

atomic elements carbon, hydrogen, nitrogen, and oxygen.

3. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane does not contain as an integral part of its composition, except as impurities, any element other than those listed in 40 CFR 723.250(d)(2)(iii).

4. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane is not designed, nor is it reasonably anticipated to substantially degrade, decompose, or depolymerize.

5. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane is manufactured using monomers and/or reactants that are already included on the TSCA Chemical Substance Inventory or covered under an applicable TSCA section 5 exemption.

6. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane is not a water absorbing polymer with a number average molecular weight greater than or equal to 10,000 daltons.

7. The number average molecular weight of 1,2-ethanediamine, polymer with methyl oxirane and oxirane is 1,100. Substances with molecular weights greater than 400 generally are not absorbed through the intact skin, and substances with molecular weights greater than 1,000 generally are not absorbed through the gastrointestinal (GI) tract. Chemicals not absorbed through the skin or GI tract are generally incapable of eliciting a toxic response.

8. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane contains less than 10% oligomeric material below molecular weight 500 and less than 25% oligomeric material less than molecular weight 1,000.

9. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane does not contain reactive functional groups.

**Endocrine disruption.** There is no evidence that 1,2-ethanediamine, polymer with methyl oxirane and oxirane is an endocrine disrupter, where as substances with molecular weights greater than 400 generally are not absorbed through the intact skin, and substances with molecular weights greater than 1,000 generally are not absorbed through the GI tract. Chemicals not absorbed through the skin or GI tract are generally incapable of eliciting a toxic response.

#### C. Aggregate Exposure

1. *Dietary exposure*—i. *Food.* 1,2-Ethanediamine, polymer with methyl oxirane and oxirane is not absorbed through the intact GI tract and is considered to be incapable of eliciting a toxic response.

ii. *Drinking water.* Based upon the aqueous insolubility of 1,2-

ethanediamine, polymer with methyl oxirane and oxirane, there is no reason to expect human exposure to residues in drinking water.

2. *Non-dietary exposure.* Although there may be exposures to 1,2-ethanediamine, polymer with methyl oxirane and oxirane through dietary and or non-occupational sources, the chemical characteristics of this compound are such that there is reasonable certainty of no harm from aggregate exposure.

#### D. Cumulative Effects

There is not a reasonable expectation of any increased risk due to cumulative exposures to 1,2-ethanediamine, polymer with methyl oxirane and oxirane, since polymers with molecular weights greater than 400 generally are not absorbed through the skin, and substances with molecular weights greater than 1,000 generally are not absorbed through the intact GI tract. Chemicals not absorbed through the skin or GI tract generally are incapable of eliciting a toxic response.

#### E. Safety Determination

1. *U.S. population.* 1,2-Ethanediamine, polymer with methyl oxirane and oxirane causes no safety concerns because it conforms to the definition of a low risk polymer given in 40 CFR 723.250(b) and, as such, is considered to be incapable of eliciting a toxic response.

2. *Infants and children.* 1,2-Ethanediamine, polymer with methyl oxirane and oxirane causes no additional concern to infants and children because it conforms to the definition of a low risk polymer given in 40 CFR 723.250(b) and, as such, is considered to be incapable of eliciting a toxic response.

#### F. International Tolerances

Huntsman is not aware of any country requiring a tolerance for 1,2-ethanediamine, polymer with methyl oxirane and oxirane, nor have there been any codex maximum residue levels established for any food crops at this time.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7099-8]

### Proposed CERCLA Administrative Cost Recovery Settlement: Former Diller Battery Site

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

**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 response costs concerning the Former Diller Battery site in Des Moines, Iowa with the following settling parties: City of Des Moines, Iowa, Union Pacific Railroad Company, Polk County, Iowa, Richard A. Bartolomei and Dennis L. Eppard. The settlement requires the settling parties to pay \$75,000 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. 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 the Des Moines North Side Public Library, 3516 5th Avenue, Des Moines, Iowa 50313, and at the U.S. Environmental Protection Agency, Region 7, Regional Records Center, 901 North 5th Street, Kansas City, Kansas 66101.

**DATES:** Comments must be submitted on or before December 7, 2001.

**ADDRESSES:** Copies of the documents relevant to this proposed settlement may be obtained from Mike Gieryc, Office of Regional Counsel, 901 North 5th Street, Kansas City, Kansas 66101, (913) 551-7822. Comments should reference the Former Diller Battery site, Des Moines, Iowa, and should be addressed to Kathy Robinson, Regional Hearing Clerk, 901 North 5th Street, Kansas City, Kansas 66101.

