

included in the public docket and EPA's electronic public docket 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 ID 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 applications 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 these applications does not imply a decision by the Agency on the applications.

Products Containing Active Ingredients Not Included in any Previously Registered Products

1. *File Symbol:* 75624-R. *Applicant:* Circle One Global, Inc., One Arthur Street, P.O. Box 28, Shellman, GA 39886-0028. *Product name:* *Aspergillus flavus* NRRL 21882. Antifungal agent. *Active ingredient:* *Aspergillus flavus* NRRL 21882 at 100%. *Proposed classification/Use:* A microbial pesticide; a manufacturing use product to be formulated into end-use products to displace aflatoxin-producing *Aspergillus flavus* from peanuts.

2. *File Symbol:* 75624-E. *Applicant:* Circle One Global, Inc. *Product name:* Afla Guard. Antifungal agent. *Active ingredient:* *Aspergillus flavus* NRRL 21882 at 0.002%. *Proposed classification/Use:* A microbial pesticide; end-use product to displace aflatoxin-producing *Aspergillus flavus* from peanuts.

3. *File Symbol:* 69592-RU. *Applicant:* AgraQuest, Inc., 1530 Drew Avenue, Davis, CA 95616. *Product name:* *Muscodor albus* strain QST 20799. Fungicide, nematocide, and bacteriocide. *Active ingredient:* *Muscodor albus* strain QST 20799 at 2.1%. *Proposed classification/Use:* Manufacturing use product for formulating into end-use products.

4. *File Symbol:* 69592-RI. *Applicant:* AgraQuest, Inc. *Product name:* Glissade. Antifungal agent. *Active ingredient:* *Muscodor albus* strain QST 20799 at 0.35%. *Proposed classification/Use:* For control of soil diseases for food and non-food commodities.

5. *File Symbol:* 69592-RL. *Applicant:* AgraQuest, Inc. *Product name:* Arabesque. Antifungal agent. *Active ingredient:* *Muscodor albus* strain QST 20799 at 0.35%. *Proposed classification/Use:* For control of post harvest diseases of food and non-food commodities, and preplant control of seed, bulb, and tuber borne diseases of food and non-food commodities.

6. *File Symbol:* 69592-RT. *Applicant:* AgraQuest, Inc., 1530 Drew Avenue, Davis, CA 95616. *Product name:* Andante. Antifungal agent. *Active ingredient:* *Muscodor albus* strain QST 20799 at 0.35%. *Proposed classification/Use:* For use as a methyl bromide replacement to control soil fungi and nematodes.

List of Subjects

Environmental protection, Pesticides and pest.

Dated: April 1, 2004.

Phil Hutton,

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

[FR Doc. 04-8102 Filed 4-13-04; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0103; FRL-7353-9]

Issuance of an Experimental Use Permit

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: Denise Greenway, Biopesticides and

Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8263; e-mail address: greenway.denise@epa.gov.

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 person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket identification (ID) number OPP-2004-0103. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket

facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

II. EUP

EPA has issued the following EUP: 75108-EUP-2. Issuance. HBB Partnership, 5151 N. Palm Ave., Ste. 820, Fresno, CA 93704-2221. This EUP allows the use of 3.528 pounds of the California red scale pheromone on 10,000 acres of citrus to evaluate the control of California red scale. The program is authorized only in the States of Arizona, California, Florida, and Texas. The EUP is effective from March 12, 2004 to September 30, 2004.

Authority: 7 U.S.C. 136c.

List of Subjects

Environmental protection,
Experimental use permits.

Dated: April 5, 2004.

Janet L. Andersen,

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

[FR Doc. 04-8460 Filed 4-13-04; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[FRL-7647-5]

Proposed Settlement Under Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act Regarding the Atlantic Resources Corporation and Horseshoe Road Superfund Sites, Middlesex County, NJ

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed administrative settlement and opportunity for public comment.

