

stearates. In addition, Wacker Silicones Corporation and Wacker-Chemie are not aware of any data that suggests that chronic exposure to pentaerythritol stearates, including during infancy and childhood, poses any potentially greater lifetime risk.

4. *Carcinogenicity.* Wacker Silicones Corporation and Wacker-Chemie are not aware of any oncogenic effects resulting from exposure to pentaerythritol stearates. In addition, Wacker Silicones Corporation and Wacker-Chemie are not aware of any data that suggests that chronic exposure to pentaerythritol stearates, including during infancy and childhood, poses any potentially greater lifetime cancer risk.

5. *Endocrine effects.* Pentaerythritol stearates are not structurally similar to any compounds with known endocrine effects. Wacker Silicones Corporation and Wacker-Chemie are not aware of any endocrine effects resulting from exposure to pentaerythritol stearates either individually or in combination with other substances.

#### C. Aggregate Exposure

Exposure to pentaerythritol stearates via both the diet and drinking water is anticipated to be negligible. Pentaerythritol stearates are ingredients in a product that Wacker-Chemie proposes to market in the United States exclusively as an inert ingredient in pesticide formulations that are used exclusively on crops and seeds used to grow crops.

1. *Dietary exposure—Food.* In its review on the previous exemption, EPA's Chemistry Branch determined that the maximum residue of pentaerythritol stearates in food/feed resulting from a single application of pentaerythritol stearates at 0.53 grams/acre (0.0012 lb/acre) would be 0.6 ppm assuming that (a) all the pentaerythritol stearates contained in the pesticide formulation applied to the crop are in the harvested commodity, (b) there is no loss of residue through weathering or volatilization, and (c) pentaerythritol stearates are used on low yield crops (2,000 lb/acre). Further assuming that (i) a maximum of 10 applications per season, (ii) all crops are treated at the proposed maximum seasonal rate, the maximum theoretical seasonal residues of pentaerythritol stearates would be 6 ppm.

Actual seasonal residues are anticipated to be several orders of magnitude lower than the 6 ppm calculated maximum residue for the following reasons:

(i) Only a portion of the pesticide spray is intercepted by edible plant parts.

(ii) Degradation of residues following application is anticipated.

(iii) Treated crops may be medium or high yield crops.

(iv) Crops generally received less than 10 applications per season.

(v) Only a small percentage of pesticide formulations will include pentaerythritol stearates as an inert ingredient.

Actual seasonal residues of pentaerythritol stearates are therefore anticipated to be negligible.

2. *Drinking water.* Exposure to pentaerythritol stearate via drinking water will be negligible. Pentaerythritol stearates have very low solubility in water (>0.1 mg/100 g water at 30° C). Solubility in organic solvents is also anticipated to be low due to the high molecular weight (403–1201 amu) of the pentaerythritol stearates. The potential for pentaerythritol stearate contamination of ground water or surface water is therefore negligible. If residues did contaminate ground water or surface water, it is highly probable that the low solubility of pentaerythritol stearates in water and organic solvents would result in removal of the residues via standard drinking water purification techniques.

3. *Non-dietary, non-occupational exposure.* Pentaerythritol stearates are ingredients in a product that Wacker-Chemie proposes to market in the United States exclusively as an inert ingredient in pesticide formulations that are used exclusively on crops and seeds used to grow crops. No non-occupational exposure of the United States population to pentaerythritol stearates will result from the proposed use of pentaerythritol stearates.

#### D. Cumulative Effects

Pentaerythritol stearates do not have any known significant toxicological mechanism or mode of action. Therefore, there is no known significant cumulative risk associated with the proposed use of pentaerythritol stearates.

#### E. Safety Determination

1. *U.S. population.* Exposure to pentaerythritol stearates via both the diet and drinking water is anticipated to be negligible. Pentaerythritol stearates are ingredients in a product that Wacker-Chemie proposes to market in the United States exclusively as an inert ingredient in pesticide formulations that are used exclusively on crops and seeds used to grow crops. No non-occupational exposure of the United States population to pentaerythritol stearates will result from the proposed use of pentaerythritol stearates.

Aggregate exposure to pentaerythritol stearates is therefore anticipated to be negligible.

2. *Infants and children.* Wacker Silicones Corporation and Wacker-Chemie are not aware of any data that suggest that pentaerythritol stearates pose any potential greater acute or chronic risk to infants or children.

#### F. International Tolerances

There are no Codex maximum residue levels (MRLs) or exemptions from MRLs for pentaerythritol stearates established for residues of pentaerythritol stearates.

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP-50838; FRL-5761-5]

### Issuance of an Experimental Use Permit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

**SUMMARY:** EPA has granted an experimental use permit to the following applicant. The permit is in accordance with, and subject to, the provisions of 40 CFR part 172, which defines EPA procedures with respect to the use of pesticides for experimental use purposes.

