

Docket No.	File date	Presenter or requester
Prohibited:		
1. CP03-75-003 .....	4-6-09	William Morrison.
2. CP07-62-000, CP07-63-000, CP07-64-000, CP07-65-000 .....	3-27-09	Matthew W. Jones.
3. EL07-86-000, EL07-88-000, EL07-92-000, ER04-691-000 .....	3-26-09/4-6-09	Jerry Busse. <sup>1</sup>
Exempt:		
1. P-2210-169 .....	4-14-09	Stephen Rynas.
2. P-12966-000 .....	4-14-09	Ann Valdo Howard.

<sup>1</sup> Two separate e-mail submittals from Mr. Busse.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-9170 Filed 4-21-09; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8895-4]

### Notice of Proposed Administrative Cashout Agreement Pursuant to Section 122(H)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act; In Re: Hassan Barrel Superfund Site, Fort Wayne, Allen County, IN

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** Notice is hereby given of a proposed administrative settlement under CERCLA concerning the Hassan Barrel Superfund Site ("Site") in Fort Wayne, Allen County, Indiana. Subject to review and comment by the public pursuant to this Notice, the settlement has been approved by the United States Department of Justice. The settlement resolves a United States Environmental Protection Agency (EPA) claim under Sections 106, 107(a), and 122 of CERCLA, against 61 parties who have executed binding certifications of their consent to the settlement, as listed below in the Supplementary Information section.

The settlement requires the settling parties to pay a total of \$950,000 to the Hazardous Substances Superfund, Hassan Barrel Superfund Site, Special Account. Each settling party is required to pay an amount specified for that party in the settlement based upon the volume of waste that party contributed to the Site. The settling parties shall also pay to the EPA, 50% of the net environmental insurance proceeds recovered and received by some or all of the settling parties in a pending insurance recovery action. The payments shall not exceed the difference between \$950,000 and EPA's estimate of total past response costs,

which is approximately \$1.7 million. Payments received shall be applied, retained, or used to finance the response actions taken or to be taken at or in connection with the Site.

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 the EPA, Region 5, 7th Floor File Room, 77 West Jackson Boulevard, Chicago, Illinois.

**DATES:** Comments must be submitted on or before May 22, 2009.

**ADDRESSES:** The proposed settlement is available for public inspection at the EPA, Region 5, 7th Floor File Room, 77 West Jackson Boulevard, Chicago, Illinois. In addition, a copy of the proposed settlement also may be obtained from Nola M. Hicks, Associate Regional Counsel (C-14J), Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590, or by calling (312) 886-7949. Comments should reference the Hassan Barrel Superfund Site, Fort Wayne, Allen County, Indiana and EPA Docket No. and should be addressed to Nola M. Hicks, Associate Regional Counsel (C-14J), Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**SUPPLEMENTARY INFORMATION:** The parties listed below have executed binding certifications of their consent to participate in the settlement.

*The Performing Parties are as follows:* Austin Petroleum, Inc., Buis Oil Company, Inc., Chroma Source Inc., Cintas Corporation, Colwell, Inc., Cooper Standard Automotive, Crystal Flash Petroleum Corporation, Dreyer's Grand Ice Cream, Inc., Fort Wayne Newspapers, Inc., Franklin Electric Co. Inc., Gregory Porter dba Porter's BP, Hartson-Kennedy Cabinet Top Co. Inc., Heritage-Cristal Clean LLC, Heritage Environmental Services LLC, Hoosier

Tire & Rubber Corp., J.M. Reynolds Oil Co. Inc., Co-Alliance LLP f/k/a LaPorte County Co-op, Master Petroleum Products Inc., North Central Co-op, Phelps Dodge Industries Inc., Rackham Service Corp., Rea Magnet Wire Company Inc., Thomson Inc., Warner Oil Co., Yoder Oil.

