisms to ensure uniform implementation of this policy.

*Response:* An NSTC research misconduct policy implementation group has been formed to foster uniformity among the agencies in their implementation of the policy.

*Section I: Research Misconduct Defined*

*Issue:* A number of comments suggested that the definition of fabrication be modified to read as follows: "Fabrication is making up data or results and recording or reporting them." (Italicized words are suggested addition.) This change is to clarify that the raw data collected or generated in the research process can be fabricated just as can the results of the research.

*Response:* This change was accepted.

*Issue:* A number of commenters interpreted the definition of plagiarism to imply that using material gathered during the peer review process was acceptable as long as it is cited.

*Response:* The policy is intended to address the problem of reviewers who take material from the peer review process and use it without attribution. This constitutes plagiarism. We have deleted the phrase "including those obtained through confidential review of others' research proposals and manuscripts" to avoid any appearance of condoning a breach of confidentiality in the peer review process.

*Issue:* Despite general support for the rationale for the phrase "does not include honest error or honest differences of opinion," several comments requested various clarifications.

*Response:* This phrase is intended to clarify that simple errors or mere differences of judgment or opinion do not constitute research misconduct. The phrase does not create a separate element of proof. Institutions and agencies are not required to disprove possible "honest error or differences of opinion." The phrase has been retained, with the deletion of the second "honest" of the phrase as redundant.

*Issue:* A number of comments raised questions about what fields of research are included in the definition of research. For example, some readers were unsure about the applicability of