

diquat dibromide TREDs. These decisions have been developed as part of the public participation process that EPA and the U.S. Department of Agriculture (USDA) are using to involve the public in the reassessment of pesticide tolerances under FFDCA. EPA must review tolerances and tolerance exemptions that were in effect when FQPA was enacted in August 1996, to ensure that these existing pesticide residue limits for food and feed commodities meet the safety standard of the new law.

In reviewing these tolerances, the Agency must consider, among other things, aggregate risks from non-occupational sources of pesticide exposure, whether there is increased susceptibility to infants and children, and the cumulative effects of pesticides with a common mechanism of toxicity. The tolerances are considered reassessed once the safety finding has been made that aggregate risks are not of concern. A reregistration eligibility decision (RED) was completed for difenzoquat in September 1994, and diquat dibromide in July 1995, prior to FQPA enactment, and therefore needed an updated assessment to consider the provisions of the Act.

FFDCA requires that the Agency, when considering whether to establish, modify, or revoke a tolerance, consider "available information" concerning the cumulative effects of a particular pesticide's residues and "other substances that have a common mechanism of toxicity." At this time, difenzoquat and diquat dibromide have not been identified as sharing a common mechanism of toxicity and are not scheduled for a cumulative risk assessment. Additionally, the tolerances for difenzoquat (22) and diquat dibromide (44) are now considered reassessed as safe under section 408(q) of FFDCA.

All registrants of pesticide products containing one or more of the active ingredients listed in this document have been sent the appropriate TRED documents, and must respond to labeling requirements within 8 months of receipt. In addition, the Agency requests a response to the generic Data-Call-In (DCI) letter from technical registrants within 90 days of receipt.

The reregistration program is being conducted under Congressionally-mandated time frames, and EPA recognizes both the need to make timely reregistration decisions and to involve the public. Therefore, the Agency is issuing these TREDs as final documents because no risk mitigation or changes to existing labeling are necessary. All comments received within 30 days of

publication of this **Federal Register** notice will be carefully considered by the Agency. If any comment significantly impacts a TRED, the Agency will amend its decision by publishing a **Federal Register** notice.

*B. What is the Agency's Authority for Taking this Action?*

The legal authority for these TREDs falls under FIFRA, as amended in 1988 and 1996. Section 4(g)(2)(a) of FIFRA directs that, after submission of all data concerning a pesticide active ingredient, "the Administrator shall determine whether pesticides containing such active ingredient are eligible for reregistration," and either reregistering products or taking "other appropriate regulatory action."

**List of Subjects**

Environmental protection, Pesticides.

Dated: May 31, 2002.

**Lois A. Rossi,**

*Director, Special Review and Reregistration Division, Office of Pesticide Programs.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7230-2]

**Proposed Settlement Under Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act**

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

**ACTION:** Notice of proposed administrative settlement and opportunity for public comment—Rockaway Township Wellfield Superfund Site.

**SUMMARY:** The United States Environmental Protection Agency ("EPA") proposes entering into an administrative settlement to resolve certain claims under the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"). EPA is publishing this notification to inform the public of the proposed settlement and of the opportunity to comment. This settlement is intended to resolve the liability of Alliant Techsystems Inc. for certain future response costs to be incurred by EPA at the Rockaway Township Wellfield Superfund Site ("the Site") in Rockaway and Denville Townships, New Jersey.

**DATES:** Comments must be provided on or before July 12, 2002.

**ADDRESSES:** Comments should be addressed to the United States Environmental Protection Agency, Office of Regional Counsel, 290 Broadway, New York, New York 10007, and should refer to: In the Matter of the Rockaway Township Wellfield Superfund Site: Administrative Settlement, U.S. EPA Index No. 02-2002-2010.

**FOR FURTHER INFORMATION CONTACT:** United States Environmental Protection Agency, Office of Regional Counsel, 290 Broadway, New York, New York 10007; Attention: Virginia A. Curry, Esq. (212) 637-3134 or [curry.virginia@epa.gov](mailto:curry.virginia@epa.gov).

**SUPPLEMENTARY INFORMATION:** In accordance with section 122(h) of CERCLA, notification is hereby given of a proposed administrative settlement with Alliant Techsystems Inc. by which this company will pay all EPA future costs at the Site that are not remedial design/remedial action oversight costs. Alliant will remediate the contaminated soil and groundwater at the Denville Technical Park portion of the Site under a separate agreement with the State of New Jersey. Alliant previously paid all EPA's past costs other than costs incurred in EPA's oversight of the remedial design/remedial action costs. This Site is within the jurisdiction of the Third Circuit which has ruled that parties are not liable under CERCLA for remedial design/remedial action oversight costs. Alliant will receive a covenant not to sue for all EPA's past costs and all paid future costs. The Attorney General has approved this settlement.

Dated: May 24, 2002.

**William J. Muszynski,**

*Deputy Regional Administrator, Region 2.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7230-1]

**Velsicol/Hardeman County Landfill Superfund Site Mathis Brothers/South Marble Top Road Landfill Superfund Site Shaver's Farm Superfund Site; Notice of Proposed Settlement**

**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.