standard of reasonable certainty of no harm.

Using the appropriate inputs, the acute DWLOCs are 3.3 parts per million (ppm) for the U.S. population, and 0.91 ppm for the most exposed population subgroup, children (1–6 years). The estimated maximum concentration of famoxadone in surface water (2.49 ppb, derived from GENEEC) or in ground water (0.0097 ppb, derived from Sci-Grow) is much lower than the acute DWLOC. Since the estimated famoxadone concentrations in ground and surface water are well below acute DWLOCs, the acute dietary safety of famoxadone residues from drinking water clearly meets the FQPA standard of reasonable certainty of no harm.

2. *Non-dietary exposure*. Famoxadone products are not labeled for residential non-food uses, thereby eliminating the potential for residential exposure. Non-occupational, non-dietary exposure for famoxadone has not been estimated because the proposed products are limited to commercial crop production. Therefore, the potential for non-occupational exposure is insignificant.

D. Cumulative Effects

EPA's consideration of a common mechanism of toxicity is not necessary at this time because there is no indication that toxic effects of famoxadone should be cumulative with those of any other chemical. Famoxadone is a member of a new class of fungicides that acts by inhibition of mitochondrial respiration. Famoxadone's biochemical mode of action on fungi and toxicological profile in animals appear to be unique.

Given the distinct chemical, biological and toxicological profile, famoxadone's low acute toxicity, absence of genotoxic, oncogenic, developmental or reproductive effects and low exposure potential, the expression of cumulative human health effects with any other natural or synthetic pesticide is not anticipated.

E. Safety Determination

1. *U.S. population*. Dietary and occupational exposure will be the major routes of exposure to the U.S. population. Ample margins of safety have been demonstrated for both situations. For the U.S. population, the chronic dietary exposure to famoxadone is 0.000335 mg/kg/day, which utilizes 2.8% of the RfD for the overall U.S. population, assuming 30% of the crops are treated. The acute dietary exposure to the U.S. population is 0.001848 mg/kg/day (99th percentile) or 1.85% of the RFD (99th percentile). At the 99.9th percentile, the acute dietary exposure for the U.S. population is 0.006128 mg/kg/day or 6.13% of the RfD.

Using only pesticide handlers exposure data base (PHED) data levels A and B (those with a high level of confidence), the margin of exposure (MOE) for occupational exposure are 2,665 to 5,329 for mixer/loaders, 34,418 for aerial applicators, and 1,096 for ground applicators. For flaggers, the MOE is 13,500. Based on the completeness and reliability of the toxicity data and the conservative exposure assessments, there is a reasonable certainty that no harm will result from the aggregate exposure of residues of famoxadone including all anticipated dietary exposure and all other non-occupational exposures.

2. *Infants and children*. Chronic dietary exposure of the most highly exposed subgroup in the population, children 1–6, is 0.000487 mg/kg/day or 4.1% of the RfD. The acute dietary exposure of the most exposed subgroup, children 1–6, is 2.56% of the RfD (99th percentile). For non-nursing infants (<1–year), the acute dietary exposure is 0.95% RfD (99th percentile).

There are no residential uses of famoxadone and contamination of drinking water is extremely unlikely. Based on the completeness and reliability of the toxicity data, the lack of toxicological endpoints of special concern, the lack of any indication of greater sensitivity of children, and the conservative exposure assessment, there is a reasonable certainty that no harm will result to infants and children from the aggregate exposure to residues of famoxadone from all anticipated sources of dietary and non-occupational exposure. Accordingly, there is no need to apply an additional safety factor for infants and children.

F. International Tolerances

To date, no Codex, Canadian or Mexican tolerances exist for famoxadone.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL–6932–1]

Woody Wilson Battery 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 a settlement with Woodrow Wilson, Jr. and Woodrow Wilson, Sr. pursuant to 122(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, regarding the Woody Wilson Battery Superfund Site located in Ashley Heights, Hoke County, North 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), Sam Nunn Atlanta Federal Center 61 Forsyth Street, SW., Atlanta, Georgia 30303, (404) 562–8887.

Written comments may be submitted to Ms. Batchelor within thirty (30) calendar days of the date of this publication.

Dated: December 7, 2000.

Franklin E. Hill,

Chief, CERCLA Program Services Branch, Waste Management Division.

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ENVIRONMENTAL PROTECTION AGENCY

[PB–402404A–MI; FRL–6751–5]

Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; State of Michigan Approval of Lead-Based Paint Activities Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: On November 1, 1999, the State of Michigan, through the Michigan Department of Community Health, submitted an application for EPA approval to administer and enforce training and certification requirements, training program accreditation requirements, and work practice standards for lead-based paint activities in target housing and child-occupied facilities under section 402 of the Toxic Substances Control Act (TSCA). Michigan provided a self-certification letter stating that its program is at least as protective of human health and the environment as the Federal program and it has the legal authority and ability to implement the appropriate elements necessary to receive EPA approval. In the **Federal Register** of April 20, 2000 (FRL–6494–6), EPA published a notice announcing receipt of the State's