

Dated: April 19, 2002.

**James T. Miller,**

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

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**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION  
AGENCY**

[FRL-7204-2]

**Notice of Proposed Administrative  
Settlement Under Section 122 of the  
Comprehensive Environmental  
Response, Compensation and Liability  
Act, as amended, 42 U.S.C. 9622,  
Taylor Lumber & Treating Superfund  
Site**

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** In accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601 *et seq.*, and by order of the United States Bankruptcy Court for the District of Oregon, notice is hereby given of a proposed Settlement Agreement concerning the Taylor Lumber & Treating National Priorities List Superfund Site. The proposed Settlement Agreement would resolve claims of the United States under sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), and section 3008(h) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6928(h), against Taylor Lumber & Treating, Inc. Taylor Lumber & Treating was authorized to enter into this settlement by an order of the United States Bankruptcy Court, District of Oregon, where Taylor Lumber & Treating has filed a Chapter 11 bankruptcy petition.

EPA will receive \$500,000 in cash from the proceeds of the sale of the Taylor Lumber treating plant, which will be placed in a special account for use at the Site. EPA may also receive

additional payments if the total amount of funds in the bankruptcy estate available for distribution to general unsecured creditors other than EPA is greater than \$350,000. EPA will release its liens on Taylor Lumber's real property and will grant covenants not to sue to the company and its bankruptcy estate.

Because of the schedule in the bankruptcy proceeding, the Bankruptcy Court has ordered a fourteen-day period for public comments. For fourteen calendar days following the date of publication of this notice, EPA will accept written comments relating to the proposed Settlement Agreement. EPA's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, 1200 Sixth Ave., Seattle, WA 98101.

**DATES:** Comments must be submitted on or before fourteen days.

**ADDRESSES:** A copy of the proposed settlement may be obtained from Jennifer Byrne, Assistant Regional Counsel (ORC-158), Office of Regional Counsel, U.S. EPA Region 10, 1200 Sixth Ave., Seattle, WA 98101. Comments should reference "Taylor Lumber & Treating Settlement Agreement" and "Docket No. CERCLA-10-2002-0034" and should be addressed to Jennifer Byrne at the above address.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Byrne, Assistant Regional Counsel (ORC-158), Office of Regional Counsel, U.S. EPA Region 10, 1200 Sixth Ave., Seattle, WA 98101; phone: (206) 553-0050; fax: (206) 553-0163; e-mail: [byrne.jennifer@epa.gov](mailto:byrne.jennifer@epa.gov).

Dated: April 23, 2002.

**L. John Iani,**

*Regional Administrator.*

[FR Doc. 02-10732 Filed 4-30-02; 8:45 am]

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**ENVIRONMENTAL PROTECTION  
AGENCY**

[FRL-7203-4]

**Clean Water Act Section 303(d): Final  
Agency Action on 45 Total Maximum  
Daily Loads (TMDLs)**

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces final agency action on 45 TMDLs prepared by EPA Region 6 for waters listed in Louisiana's Mermentau and Vermilion/Teche river basins, under section 303(d) of the Clean Water Act (CWA). EPA evaluated these waters and prepared the 45 TMDLs in response to the lawsuit styled *Sierra Club, et al. v. Clifford et al.*, No. 96-0527, (E.D. La.). Documents from the administrative record files for the final 45 TMDLs, including TMDL calculations and responses to comments, may be viewed at [www.epa.gov/region6/water/tmdl.htm](http://www.epa.gov/region6/water/tmdl.htm). The administrative record files may be obtained by calling or writing Ms. Caldwell at the above address. Please contact Ms. Caldwell to schedule an inspection.

**FOR FURTHER INFORMATION CONTACT:** Ellen Caldwell at (214) 665-7513.

**SUPPLEMENTARY INFORMATION:** In 1996, two Louisiana environmental groups, the Sierra Club and Louisiana Environmental Action Network (plaintiffs), filed a lawsuit in Federal Court against the United States Environmental Protection Agency (EPA), styled *Sierra Club, et al. v. Clifford et al.*, No. 96-0527, (E.D. La.). Among other claims, plaintiffs alleged that EPA failed to establish Louisiana TMDLs in a timely manner.

**EPA Takes Final Agency Action on 45  
TMDLs**

By this notice EPA is taking a final agency action on the following 45 TMDLs for waters located within the Mermentau and Vermilion/Teche basins:

| Subsegment | Waterbody Name  | Pollutant                  |
|------------|---|----------------------------|
| 050103     | Bayou Mallet  | Ammonia.                   |
| 050402     | Lake Arthur and Lower Mermentau River to Grand Lake                       | Ammonia.                   |
| 050103     | Bayou Mallet  | Nutrients.                 |
| 050402     | Lake Arthur and Lower Mermentau River to Grand Lake                       | Nutrients.                 |
| 050701     | Grand Lake  | Nutrients.                 |
| 050702     | Intracoastal Waterway   | Nutrients.                 |
| 050901     | Mermentau River Basin Coastal Bays and Gulf Waters to State 3-mile limit. | Nutrients.                 |
| 050103     | Bayou Mallet  | Organic enrichment/low DO. |
| 050402     | Lake Arthur and Lower Mermentau   | Organic enrichment/low DO. |
| 050602     | Intracoastal Waterway   | Organic enrichment/low DO. |
| 050603     | Bayou Chene—includes Bayou Grand Marais                                   | Organic enrichment/low DO. |