

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 Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

#### *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 OPP-30124 in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP-30124. 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 registration activity.
7. Make sure to submit your comments by the deadline in this notice.
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. Registration Applications**

EPA received an application as follows to register pesticide products containing active ingredients not included in any previously registered products pursuant to the provision of section 3(c)(4) of FIFRA. Notice of receipt of this application does not imply a decision by the Agency on the application.

EPA File symbol 69592-A. Applicant: AgraQuest, Inc., 1530 Drew Ave., Davis, CA 95616. Product Name: QST 2808 Technical. Active ingredient: *Bacillus pumilus* Strain QST 2808 at 2.0%. Proposed Classification/Use: Manufacturing use.

#### **List of Subjects**

Environmental protection, Pesticides and pest.

Dated: April 24, 2002.

**Janet L. Andersen,**

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

[FR Doc. 02-11178 Filed 5-7-02; 8:45 am]

**BILLING CODE 6560-50-S**

#### **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7208-7]

#### **Notice of Proposed de Minimis Settlements Under Section 122(g) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) as Amended, 42 U.S.C. 9622(g), Great Lakes Container Corporation Superfund Site, City of St. Louis, MO, St. Louis County, MO, Docket No. CERCLA-07-2002-0124**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** The United States Environmental Protection Agency (EPA) has entered into a *de minimis* administrative settlement to resolve claims against 78 *de minimis* parties under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. 9622(g). These settlements are intended to resolve the liability of the following parties for: ACF Industries; A.O. Smith Corporation; Ashland, Inc.; Atlantic Richfield Company; Baker Petrolite; BASF Corporation; Bioproducts, Inc.; BP Products North America, Inc. (f/k/a Amoco Oil Co.); Brenntag Mid-South, Inc. (f/k/a PB&S Chemical Co., Inc.); Bristol-Meyers Squibb Company; Buckman Laboratories; Burkhart Foam, Inc.; Cerro Copper Products Company; Chart Automotive Group, Inc.; Chevron USA, Inc.; Conoco, Inc.; Consultant Ubricants, Inc.; Crown Cork & Seal Company, Inc. on its own behalf and for Continental Can Co.; Daimler-Chrysler Corporation; Delano Oil Company; Dennis Chemical Company; deVan Sealants, Inc.; E.I. duPont de Nemours & Company; Energy Petroleum Company; Exxon Mobil Corporation (f/k/a Mobil Oil Company); Ford Motor Company; Fuchs Lubricants (f/k/a Century Lubricants, Inc.); Geldbach Petroleum Company, Inc.; General Motors Corp.; Great Lakes Chemical Corp.; Griffin L.L.C.; G.S. Robins and Company; Guth Lighting Systems, Division of JJI Lighting Group, Inc.; Harcros Chemicals, Inc.; Hartog Oil Company; H.B. Fuller Company; Healdton Oil Company, Inc.; Hicks Oils,

Inc.; Hohn Manufacturing; Ingersoll-Rand Company (f/k/a Hussman Corporation); INX International Ink Company; Jackes-Evans Manufacturing Company; J.D. Streett & Company, Inc.; Jefferson Smurfit Corporation; Jenkin-Guerin, Inc.; Koch Materials Company; Luebbering Oil Company; Mango Distributing Company; Marathon Ashland Petroleum LLC; Marconi Data Systems (f/k/a Marsh Stencil Machine Company); Marcus Research Laboratory, Inc.; McDonnell Douglas Corporation; McKesson Corporation for its subsidiary McKesson Chemical Company; Meramec Group, Inc.; Metal Container Corporation; Mid-West Industrial Chemical Company; Minnesota Mining & Manufacturing Co.; Minwax Company for Eastman Kodak; Missouri Highways and Transportation Commission and the Missouri Department of Transportation; Missouri Paint & Varnish; MO-Tac Company; Mozel, Ellis & Everard (US Holdings), Inc.; National Steel Corporation, Granite City Division; Nestles USA, Inc.; Nuway, Inc.; The P.D. George Company; Pennzoil-Quaker State Company; Performance Polymers, Inc.; Phillips Petroleum Company; P.P.G. Industries, Inc.; The Proctor & Gamble Manufacturing Company; Schaeffer Manufacturing Company; Sequa Corporation; Sieveking, Inc.; Superior Oil Company, Inc. (a/k/a Superior Solvents & Chemicals); Texaco Group, Inc.; Transchemical, Inc.; and U.S. Polymers, Inc.