**FOR FURTHER INFORMATION CONTACT:** By mail: James Tompkins, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: 1921 Jefferson Davis Highway, Rm. 239, CM #2, Arlington, VA, 703-305-5697, e-mail: tompkins.james@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA has issued the following experimental use permit:

62719-EUP-1. Issuance. DowElanco, 9330 Zionsville Road, Indianapolis, IN 46268-1054. This experimental use permit allows the use of 7,000 pounds of the herbicide triclopyr on 1,950 aquatic acres to evaluate the control of various weeds. The program is authorized only in the States of Alabama, Arkansas, California, Florida, Georgia, Idaho, Illinois, Indiana, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Vermont, Virginia, Washington, and Wisconsin. The

experimental use permit is effective from November 25, 1997 to December 31, 1998. Time-limited tolerances have been established for residues of the active ingredient in or on fish and shellfish (40 CFR 180.417).

Persons wishing to review this experimental use permit are referred to the designated product manager. Inquires concerning this permit should be directed to the person cited above. It is suggested that interested persons call before visiting the EPA office, so that the appropriate file may be made available for inspection purposes from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

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

#### List of Subjects

Environmental protection,  
Experimental use permits.

Dated: December 9, 1997.

**Peter Caulkins,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-5935-8]

#### Proposed Administrative Settlement Under The Comprehensive Environmental Response, Compensation, And Liability Act; In Re: Parcel A—Industri-Plex Superfund Site; Woburn, MA

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

**ACTION:** Notice of proposed prospective purchaser agreement and request for public comment.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is proposing to enter into a prospective purchaser agreement to address claims under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 *et seq.* A document is being published to inform the public of the proposed settlement and of the opportunity to comment. The settlement is intended to resolve the liability under CERCLA Dayton Hudson Corporation and National Development Associates of New England, Inc. for injunctive relief or for costs incurred or to be incurred by EPA in conducting response actions at the Industri-Plex Superfund Site in Woburn, Massachusetts.

**DATES:** Comments must be provided on or before January 16, 1998.

**ADDRESSES:** Comments should be addressed to the Docket Clerk, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Mailcode RCG, Boston, Massachusetts 02203, and should refer to: Agreement and Covenant Not to Sue Re: Parcel A, Industri-Plex Superfund Site, Woburn, Massachusetts, U.S. EPA Docket No. CERCLA-I-98-1009.

#### FOR FURTHER INFORMATION CONTACT:

Daniel H. Winograd, U.S. Environmental Protection Agency, J.F.K. Federal Building, Mailcode RCT, Boston, Massachusetts 02203, (617) 565-3686.

**SUPPLEMENTARY INFORMATION:** In accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 *et seq.*, notification is hereby given of a proposed prospective purchaser agreement concerning the Industri-Plex Superfund Site in Woburn, MA. The settlement was approved by EPA Region I, subject to review by the public pursuant to this document. Dayton Hudson Corporation and National Development Associates of New England, Inc. have executed signature pages committing them to participate in the settlement. Under the proposed settlement, Dayton Hudson Corporation and National Development Associates of New England, Inc. will construct and operate a retail shopping complex and pay \$30,000 to the Hazardous Substance Superfund. In addition, all of the settling parties agree to abide by institutional controls and to provide access to the property. EPA believes the settlement is fair and in the public interest.

EPA is entering into this agreement under the authority of CERCLA section 101 *et seq.* which provides EPA with authority to consider, compromise, and settle a claim under sections 106 and 107 of CERCLA for costs incurred by the United States if the claim has not been referred to the U.S. Department of Justice for further action. The U.S. Department of Justice has also signed this agreement. EPA will receive written comments relating to this settlement for thirty (30) days from the date of publication of this document.

A copy of the proposed administrative settlement may be obtained in person or by mail from Daniel H. Winograd, U.S. Environmental Protection Agency, JFK Federal Building, Mailcode RCT, Boston, Massachusetts 02203, (617) 565-3686.

The Agency's response to any comments received will be available for public inspection with the Docket Clerk,

U.S. Environmental Protection Agency, Region I, JFK Federal Building, Mailcode RCG, Boston, Massachusetts (U.S. EPA Docket No. CERCLA-I-98-1009).

Dated: December 4, 1997.

**Patricia Meaney,**

*Acting Regional Administrator.*

[FR Doc. 97-32923 Filed 12-16-97; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-5936-1]

#### Proposed Administrative Settlement Under The Comprehensive Environmental Response, Compensation, and Liability Act; In Re: Norwood PCB Disposal Site; Norwood, MA

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

**ACTION:** Notice of proposed prospective purchaser agreement and request for public comment.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is proposing to enter into a prospective purchaser agreement to address claims under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 *et seq.* This document is being published to inform the public of the proposed settlement and of the opportunity to comment. The settlement is intended to resolve the liability under CERCLA of Joseph Laham, individually, and 921 Inc. for injunctive relief or for costs incurred or to be incurred by EPA in conducting response actions at properties on the Norwood PCB Disposal Superfund Site in Norwood, Massachusetts.

**DATES:** Comments must be provided on or before January 16, 1998.

**ADDRESSES:** Comments should be addressed to the Docket Clerk, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Mailcode RCG, Boston, Massachusetts 02203, and should refer to: In re: Joseph Laham and 921 Inc., U.S. EPA Docket No. CERCLA-I-97-1044.

#### FOR FURTHER INFORMATION CONTACT:

Robert Cianciarulo, U.S. Environmental Protection Agency, J.F.K. Federal Building, Mailcode RCT, Boston, Massachusetts 02203, (617) 573-5718.

**SUPPLEMENTARY INFORMATION:** In accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended