

Danelle Springer or David Reininger at 703-993-3100.

Immediately following the conclusion of the Commission Meeting, a press briefing will be held in the Commission Meeting Room. Members of the public may view this briefing in the designated overflow room. This statement is intended to notify the public that the press briefings that follow Commission meetings may now be viewed remotely at Commission headquarters, but will not be telecast through the Capitol Connection service.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9824-4]

### Notice of Ability To Pay—Cash-out Settlement Agreement for the Jefferson City Residential Yards Site Under Comprehensive Environmental Response, Compensation and Liability Act

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

**ACTION:** Notice; request for comment.

**SUMMARY:** As required by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), notice is hereby given that a Section 122(h)(1) cashout settlement agreement for ability to pay peripheral parties is proposed by the United States, on behalf of the Environmental Protection Agency (EPA), and Montana Tunnels Mining, Inc. (MTMI), a Montana corporation, for the payment of certain response costs incurred at the Jefferson City Residential Yards Site in Jefferson City, Jefferson County, Montana (Site).

The Site consists of 19 residential yards, a portion of a U.S. Postal Service property, and sections of Spring Creek, in and near Jefferson City, Montana. An area known as Corbin Flats Tailings, owned by MTMI, lies upstream of the Site, and contains approximately 500,000 cubic yards of tailings. Precipitation events, snowmelt runoff, and other events have caused the tailings, which are contaminated with elevated levels of lead and arsenic, to move downstream along Spring Creek, and these materials were deposited in certain residential yards at the Site.

The EPA's response actions at the Site included excavation of contaminated soils, backfilling with clean soils, and re-grading and disposal of the contaminated soils. The removal action was completed in December of 2010.

MTMI has agreed to pay EPA the principal amount of \$372,217.14 plus interest, as a cashout settlement for a portion of the past costs expended at the Site. Payment shall be made in 35 installments of \$2,500 per month with a final balloon payment of \$292,500. The first payment shall be due on the first day of the month beginning 30 days after the effective date of the agreement. EPA has notified the State of Montana of this action pursuant to Section 106(a) of CERCLA.

**ADDRESSES:** Comments should be sent William Ross/SEE (Mail Code 8ENF-RC), Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129.

**FOR FURTHER INFORMATION CONTACT:** Mia Bearley (Mail Code 8ENF-L), Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129, (303) 312-6554.

*Comments should be sent to:* Environmental Protection Agency, Region 8, William Ross/SEE (Mail Code 8ENF-RC), Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129.

Dated: May 29, 2013.

**Eddie A. Sierra,**

*Acting Assistant Regional Administrator, Office of Enforcement, Compliance and Environmental Justice, EPA, Region 8.*

[FR Doc. 2013-14516 Filed 6-17-13; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2013-0254; FRL-9390-1]

### Amendment of an Experimental Use Permit

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

**ACTION:** Notice.

**SUMMARY:** EPA has received an amendment to a pending experimental use permit (EUP) from the 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:** Shanaz Bacchus, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 308-8097; email address: [bacchus.shanaz@epa.gov](mailto:bacchus.shanaz@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.

### B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2013-0254, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

## II. EUP

EPA has received the following amendment to the pending EUP: 89668-EUP-R. *Submitter:* Robert I. Rose, Ph.D., on behalf of James Mains, Ph.D., Mosquito Mate, Inc., 1122 Oak Hill Drive, Lexington, KY 40505-3322. *Active ingredient:* *Wolbachia pipientis* (now identified as ZAP strain). *Type of active ingredient:* Microbial Insecticide. *Summary of amendment request:* On May 1, 2013, EPA published in the **Federal Register** (78 FR 25436; EPA-HQ-OPP-2013-0254) a Notice of Receipt of an application for an EUP, EPA File Symbol 89668-EUP-R. On May 22, 2013, the applicant submitted an amendment to that application for an EUP. The original application specified the release of 30,000 mosquitoes in Kentucky (0.7 acre). The applicant now intends to release 100,000 male *Aedes albopictus* mosquitoes infected with the *Wolbachia pipientis* ZAP strain microbial pesticide per week during the mosquito season over a 2-year period and monitor areas in neighborhoods of California (1205 acres); Florida (180 acres); Kentucky (337 acres) and New York (337 acres) as specified in the Section G descriptions in the docket. There are no other changes to the original application. The released male mosquitoes are expected to mate with