**DATES:** EPA will receive written comments relating to the proposed *de minimis* settlements by June 7, 2002.

**ADDRESSES:** Comments should be addressed to the Regional Administrator, United States Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, Kansas 66101 and should refer to: In the Matter of the Great Lakes Container Corporation Superfund Site, City of St. Louis, St. Louis County, Missouri, CERCLA Docket Nos.

**FOR FURTHER INFORMATION CONTACT:** Denise L. Roberts, Senior Assistant Regional Counsel, United States Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, Kansas 66101, (913) 551-7559.

**SUPPLEMENTARY INFORMATION:** The *de minimis* administrative settlement is intended to resolve the liability of the following parties for: ACF Industries; A.O. Smith Corporation; Ashland, Inc.; Atlantic Richfield Company; Baker Petrolite; BASF Corporation; Bioproducts, Inc.; BP Products North America, Inc. (f/k/a Amoco Oil Co.); Brenntag Mid-South, Inc. (f/k/a PB&S Chemical Co., Inc.); Bristol-Meyers

Squibb Company; Buckman Laboratories; Burkhart Foam, Inc.; Cerro Copper Products Company; Chart Automotive Group, Inc.; Chevron USA, Inc.; Conoco, Inc.; Consultant Lubricants, Inc.; Crown Cork & Seal Company, Inc. on its own behalf and for Continental Can Co.; Daimler-Chrysler Corporation; Delano Oil Company; Dennis Chemical Company; deVan Sealants, Inc.; E.I. duPont de Nemours & Company; Energy Petroleum Company; Exxon Mobil Corporation (f/k/a Mobil Oil Company); Ford Motor Company; Fuchs Lubricants (f/k/a Century Lubricants, Inc.); Geldbach Petroleum Company, Inc.; General Motors Corp.; Great Lakes Chemical Corp.; Griffin L.L.C.; G.S. Robins and Company; Guth Lighting Systems, Division of JJI Lighting Group, Inc.; Harcros Chemicals, Inc.; Hartog Oil Company; H.B. Fuller Company; Healdton Oil Company, Inc.; Hicks Oils, Inc.; Hohn Manufacturing; Ingersoll-Rand Company (f/k/a Hussman Corporation); INX International Ink Company; Jackes-Evans Manufacturing Company; J.D. Streett & Company, Inc.; Jefferson Smurfit Corporation; Jenkin-Guerin, Inc.; Koch Materials Company; Luebbering Oil Company; Mango Distributing Company; Marathon Ashland Petroleum LLC; Marconi Data Systems (f/k/a Marsh Stencil Machine Company); Marcus Research Laboratory, Inc.; McDonnell Douglas Corporation; McKesson Corporation for its subsidiary McKesson Chemical Company; Meramec Group, Inc.; Metal Container Corporation; Mid-West Industrial Chemical Company; Minnesota Mining & Manufacturing Co.; Minwax Company for Eastman Kodak; Missouri Highways and Transportation Commission and the Missouri Department of Transportation; Missouri Paint & Varnish; MO-Tac Company; Mozel, Ellis & Everard (US Holdings), Inc.; National Steel Corporation, Granite City Division; Nestles USA, Inc.; Nuway, Inc.; The P.D. George Company; Pennzoil-Quaker State Company; Performance Polymers, Inc.; Phillips Petroleum Company; P.P.G. Industries, Inc.; The Proctor & Gamble Manufacturing Company; Schaeffer Manufacturing Company; Sequa Corporation; Sieveking, Inc.; Superior Oil Company, Inc. (a/k/a Superior Solvents & Chemicals); Texaco Group, Inc.; Transchemical, Inc.; and U.S. Polymers, Inc. In January 2002, Region VII entered into a *de minimis* administrative settlement pursuant to section 122(g) of CERCLA, 42 U.S.C. 9622(g) with 78 *de minimis* parties previously listed for the Great Lakes Container Corporation Superfund Site.