**FOR FURTHER INFORMATION CONTACT:** Mike Gieryc, Office of Regional

Counsel, 901 North 5th Street, Kansas City, Kansas 66101, (913) 551-7822.

Dated: October 18, 2001.

**James B. Gulliford,**

*Regional Administrator, Region VII.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7099-7]

### **Proposed Past Cost Administrative Settlement Under Section 122(h)(1) of the Comprehensive Environmental Response Compensation and Liability Act; In the Matter of Westmoor Drive Site, Kokomo, IN**

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

**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 response costs concerning the Westmoor Drive site in Kokomo, Indiana. The settlement requires Helen Schifferli ("Settling Party") to pay \$2,000.00 to the Hazardous Substance Superfund, which represents the amount of U.S. EPA's documented past costs Settling Party is able to pay.

Under the terms of the settlement, Settling Party agrees to pay the settlement amount. In exchange for Settling Party's payment, the United States covenants not to sue or take administrative action pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a), relating to the Site. In addition, Ms. Schifferli is entitled to protection from contribution actions or claims as provided by sections 113(f)(2) and 122(h)(4) of CERCLA, 42 U.S.C. 9613(f)(2) and 9622(h)(4), for all response costs incurred and to be incurred by any person at the Site.

For thirty (30) days after 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 Kokomo Howard County Public Library in Kokomo, Indiana.

**DATES:** Comments must be submitted on or before December 7, 2001.

**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 Tamara Carnovsky, Assistant Regional Counsel, U.S. EPA, Mail Code C-14J, 77 W. Jackson Blvd., Chicago, Illinois, 60604, telephone (312) 886-2250. Comments should reference the Westmoor Drive Site, Kokomo, Indiana, and EPA Docket No. V-W-01-C-664, and should be addressed to Tamara Carnovsky, Assistant Regional Counsel, U.S. EPA, Mail Code C-14J, 77 W. Jackson Blvd., Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Tamara Carnovsky, Assistant Regional Counsel, U.S. EPA, Mail Code C-14J, 77 W. Jackson Blvd., Chicago, Illinois 60604, telephone (312) 886-2250.

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

Dated: October 15, 2001.

**William E. Muno,**

*Director, Superfund Division, Region 5.*

[FR Doc. 01-27949 Filed 11-6-01; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7099-9]

### **Notice of Proposed Agreement for Recovery of Past Response Costs Pursuant to Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Meramec Drum Site, Arnold, Missouri, Docket No. CERCLA 07-2001-0084**

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

**ACTION:** Notice of Proposed Agreement for Recovery of Past Response Costs, Meramec Drum Site, Arnold, Missouri.

**SUMMARY:** Notice is hereby given of a proposed agreement for recovery of past response costs concerning the Meramec Drum Site, Arnold, Missouri, with the following parties: Meramec Marine Shipyard, Inc., Thomas E. Dlubac and Edward Theodore Dlubac (Settling Parties). This proposed settlement was

signed by the United States Environmental Protection Agency (EPA) on October 17, 2001.

**DATES:** EPA will receive written comments relating to the proposed agreement for recovery of past response costs by December 7, 2001.

**ADDRESSES:** Comments should be addressed to Cheryle Micinski, Associate Regional Counsel, United States Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, Kansas 66101 and should refer to the Meramec Drum Site Proposed Agreement for Recovery of Past Response Costs, Docket No. CERCLA-07-2001-0084.

The proposed settlement may be examined or obtained in person or by mail from Kathy Robinson, Regional Hearing Clerk, at the office of the United States Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, KS 66101, (913) 551-7567.

**SUPPLEMENTARY INFORMATION:** This Proposed Agreement concerns the Meramec Drum Site, located in Arnold, Missouri, and is made and entered into by EPA and the Meramec Marine Shipyard, Inc., Thomas E. Dlubac, and Edward Theodore Dlubac (Settling Parties).

In response to the release of hazardous substances at or from the Site, EPA undertook response actions at the Site pursuant to section 104 of CERCLA, 42 U.S.C. 9604. In addition, EPA provided oversight of response actions undertaken by the Settling Parties. In performing this response action, EPA incurred response costs at or in connection with the Site.

Pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a), the Settling Parties are responsible parties and are jointly and severally liable for response costs incurred at or in connection with the Site. The Regional Administrator EPA, Region VII, or his designee, has determined that the total past and projected response costs of the United States at or in connection with the Site will not exceed \$500,000, excluding interest.

This Agreement requires the Settling Parties to pay to the EPA Hazardous Substance Superfund the principal sum of \$50,812 in reimbursement of Past Response Costs, plus an additional sum for interest and will resolve the Settling Parties' alleged civil liability for these costs. The proposed Agreement also includes a covenant not to sue the Settling Parties pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a).