uses (food or non-food), thereby eliminating the potential for residential exposure or non-occupational exposure.

D. Cumulative Effects

Section 408(b)(2)(D)(v) requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider ''available information'' concerning the cumulative effects of a particular pesticide's residues and ''other substances that have a common mechanism of toxicity. There is no available data to determine whether fenamidone has a common mechanism of toxicity with other substances or how to include this pesticide in a cumulative risk assessment. Unlike other pesticides for which EPA has followed a cumulative risk approach based on a common mechanism of toxicity, fenamidone does not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance petition, therefore, it has not been assumed that fenamidone has a common mechanism of toxicity with other substances.

E. Safety Determination

1. *U.S. population*. Using the assumptions and data described above, based on the completeness, and reliability of the toxicity data, it is concluded that chronic dietary exposure to the proposed uses of fenamidone will utilize at most 0.8% of the chronic reference dose for the U.S. population. The actual exposure is likely to be much less as more realistic data, and models are developed. EPA generally has no concern for exposures below 100% of the RfD because the RfD represents the level at or below which daily aggregate exposure over a lifetime will not pose appreciable risk to human health. Drinking water levels of comparison based on the dietary and aggregate exposures are greater than highly conservative estimated levels, and would be expected to be well below the 100% level of the RfD, if they occur at all. Therefore, there is a reasonable certainty that no harm will occur to the U.S. population from aggregate exposure (food and drinking water) to residues of fenamidone.

2. *Infants and children*. The relevant toxicity studies as discussed in the toxicology section above show no extra sensitivity of infants and children to fenamidone, therefore, the food quality protection act (FQPA) safety factor can be removed. Using the assumptions and data described in the exposure section above, the percent of the chronic RfD that will be used for exposure to residues of fenamidone in food for children 1–6 (the most highly exposed subgroup) is 1.0% (0.000302 mg/kg/bwt/day). Infants utilize 0.2% (0.000056 mg/kg/bwt/day) of the chronic RfD. There are no non-dietary concerns for infants and children. As in the adult situation, drinking water levels in comparison are higher than the worst case drinking water estimated concentrations, and are expected to use well below 100% of the reference dose, if they occur at all. Therefore, there is a reasonable certainty that no harm will occur to infants and children from aggregate exposure to residues of fenamidone.

F. International Tolerances

To date, no Codex, Canadian or Mexican tolerances exist for fenamidone.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL–7125–7]

Valley Chemical Superfund Site/ Greenville, Mississippi; Notice of Proposed Settlement

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement.

SUMMARY: Under section 122(h)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Environmental Protection Agency (EPA) has proposed to amend the Agreement for Recovery of Response Costs, CERCLA Docket No. CER–04–2001–3755, in settlement of claims for response costs at the Valley Chemical Superfund Site (Site) located in Greenville, Mississippi, with Valley Chemical Company. EPA will consider public comments on the proposed settlement amendment for thirty days. EPA may withdraw from or modify the proposed settlement amendment should such comments disclose facts or considerations which indicate the proposed settlement amendment is inappropriate, improper, or inadequate. Copies of the proposed settlement amendment are available from: Ms. Paula V. Batchelor, U.S. Environmental Protection Agency, Region IV, Waste Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303, (404) 562–8887.

Written comment may be submitted to Mr. Greg Armstrong at the above address within 30 days of the date of publication.

Dated: December 18, 2001.

James T. Miller,

Acting Chief, CERCLA Program Services Branch, Waste Management Division.

[FR Doc. 02–220 Filed 1–3–02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[PB–402404–CN; FRL–6811–5]

Lead; Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; Authorization of the Cherokee Nation's Lead-Based Paint Activities Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; final approval.

SUMMARY: On November 19, 1999, the Cherokee Nation of Oklahoma submitted an application for EPA approval to administer and enforce training and certification requirements, training program accreditation requirements, and work practice standards for lead-based paint activities in target housing and child-occupied facilities under section 402 of the Toxic Substances Control Act (TSCA). Notice of the receipt of the Cherokee Nation's application, a solicitation for public comment regarding the application, and background information supporting the application were published in the **Federal Register** of January 25, 2000. Today's notice announces the approval of the Cherokee Nation's application, and authorization of the Cherokee Nation's lead-based paint program for Cherokee Nation's Tribal Trust Lands in Oklahoma, effective October 15, 2001, in lieu of the corresponding Federal program under section 402 of TSCA.

DATES: Lead-based paint activities program authorization was granted to the Cherokee Nation effective on October 15, 2001.

FOR FURTHER INFORMATION CONTACT: Jeffrey Robinson, Regional Lead Coordinator, Environmental Protection Agency, Region VI, 6PD-T, 1445 Ross Avenue, Suite 1200, Dallas, TX 75202–2733. Telephone: 214–665–7577, e-mail address: robinson.jeffrey@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Pursuant to Title IV of TSCA, Lead Exposure Reduction, 15 U.S.C. 2681-2692, and regulations promulgated thereunder, States and Tribes that choose to apply for lead-based paint activities program authorization must submit a complete application to the