Great Lakes Container Corporation is a former drum reclamation company who operated at the Site from 1976 to 1985. The same business was operated as Northwestern Cooperage Company from the 1950's to 1976 and then operated as Great Lakes Container Corporation. EPA conducted time-critical removals completed in 1998 that consisted primarily of soil and drum removals. The EPA incurred costs of approximately \$9,127,244.30. The hazardous substances at this Site consisted primarily of lead and polychlorinated biphenyls. Liability is based on the theory that the *de minimis* parties arranged for disposal of hazardous substances at the Site by shipping drums for reclamation coated with paint containing lead. The *de minimis* parties either admitted that they sent drums for reclamation to the Site or EPA had separate evidence to prove that *de minimis* parties sent drums for reclamation to the Site.

The settlements have been approved by the U.S. Department of Justice because the response costs in this matter exceed \$500,000.00. Total past costs are \$8,733,482.70 and future costs will include costs of litigation for recovering costs against remaining parties. This settlement is being offered to those parties who are liable for no more than one-quarter a percent (.25%) of EPA's past costs at the Site. The majority of *de minimis* parties are each required to pay \$4,839.44 or \$5,133.72 depending on whether the party was required to pay prejudgment interest. Other settlements made for six parties *de minimis* varied from \$3,794.19 to \$22,856.56 because more volume-specific information was available for them allowing EPA to refine the calculation. The amount and toxicity of hazardous substances contributed by these parties were minimal as compared to other parties' shares of hazardous substances. The EPA determined these amounts to be the *de minimis* parties' fair share of liability based on the amount of hazardous substances generated and disposed of at the Site and the volume of waste contributed by each of the parties. These settlements include contribution protection from lawsuits by other potentially responsible parties as provided for under Section 122(g)(5) of CERCLA, 42 U.S.C. 9622(g)(5).

The *de minimis* settlement provides that EPA covenants not to sue the *de minimis* parties for response costs at the Site or for injunctive relief pursuant to Sections 106 and 107 of CERCLA and section 7003 of the Resource Conservation and Recovery Act of 1976, as amended (RCRA), 42 U.S.C. 6973. The settlement contains a reopener

clause which nullifies the covenant not to sue if any information becomes known to EPA that indicates that the parties no longer meet the criteria for a *de minimis* settlement set forth in Section 122(g)(1)(A) of CERCLA, 42 U.S.C. 9622(g)(1)(A). The covenant not to sue does not apply to the following matters:

- (a) Claims based on a failure to make the required payment;
- (b) Claims based on the future arrangement for disposal or treatment of any hazardous substance, pollutant, or contaminant at the Site after the effective date of the *de minimis* settlement;
- (c) Criminal liability; or
- (d) Liability for damages or injury to, destruction of, or loss of the natural resources and for the costs of any natural resource damage assessments.

The *de minimis* settlements will become effective upon the date which the EPA issues a written notice to the parties that the statutory public comment period has closed and that comments received, if any, do not require modification, or of EPA withdrawal from the settlement.

Dated: April 24, 2002.

**William Rice,**

*Acting Regional Administrator, U.S. Environmental Protection Agency, Region VII.*  
[FR Doc. 02-11453 Filed 5-7-02; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[OPPT-2002-0012; FRL-6836-2]

### 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 March 16, 2002

to March 31, 2002, consists of the PMNs 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.

**DATES:** Comments identified by the docket control number OPPT-2002-0012 and the specific PMN number, must be received on or before June 7, 2002.

**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 OPPT-2002-0012 and the specific PMN number in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** Barbara Cunningham, Acting Director, Office of Program Management and Evaluation, Office of Pollution Prevention and Toxics (7408M), 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 OPPT-2002-0012. 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, any test data submitted by the Manufacturer/Importer 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 OPPT-2002-0012 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 EPA East Building Rm. 6428, 1201 Constitution Ave., NW., 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) 564-8930.

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