

In FR Doc. 00-21674, published in the **Federal Register** of August 24, 2000 at page 51612, change the pesticide number that now reads "PP 9F5058" and appears in the middle column of page 51613, to read "PP 0F6093".

#### List of Subjects

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: December 6, 2000.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 00-32034 Filed 12-14-00; 8:45 a.m.]

BILLING CODE 6560-50-S

#### ENVIRONMENTAL PROTECTION AGENCY

[OPP-50876; FRL-6757-8]

#### Experimental Use Permit; Receipt of Application Regarding a Transgenic Plant-Pesticide

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

**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of an application from Mycogen Seeds c/o Dow AgroSciences LLC, 9330 Zionsville Road, Indianapolis, IN 46268, to amend 68467-EUP-2 an experimental use permit (EUP) for the plant-pesticide *Bacillus thuringiensis* delta endotoxin as produced in corn by a cry1F gene and its controlling sequences as found on plasmid insert PHI8999. The Agency has determined that the application may be of regional and national significance. Therefore, in accordance with 40 CFR 172.11(a), the Agency is soliciting comments on this application.

**DATES:** Comments, identified by docket control number OPP-50876, must be received on or before January 16, 2001.

**ADDRESSES:** Comments and data may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the

**SUPPLEMENTARY INFORMATION.** To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-50876 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** By mail: Mike Mendelsohn, Biopesticides and Pollution Prevention Division

(7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-8715; e-mail address: mendelsohn.mike@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to those persons who are interested in agricultural biotechnology or may be required to conduct testing of chemical substances under the Federal Food, Drug, and Cosmetic Act (FFDCA), or the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Since other entities may also be interested, 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 applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

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

1. *Electronically.* 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/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-50876. The official record consists of the documents specifically referenced in this action, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall

#2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

###### C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-50876 in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: [opp-docket@epa.gov](mailto:opp-docket@epa.gov), or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP-50876. Electronic comments may also be filed online at many Federal Depository Libraries.

###### D. How Should I Handle CBI That I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public

version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

*E. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the notice.
7. Make sure to submit your comments by the deadline in this document.
8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

## II. Background

Mycogen Seeds c/o Dow AgroSciences LLC is requesting to amend 68467-EUP-2 for the plant-pesticide *Bacillus thuringiensis* delta endotoxin as produced in corn by a cry1F gene and its controlling sequences as found on plasmid insert PHI8999. This amendment request entails the transfer of 55 acres in Nebraska to Puerto Rico. Specifically, the 55 acres in Nebraska were part of an Agronomic Observation Trial that were not used this past summer. In Puerto Rico, the 55 acres will be planted to two protocols, 20 acres to Breeding and Observation Trials and 35 acres to Agronomic Observation Trials. The transfer reduces the state acreage in Nebraska from 161.96 to 106.96 acres and increases the state acreage in Puerto Rico from 34 to 89 acres. The transfer also adds the Agronomic Observation protocol to Puerto Rico. The transfer does not change the total acres under the EUP. All plantings of corn containing the *Bacillus thuringiensis* Cry1F protein under these experimental programs will be contained. No portion of the crops will be used as food or feed.

## III. What Action is the Agency Taking?

Following the review of the Mycogen Seeds c/o Dow AgroSciences LLC application and any comments and data received in response to this notice, EPA will decide whether to issue or deny the EUP request for this amended EUP program, and if amended, the conditions under which it is to be conducted. Any issuance of an amended EUP will be announced in the **Federal Register**.

## IV. What is the Agency's Authority for Taking this Action?

This action is issued under the authority of 40 CFR Part 172.

### List of Subjects

Environmental protection, Experimental use permits.

Dated: December 6, 2000.

Janet L. Andersen,

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. 00-32036 Filed 12-14-00; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6917-5]

### Palmyra Atoll; Proposed Notice of Administrative Settlement

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

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

**SUMMARY:** In accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA), 42 U.S.C. 9600 *et seq.*, notice is hereby given that a proposed Agreement and Covenant Not to Sue (Prospective Purchaser Agreement) associated with Palmyra Atoll was executed by the United States Environmental Protection Agency (EPA) on November 16, 2000. The proposed Prospective Purchaser Agreement would resolve certain potential claims of the United States under sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), and section 7003 of the Resource Conservation & Recovery Act (RCRA), 42 U.S.C. 6973, against The Nature Conservancy, a District of Columbia non-profit corporation (the Purchaser).

The Purchaser plans to acquire Palmyra Atoll, a group of coral islets approximately 680 acres in extent located in the tropical Pacific Ocean 900 miles south-southwest of Hawaii at Lat. 50 N, Long. 162o W, to preserve it as a wildlife refuge. The Purchaser will pay EPA \$10,000 and commit to manage the atoll to protect its conservation values in cooperation with the U.S. Department of Interior's Fish & Wildlife Service.

For thirty (30) calendar days following the date of publication of this notice, EPA will receive written comments relating to the proposed settlement. If requested prior to the expiration of this public comment period, EPA will provide an opportunity for a public meeting in the affected area. EPA's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105.

**DATES:** Comments must be submitted on or before January 16, 2001.

**ADDRESSES:** The proposed Prospective Purchaser Agreement and additional background documents relating to the settlement are available for public inspection at the U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105. A copy of the proposed settlement may be obtained from William Keener, Assistant Regional Counsel (ORC-1), Office of Regional Counsel, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105. Comments should reference "The Nature Conservancy PPA, Palmyra Atoll" and "Docket No. 2001-04" and should be addressed to William Keener at the above address.

**FOR FURTHER INFORMATION CONTACT:** William Keener, Assistant Regional Counsel (ORC-1), Office of Regional Counsel, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105; phone: (415) 744-1356; fax (415) 744-1041; e-mail: [keener.bill@epa.gov](mailto:keener.bill@epa.gov).

Dated: December 7, 2000.

**Michael Feeley,**  
*Acting Director, Superfund Division, Region IX.*

[FR Doc. 00-32029 Filed 12-14-00; 8:45 am]

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