

conflict with mandatory labeling statements; thus, they are to be avoided. EPA realizes that the use of descriptive terms for advisory statements is not appropriate for every situation and that there are times where it may be necessary to use "should," "may," "recommend," or similar words. However, in most cases it is best to craft advisory labeling statements in straightforward, descriptive language.

The PR Notice was developed from a draft document by the same title that was released for public comment on June 2, 1999 (64 FR 29641) (FRL-6079-4). The Agency received comments from various organizations. Each of the commenters offered recommendations for improving the document. All comments were extensively evaluated and considered by the Agency. This revised version embodies some of the recommendations of the commenters. A summary of the public comments, as well as the Agency's response to the comments, is being made available as described in Units I.B.1. and I.B.2.

#### IV. Why is a PR Notice Guidance and Not a Rule?

The PR Notice discussed in this notice is intended to provide guidance to EPA personnel and decision-makers, and to the public. As a guidance document and not a rule, this policy is not binding on either EPA or any outside parties. Although this guidance document provides a starting point for EPA decisions, EPA will depart from this policy where the facts or circumstances warrant. In such cases, EPA will explain why a different course was taken. Similarly, outside parties remain free to assert that this policy is not appropriate for a specific pesticide or that the specific circumstances demonstrate that this policy should be abandoned.

#### List of Subjects

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

Dated: May 10, 2000.

**Marcia E. Mulkey,**

*Director, Office of Pesticide Programs.*

[FR Doc. 00-12379 Filed 5-16-00; 8:45 am]

BILLING CODE 6560-50-F

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6606-7]

### North Penn Area 1 Superfund Site; Notice of Proposed Administrative Cost Recovery Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), notice is hereby given of a proposed administrative cost recovery settlement under Section 122(h)(1) of CERCLA concerning the North Penn Area 1 Superfund Site, Montgomery County, Pennsylvania, which was signed by the EPA Acting Regional Administrator, Region III, and the Assistant Attorney General for the Department of Justice, Environment and Natural Resources Division. The proposed settlement is intended to resolve an EPA claim under Section 107(a) of CERCLA against the Estate of Harry Maurer. The settlement requires the settling party to pay \$20,000 to the Hazardous Substance Superfund.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency and the United States Department of Justice will consider all comments received and may modify or withdraw their 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 the U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103. The agreement has been approved by the Attorney General, United States Department of Justice, or her designee.

**DATES:** Comments must be submitted on or before June 16, 2000.

**ADDRESSES:** The proposed settlement and additional background information relating to the settlement are available for public inspection at the U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103. A copy of the proposed settlement may be obtained from Suzanne Canning, Regional Docket Clerk (3RC00), U.S. Environmental

Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103, (215) 814-2476. Comments should reference the North Penn Area 1 Superfund Site and EPA Docket No. III-99-008-DC and should be forwarded to Ms. Canning at the above address.

#### FOR FURTHER INFORMATION CONTACT:

Thomas A. Cinti, Senior Assistant Regional Counsel, U.S. Environmental Protection Agency, 1650 Arch Street, Philadelphia, PA 19103; (215) 814-2634.

Dated: May 3, 2000.

**Bradley M. Campbell,**

*Regional Administrator, U.S. Environmental Protection Agency, Region III.*

[FR Doc. 00-12391 Filed 5-16-00; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6701-7]

### Proposed Administrative Cashout Deminimis Settlement Under Section 122(g) of the Comprehensive Environmental Response Compensation and Liability Act; in the Matter of Tri-County/Elgin Landfill Site, Kane County, Illinois

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; 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 Tri-County/Elgin Landfill site in Kane County, Illinois, with the Precision Diamond Tool Company. The settlement requires Precision Diamond Tool Company to pay \$20,000.00 to the Hazardous Substance Superfund.

On October 13, 1998, EPA sent out *deminimis* settlement offers to 386 *deminimis* generators and transporters (the "*deminimis* offerees"). The Administrative Order on Consent accompanying that *deminimis* offer was designated as EPA Docket No. V-W-99-C-507. Attached to the Administrative Order on Consent in EPA Docket No. V-W-99-C-507 is a volumetric ranking, in the form of a spread sheet, listing the *deminimis* offerees, the volume of waste containing hazardous substances contributed to the Site by each *deminimis* offeree, and the *deminimis*

settlement payment amount for each *deminimis* offeree (the "Volumetric Ranking"). The Volumetric Ranking is identified as Appendix A to the Administrative Order on Consent in EPA Docket No. V-W-99-C-507. The documented amount of hazardous substances contributed to the Site by each Respondent listed in Appendix A to the Administrative Order on Consent in EPA Docket No. V-W-99-C-507 does not exceed 0.5% of the "Adjusted Documented Volume" (as defined in Appendix B to the Administrative Order on Consent in EPA Docket No. V-W-99-C-507) of hazardous substances at the Site, and the hazardous substances contributed by each Respondent to the Site are not significantly more toxic or of significantly greater hazardous effect than other hazardous substances at the Site.

