registration or reregistration. The October 5, 2001 notice also announced the availability of and asked for comments on a draft SOP for the Agency's use in processing TOR requests.

EPA received one comment in response to the October 5, 2001 notice. This comment discussed the TOR policy but did not address the procedures described in either the draft PR-Notice or the draft SOP for implementing the October 1999 Threshold of Regulation policy. Accordingly, it will be addressed in other ways.

III. What Guidance Does this PR-Notice Provide?

This PR-Notice provides guidance to the registrant concerning implementation of the Agency's Threshold of Regulation policy.

PR-Notice 2002–2 advises that a registrant or other person may submit a request for a TOR decision for a new pesticide use as part of FIFRA section 3 registration process or for an existing use during reregistration under FIFRA section 4 or tolerance reassessment under the FFDCA. Before registering a use under FIFRA 24(c), a State may ask EPA to decide whether the use is below the threshold of regulation. A State may request a TOR decision when requesting an emergency exemption under FIFRA section 18.

EPA expects to follow an SOP for processing TOR requests. The SOP is intended to guide EPA reviewers through the review process for TOR decision requests.

IV. Do PR-Notices Contain Binding Requirements?

The PR-Notice discussed in this notice is intended to provide guidance to EPA personnel and decision-makers and to pesticide registrants. While the requirements in the statutes and Agency regulations are binding on EPA and the applicants, this PR-Notice is not binding on either EPA or pesticide registrants, and EPA may depart from the guidance where circumstances warrant and without prior notice. Likewise, pesticide registrants may assert that the guidance is not appropriate generally or not applicable to a specific pesticide or situation.

List of Subjects

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests.

Dated: August 20, 2002.

Marcia E. Mulkey,

Director, Office of Pesticide Programs.

[FR Doc. 02–21753 Filed 8–27–02; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7268–6]

Proposed CERCLA Administrative Cost Recovery Settlement; C.F.H., Inc., Patrick G. Canonica, Carl Franson, Christopher Hickey, Lydall Filtration/ Separation, Inc., Richard F. Atkinson, Beverly A. Atkinson, Saco River Industries, Inc., and Silvex, Inc., Rogers Fibre Mill Superfund Site, Bar Mills, Maine

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement; request for public comment.

SUMMARY: In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (''CERCLA''), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement for recovery of past and projected future response costs concerning the Rogers Fibre Mill Superfund Site in Bar Mills, Maine with the following settling parties: C.F.H., Inc., Patrick G. Canonica, Carl Franson, Christopher Hickey, Lydall Filtration/Separation, Inc., Richard F. Atkinson, Beverly A. Atkinson, Saco River Industries, Inc., and Silvex, Inc. The settlement requires the settling parties to pay $300,000.00 to the Hazardous Substance Superfund. The settlement includes a covenant not to sue the settling parties pursuant to section 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a). For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate.

The Agency's response to any comments received will be available for public inspection at One Congress Street, Boston, MA 02214–2023.

DATES: Comments must be submitted on or before September 27, 2002.

ADDRESSES: Comments should be addressed to the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region I, One Congress Street, Suite 1100, Mailcode RAA, Boston, Massachusetts 02114–2023 and should refer to: In re: Rogers Fibre Mill Superfund Site, U.S. EPA Docket No. 1–2002–0008.

FOR FURTHER INFORMATION CONTACT: A copy of the proposed settlement may be obtained from John Beling, U.S. Environmental Protection Agency, Region I, Office of Environmental Stewardship, One Congress Street, Suite 1100, Mailcode SES, Boston, MA 02114–2023.

Dated: June 20, 2002.

Richard Cavagnero,

Acting Director, Office of Site Remediation & Restoration.

[FR Doc. 02–21939 Filed 8–27–02; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, NW., Room 940. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

Agreement No.: 010050–011.

Title: U.S. Flag Far East Discussion Agreement.

Parties: American President Lines, Ltd., A.P. Moller-Maersk Sealand.

Synopsis: The proposed agreement modification would add authority for the parties to discuss service contracts and establish voluntary guidelines for individual service contracts.

Agreement No.: 011817.

Title: CMA CGM/Trans Pacific Lines Space Charter Agreement.

Parties: CMA CGM, S.A., Trans Pacific Lines (TPL).

Synopsis: The agreement authorizes CMA CGM to charter space to TPL in the trade between U.S. West Coast ports and ports in the Far East. The parties request expedited review.

Agreement No.: 011818.

Title: HL/MSC Charter Agreement.

Parties: Mediterranean Shipping Company, S.A.(MSC), Hapag-Lloyd Container Linie GmbH.

Synopsis: The agreement authorizes MSC to charter space to Hapag-Lloyd in the trade between U.S. Atlantic Coast ports and ports in North Europe.

By Order of the Federal Maritime Commission.

Dated: August 23, 2002.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 02–21949 Filed 8–27–02; 8:45 am]

BILLING CODE 6730–01–P

FEDERAL MARITIME COMMISSION

[Docket No. 02–13]

Pro Transport, Inc. v. HSAC Logistics, Inc. f/k/a Columbus Line USA, Inc., Columbus Line, Inc., and Hamburg-Sud; Notice of Filing of Complaint and Assignment

Notice is given that a complaint has been filed with the Federal Maritime Commission (''Commission'') by Pro Transport, Inc. (''Complainant'') against HSAC Logistics, Inc. formerly known as Columbus Line USA, Inc., Columbus Line, Inc. and Hamburg-Sud (''Respondents'').

Complainant contends that Respondents violated section 10(b)(10) of the Shipping Act of 1984 by refusing to deal or negotiate in refusing to allow Complainant to use Hamburg-Sud gensets, which provide the electricity needed to keep refrigerated cargo containers (''reefers'') cooled. Complainant states that Respondents'' refusal to provide gensets with its reefers make it impossible for the Complainant to transport those containers to its customers. Complainant also advises that the Respondents have refused to resolve this issue with the Complainant.

Complainant asks that Respondents be required to answer its charges and that the Commission order Respondents to: cease and desist from these violations; to establish and put into force such practices as the Commission determines to be lawful and reasonable; to pay Complainant reparations the amount the Commission determines to be proper as an award, with interest and attorney's fees; and such other and further order or orders the Commission determines to be proper. Complainant requests that any hearings be held in Miami, Florida.

This proceeding has been assigned to the office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61, and only after consideration has been given by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by August 21, 2003, and the final decision of the Commission shall be issued by December 20, 2004.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 02–21822 Filed 8–27–02; 8:45 am]

BILLING CODE 6730–01–P

FEDERAL MARITIME COMMISSION

Fact Finding Investigation No. 25-; Practices of Transpacific Stabilization Agreement Members Covering the 2002–2003 Service Contract Season; Order of Investigation

Pursuant to the Shipping Act of 1984, 46 U.S.C. app. 1701 *et seq.* (''1984 Act''), the Federal Maritime Commission (''Commission'') is responsible for administering a non-discriminatory regulatory process for the common carriage of goods by water in the foreign commerce of the United States. Section 10 of the Act contains specific prohibitions against conduct which would conflict with this system of common carriage.

On May 10, 2002, the National Customs Brokers and Forwarders Association of America, Inc. (''NCBFAA'') and the International Association of NVOCCs, Inc. (''IANVOCC'') filed a joint petition, Petition No. P1–02, in which they alleged that members of the Transpacific Stabilization Agreement (''TSA'') have engaged in violations of certain section 10 prohibitions. The petitioners assert that TSA members engaged in a concerted practice of discrimination against non-vessel-operating common carriers (''NVOCCs'') regarding the negotiation of service contracts and the rates established therein for the 2002–2003 contracting season. Specifically, the petitioners alleged that TSA members had entered into an internal agreement, which they subsequently executed, to complete the negotiation and signing of service contracts with proprietary shippers before commencing negotiation of service contracts with NVOCCs. The petitioners further alleged that TSA members had colluded to charge NVOCCs significantly higher rates than assessed to proprietary shippers for the same services. The manner in which TSA members allegedly implemented this agreement was through the discriminatory subjection of NVOCCs, through their service contracts, to general rate increases (''GRIs'') and a peak season surcharge (''PSS''), which were not applied to proprietary shippers through their service contracts.

Upon the filing of Petition No. P1–02, the Commission initially directed its staff to secure and assess additional information regarding TSA member practices during the 2002–2003 contracting season. During the pendency of this informal investigation, TSA and its members announced a second GRI during this contracting season to become effective August 19, 2002. If the petitioners' allegations of concerted action are correct, it would appear that this second GRI was agreed to among TSA members with the knowledge that certain shippers would be exempt from the increase by the terms of their 2002–2003 service contracts. In view of the information presently available and with due regard for the seriousness of the allegations, the Commission has determined to commence this non-adjudicatory investigation to gather additional facts. Specifically, the Investigative Officer named herein is to develop a record on various practices allegedly engaged in by TSA and its members, either individually or collectively, during the 2002–2003 contracting season, including but not limited to:

1. Refusals to deal with NVOCCs until the substantial completion of negotiations with proprietary shippers;

2. The discriminatory application in NVOCC service contracts of GRIs and/or a PSS while waiving or otherwise not requiring similar application in proprietary shipper service contracts;

3. The extent and degree to which the rate increases and service contract policies, practices, and guidelines of TSA have been, and remain, voluntary and non-binding upon its respective members;

4. The extent and degree to which TSA and its members have maintained and transmitted to the Commission full, complete, and accurate minutes of all meetings required to be filed with the Commission; and

5. The development and utilization of open-ended provisions that permit the unilateral implementation of GRIs and/or a PSS by TSA members in their service contracts with NVOCCs, without genuine further negotiation, while waiving or not requiring similar