SUMMARY: The United States Environmental Protection ("EPA") is proposing to enter into an administrative settlement to resolve claims under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"). In accordance with section 122(h)(i)(1) of CERCLA, notice is hereby given of a proposed administrative settlement concerning the Atlantic Resources Corporation and Horseshoe Road Sites (collectively "the Sites"). Section 122(h) of CERCLA provides EPA with the authority to consider, compromise and settle certain claims for costs incurred by the United States. Notice is being published to inform the

public of the proposed settlement and of the opportunity to comment. The administrative settlement is contained in the Administrative Order on Consent for Supplemental Field Investigation ("SFI"), Baseline Ecological Risk Assessment ("BERA") and Feasibility Study ("FS"), U.S. EPA Index No. CERCLA-02-2003-2033 (the "Order"). The administrative settlement provides that after Advanced Environmental Technology Corp.; Chevron Environmental Management Co.; Essex Chemical Corp.; General Motors Corp.; ICI Americas Inc.; Johnson & Johnson; Kewanee Industries, Inc.; Novartis Pharmaceuticals Corp.; 3M Co.; and Union Carbide Corp. (collectively, "Settling Parties") perform the SFI, BERA, and FS for the Sites pursuant to the Order, they will receive a partial credit for that work which can be applied toward EPA's unreimbursed response costs at the Sites, should EPA attempt to recover those costs from the Settling Parties in the future.

Pursuant to the administrative settlement, the Settling Parties are to be provided a credit of fifty percent (50%) of the costs incurred by them for work performed under the Order (excluding oversight costs claimed by EPA and any of Settling Parties' attorneys fees), up to a maximum amount of \$350,000.00, provided that EPA has accepted the applicable Order deliverables for which credit is sought. The credit applies only to any future claim made by EPA for unreimbursed costs incurred or to be incurred by EPA concerning the Sites.

EPA will consider any comments received during the comment period and may withdraw or withhold consent to the proposed settlement if comments disclose facts or considerations that indicate the proposed settlement is inappropriate, improper, or inadequate. EPA's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th floor, New York, New York 10007-1866. Telephone: (212) 637-3111.

DATES: Comments must be provided by May 14, 2004.

ADDRESSES: Comments should be sent to the U.S. Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th Floor, New York, NY 10007 and should refer to: In the Matter of the Atlantic Resources Corporation and Horseshoe Road Superfund Sites, U.S. EPA Index No. CERCLA-02-2003-2033.

FOR FURTHER INFORMATION CONTACT: U.S. Environmental Protection Agency, Office of Regional Counsel, 290

Broadway—17th Floor, New York, NY 10007, (212) 637-3142.

SUPPLEMENTARY INFORMATION: A copy of the proposed administrative settlement, as well as background information relating to the settlement, may be obtained in person or by mail from Clay Monroe, U.S. Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th Floor, New York, NY 10007. Telephone: (212) 637-3142.

Dated: February 9, 2004.

Jane M. Kenny,

Regional Administrator, Region 2.

[FR Doc. 04-8457 Filed 4-13-04; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-7647-7]

Water Pollution Control; State Program Requirements; Approval of Program Modification To Administer the Sewage Sludge (Biosolids) Management Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; approval of application.

SUMMARY: On March 31, 2004, pursuant to section 402(b) of the Clean Water Act (CWA), the Regional Administrator for EPA, Region 9, approved the State of Arizona's application to administer a state sewage sludge (biosolids) management program where it has jurisdiction.

FOR FURTHER INFORMATION CONTACT: Matthew Mitchell, (415) 972-3508, WTR-5, EPA, Region 9, 75 Hawthorne St., San Francisco, CA 94707, or John Calkins, (602) 771-4651, Water Quality Compliance Assurance Unit, Arizona Department of Environmental Quality, 1110 W. Washington, Phoenix, AZ 85007. The State's program submission is available electronically at the following Internet address: <http://www.adeq.state.az.us/enviro/water/permits/bio.html#to>.

SUPPLEMENTARY INFORMATION: Throughout this document "we," "us," or "our" means EPA.

Table of Contents

- I. Background
- II. Was notice provided seeking public comments on Arizona's program submittal?
- III. Was a public hearing held?
- IV. Did EPA receive any public comments?
- V. Does EPA's approval affect Indian Country (18 U.S.C. 1151) in Arizona?
- VI. Conclusion
- VII. Administrative Requirements
 - A. Endangered Species Act