

accounts for 8.5% of the RfD. For acute exposure at the 95<sup>th</sup> percentile (based on a conservative Tier 2 assessment) the exposure was 0.018211 mg/kg/day (15.8% aPAD), for children 1–6 and 0.013429 mg/kg/day (11.9% aPAD) for non-nursing infants. There are no residential uses of indoxacarb and contamination of drinking water is extremely unlikely. Based on the completeness and reliability of the toxicity data, the lack of toxicological endpoints of special concern, the lack of any indication that children are more sensitive than adults to indoxacarb, and the conservative exposure assessment, there is a reasonable certainty that no harm will result to infants and children from the aggregate exposure of residues of indoxacarb, including all anticipated dietary exposure and all other non-occupational exposures. Accordingly, there is no need to apply an additional safety factor for infants and children.

#### *F. International Tolerances*

To date, no international tolerances exist for indoxacarb.

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP–50892; FRL–6815–4]

### 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:** By mail: Ann Sibold, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Office location, telephone number, and e-mail address: 1921 Jefferson Davis Hwy., Rm. 220, Crystal Mall #2, Arlington, VA; (703) 305–6502; e-mail address: sibold.ann@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 designated contact person listed for the individual EUP.

#### *B. How Can I Get Additional Information, Including Copies of This Document and Other Related Documents?*

You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select “Laws and Regulations,” “Regulations and Proposed Rules,” and then look up the entry for this document under the “Federal Register—Environmental Documents.” You can also go directly to the Federal Register listings at <http://www.epa.gov/fedrgstr/>.

## **II. EUP**

EPA has issued the following EUP: 241–EUP–141. Extension. BASF Corporation, P.O. Box 400, Princeton, NJ 08543–0400. This EUP allows the use of 289.27 pounds of the termiticide chlorfenapyr (4–bromo–2–(4–chlorophenyl)–1–(ethoxymethyl)–5–(trifluoromethyl)–1H–pyrrole–3–carbonitrile) on less than 22 acres of residential/commercial structures to evaluate the control of termites. The program is authorized only in the States of Alabama, Arizona, Arkansas, California, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, and Washington. The EUP extension is effective from November 26, 2001 to December 31, 2002.

Persons wishing to review this EUP are referred to the designated contact person. Inquiries 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: January 7, 2002.

**Peter Caulkins,**

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

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL–7132–9]

### **Proposed Agreement and Covenant Not To Sue Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, As Amended by the Superfund Amendments and Reauthorization Act of 1986; In Re: Pittsfield Economic Development Authority (“PEDA”), Related to CERCLA Site Known as the GE-Pittsfield/Housatonic River Site, Located in Pittsfield, MA**

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** In accordance with the Comprehensive Environmental Response Compensation, and Liability Act, as amended (“CERCLA”), 42 U.S.C. 9601, *et seq.*, notice is hereby given of a Prospective Purchaser Agreement and Covenant Not to Sue between the United States, on behalf of the U.S. Environmental Protection Agency (“EPA” or the “Agency”), and the Pittsfield Economic Development Authority (PEDA) (“Purchaser”). The Purchaser plans to acquire 52 acres of the GE-Pittsfield/Housatonic River Site for the purpose of redeveloping for the economic benefit of the City of Pittsfield. Pursuant to a Definitive Economic Development Agreement entered into by PEDA, the City, and the General Electric Company (“GE”), approximately 52 acres of the GE-Pittsfield/Housatonic River Site will be transferred to PEDA after the completion of removal actions pursuant to a CERCLA consent decree entered by the United States District Court in the matter of *United States v. General Electric Company*, Civil Docket No. 99–30225-MAP. PEDA will be the fee owner of property transferred to it by GE and will be responsible for managing future land uses thereon. Under the Proposed Agreement, the United States grants a Covenant Not to Sue to the Purchaser under provisions of CERCLA, the Resource Conservation and Recovery Act, the Oil Pollution Act, the Clean