Out of the 386 *deminimis* offerees that were extended offers as part of EPA Docket No. V-W-99-C-507, 125 executed signature pages, certifying their commitment to participate in that *deminimis* settlement. Public comment on the terms of the *deminimis* settlement was conducted from April 23, 1999, through May 24, 1999. Notice that the *deminimis* settlement was final and effective was mailed to all settling parties on June 11, 1999.

Precision Diamond Tool Company inadvertently was not included in Appendix A to the Administrative Order on Consent in EPA Docket No. V-W-99-C-507 and did not participate in that settlement. Precision Diamond Tool does, however, have a documented volume. For purposes of this *deminimis* settlement, Precision Diamond Tool's documented volume was calculated in the same way the volume was calculated for each *deminimis* generator listed in Appendix A to the Administrative Order on Consent in EPA Docket No. V-W-99-C-507. Precision Diamond Tool's documented volume is 862 cubic yards, thus making it eligible for a *deminimis* settlement offer. In Appendix A to the Administrative Order on Consent in EPA Docket No. V-W-99-C-507, Robin Construction is listed with a documented volume of 870 cubic yards and a *deminimis* settlement payment amount of \$20,079.00, and Custom Packaging Company is listed with a documented volume of 860 cubic yards and a *deminimis* settlement payment amount of \$19,849.00. Precision Diamond Tool's documented volume falls between the documented volume of these two generators. Accordingly, Precision Diamond Tool's *deminimis* settlement payment amount should also fall between the payment amount of

these two *deminimis* generators. Therefore, Precision Diamond Tool's *deminimis* payment amount is determined to be \$20,000.00.

Under the terms of the settlement, Precision Diamond Tool Company agrees to pay its settlement amount. In exchange for its payment, the United States covenants not to sue or take administrative action pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), relating to the Site. In addition, Precision Diamond Tool Company is entitled to protection from contribution actions or claims as provided by Sections 113(f) and 122(g)(5) of CERCLA, 42 U.S.C. 9613(f) and 9622(g)(5), for all response costs incurred and to be incurred by any person at the Site.

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 EPA's Region 5 Office at 77 West Jackson Boulevard, Chicago, Illinois 60604 and at the Gail Borden Public Library in Elgin.

**DATES:** Comments must be submitted on or before June 16, 2000.

**ADDRESSES:** The proposed settlement is available for public inspection at EPA's Record Center, 7th floor, 77 W. Jackson Blvd., Chicago, Illinois 60604. A copy of the proposed settlement may be obtained from Jeffrey A. Cahn, Associate Regional Counsel, U.S. EPA, Mail Code C-14J, 77 W. Jackson Blvd., Chicago, Illinois 60604, telephone (312) 886-6670. Comments should reference the Tri-County/Elgin Landfill site, Kane County, Illinois, and EPA Docket No. V-W-00-C-585, and should be addressed to Jeffrey A. Cahn, Associate Regional Counsel, U.S. EPA, Mail Code C-14J, 77 W. Jackson Blvd., Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey A. Cahn, Associate Regional Counsel, U.S. EPA, Mail Code C-14J, 77 W. Jackson Blvd., Chicago, Illinois 60604, telephone (312) 886-6670.

**Authority:** The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601, *et. seq.*

Dated: May 8, 2000.

**William E. Munro,**

*Director, Superfund Division.*

[FR Doc. 00-12389 Filed 5-16-00; 8:45 am]

**BILLING CODE 6560-50-U**

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2409]

### Petition for Clarification of Action in Rulemaking Proceeding

Dated: May 11, 2000.

Petition for Clarification has been filed in the Commission's rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). The full text of this document is available for viewing and copying in Room CY-A257, 445 12th Street, S.W., Washington, D.C. or may be purchased from the Commission's copy contractor, ITS, Inc. (202) 857-3800. Oppositions to this petition must be filed by June 1, 2000. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

**Subject:** Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission's Rules (WT Docket No. 99-168)

**Number of Petitions Filed:** 1.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

[FR Doc. 00-12363 Filed 5-16-00; 8:45 am]

**BILLING CODE 6712-01-M**

## 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, N.W., Room 962. 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.:** 011299-003.

**Title:** A.P. Moller-Maersk Sealand/P&O. Nedlloyd Agreement.

**Parties:**

A.P. Moller-Maersk Sealand.  
P&O Nedlloyd Limited.