*The Buy-out Parties are as follows:* 14/69 Car Wash Super Center Inc., American Electric Power Service Corporation on behalf of itself and Indiana Michigan Power Company, Autoliv ASP Inc., Carpenter Co., CME Automotive Corporation, Cole Pattern & Engineering, CTS Corporation, Eaton Corp/Eaton Aeroquip Inc., Fasson Roll North American Division of Avery Dennison Corporation, Gallahan Oil Co. Inc., Grabill Cabinet Company Inc., Griffith Rubber Mills of Garrett LLC, Harris Kayot/Fort Wayne Anodizing, K-Com Transportation Services Inc. (Kemark Environmental Service) Kemco International Inc., Keystone RV Company, Kimball International Inc. and Kimball Electronic Inc., Labacca LLC, Lift All Division of Hydra-Tech, Inc., McCoy Bolt Works Inc., McGill Manufacturing Co., McIntosh Energy Co. Inc., Metalloid Corporation, Parrot Press Inc., Elantas PDG Inc. f/k/a The PD George Company, Group Dekko Inc. f/k/a Pent Technologies, Rieke Corporation, Skyline Corporation, Square D, Sroufe Healthcare Products/Wilmot Holdings, Stonestreet & Stonestreet Oil Company (S&S Oil), Trelleborg Sealing Solutions (TSS F Wayne), Trelleborg YSH Inc., Tuthill Transfer Systems Tuthill Corp., United Technologies Corporation, Waggoner's Fuel Co. Inc.

**FOR FURTHER INFORMATION CONTACT:** Nola M. Hicks, Associate Regional Counsel (C-14J), Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, or call (312) 886-7949.

**Authority:** The Comprehensive Environmental Response, Compensation and Liability Act, of 1980, 42 U.S.C. 9604, 9606(a), 9607, and 9622, as amended.

Dated: April 8, 2009.

Richard C. Karl,

Director, Superfund Division, Region 5.

[FR Doc. E9-9211 Filed 4-21-09; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0186; FRL-8410-7]

### Clomazone and Fomesafen Registration Review Draft Ecological Risk Assessments; Notice of Availability

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's draft ecological risk assessments for the registration review of both clomazone and fomesafen and opens a public comment period on these documents. At the same time, EPA is initiating consultation for clomazone and fomesafen with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service regarding potential effects to species listed as endangered or threatened under the Endangered Species Act. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. As part of the registration review process, the Agency has completed comprehensive draft ecological risk assessments, including endangered species effects determinations, for all clomazone and fomesafen uses. After reviewing comments received during the public comment period, EPA will issue final risk assessments, explain any changes from the draft risk assessments, and respond to comments. Once the ecological risk assessments have been finalized, the Agency will issue its proposed registration review decisions for these pesticides and seek public comment on any proposed risk mitigation. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

**DATES:** Comments must be received on or before June 22, 2009.

**ADDRESSES:** Submit your comments identified by the docket identification (ID) number for the specific pesticide of

interest provided in the table in Unit III.A., by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- **Mail:** Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- **Delivery:** OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

**Instructions:** Direct your comments to the docket ID numbers listed in the table in Unit III.A. for the pesticides you are commenting on. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [regulations.gov](http://www.regulations.gov) or e-mail. The [regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is

restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** For pesticide specific information, contact: The chemical review manager identified in the table in Unit III.A. for the pesticide of interest.

For general questions on the registration review program, contact: Kevin Costello, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-5026; fax number: (703) 308-8090; e-mail address: [costello.kevin@epa.gov](mailto:costello.kevin@epa.gov).

For general questions on OPP's Endangered Species Protection Program, contact: Arty Williams, Environmental Fate and Effects Division (7507P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-7695; fax number: (703) 308-4776; e-mail address: [williams.arty@epa.gov](mailto:williams.arty@epa.gov).

## SUPPLEMENTARY INFORMATION:

### I. General Information

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

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, farmworker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may 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**.