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Dated: December 5, 2001.

**George W. Alapas,**  
*Acting Director, National Center for  
Environmental Assessment.*

[FR Doc. 01-31175 Filed 12-17-01; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7118-9]

### **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: Gardner and Hubbardston Superfund Site, Gardner, Massachusetts**

**AGENCY:** Environmental Protection  
Agency.

**ACTION:** Notice of proposed 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 proposed Agreement and Covenant Not to Sue between the United States, on behalf of the U.S. Environmental Protection Agency ("EPA") and The Gardner Little League, Inc. ("Purchaser"). The Purchaser plans to acquire approximately 10 acres of property that is currently owned by Mr. Ronald Kirwood. The Purchaser intends to use the property to construct a youth baseball facility. Under the Proposed Agreement, the United States grants a Covenant Not to Sue to the Purchaser with respect to existing contamination at the Site in exchange for the Purchaser's agreement to pay EPA \$12,000. In addition, the Purchaser agrees to provide an irrevocable right of access to representatives of EPA.

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 One Congress Street, Boston, MA 02214.

**DATES:** Comments must be submitted on or before January 17, 2002.

**ADDRESSES:** Comments should be addressed to Michelle Lauterback, Enforcement Counsel, U.S. Environmental Protection Agency, Regional I, One Congress Street, Suite 1100, Mail code SES, Boston, Massachusetts 02203, and should refer to: In re: Gardner and Hubbardston Superfund Site, U.S. EPA Docket No. CERCLA-01-2001-0076.

**FOR FURTHER INFORMATION CONTACT:** A copy of the proposed Agreement and Covenant Not to Sue can be obtained from Sharon Fennelly, Enforcement Coordinator, U.S. Environmental Protection Agency, Region I, One Congress Street, Mailcode HBR, Boston, Massachusetts 02214, (617) 918-1263.

Dated: November 7, 2001.

**Robert V. Varney,**  
*Regional Administrator, Region I.*

[FR Doc. 01-31180 Filed 12-17-01; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7119-5]

### **Notice of Final NPDES General Permit; Final NPDES General Permit for New and Existing Sources and New Dischargers in the Offshore Subcategory of the Oil and Gas Extraction Category for the Western Portion of the Outer Continental Shelf of the Gulf of Mexico (GMG290000)**

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

**ACTION:** Notice.

**SUMMARY:** EPA Region 6 today issues a modification of the National Pollutant Discharge Elimination System (NPDES) general permit for the Western Portion of the Outer Continental Shelf of the Gulf of Mexico (No. GMG290000) for discharges from new sources, existing sources, and new dischargers in the Offshore Subcategory of the Oil and Gas Extraction Point Source Category (40 CFR part 435, subpart A). The modified permit will become effective February 19, 2002. The existing permit published in the **Federal Register**, at 64 FR 19156 on April 19, 1999, authorizes discharges from exploration, development, and production facilities located in and discharging to Federal waters of the Gulf of Mexico seaward of the outer boundary of the territorial seas offshore of Louisiana and Texas. Today's action adds the authorization to discharge of drill cuttings generated using synthetic and other non-aqueous based drilling

fluids and hydrostatic test water form pressure testing of existing pipelines.

A copy of the Region's responses to comments and the final permit may be obtained from the EPA Region 6 internet site: <http://www.epa.gov/earth1r6/6wq/6wq.htm>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Diane Smith, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202, Telephone: (214) 665 7191, or via EMAIL to the following address: [smith.diane@epa.gov](mailto:smith.diane@epa.gov).

**SUPPLEMENTARY INFORMATION:** *Regulated Entities.* Entities potentially regulated by this action are those which operate offshore oil and gas extraction facilities located in the Outer Continental Shelf Offshore of Louisiana and Texas.

Category	Examples of regulated entities
Industry .....	Offshore Oil and Gas Extraction Platforms.

This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your (facility, company, business, organization, etc.) is regulated by this action, you should carefully examine the applicability criteria in Part I. Section A.1. of the general permit. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

Pursuant to section 402 of the Clean Water Act (CWA), 33 U.S.C. 1342, EPA proposed and solicited comments on NPDES general permit GMG290000 at 63 FR 2238 (January 14, 1998). Notice of this proposed permit modification was also published in the New Orleans Times Picayune and the Lafayette Daily Advisor on June 9, 2001. The comment period closed on August 6, 2001.

Region 6 received comments from the Offshore Operators Committee, M-I LLC, Baroid Drilling Fluids, Petro-Canada, and B.P. Chemicals.

EPA Region 6 has considered all comments received. In response to those comments, protocol were included in the final permit for the new test methods for sediment toxicity and biodegradation. A statistical tool was also included in the final permit to account for variability in those new test methods. Several clarifications were also made in the permit's language.

The permit modification includes limits and monitoring requirements for six new parameters. Monitoring for those parameters and implementation of