

Indianapolis, IN 46268) and Pioneer Hi-Bred International (7250 NW 62nd Avenue, Johnston, IA 50131) have requested EUPs for the plant-pesticide *Bacillus thuringiensis* moCry1F protein and the genetic material necessary for its production (plasmid insert PHP 12537) in corn.

Pioneer Hi-Bred has requested to test 154.01 acres in Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Pennsylvania, Puerto Rico, South Dakota, Tennessee, Texas, and Wisconsin.

Mycogen Seeds has requested to test 564 acres in Colorado, Hawaii, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Puerto Rico, South Dakota, and Wisconsin.

Both EUPs are to be genetically contained. Corn grown during the EUPs is not to be used for food or feed. However both Mycogen Seeds and Pioneer Hi-Bred have indicated that they intend to apply to amend the EUPs in the future and link them to the pending temporary tolerance petition (OG6112) submitted and pending for Mycogen Seeds currently approved crop destruct Cry1F Bt corn EUP, 68467-EUP-2. The pending temporary tolerance petition (OG6112) published in the **Federal Register** on June 15, 2000 (65 FR 37545) (FRL-6558-6).

III. What Action is the Agency Taking?

Following the review of the Mycogen Seeds and Pioneer Hi-Bred applications and any comments and data received in response to this notice, EPA will decide whether to issue or deny the EUP requests for these EUP programs, and if issued, the conditions under which they are to be conducted. Any issuance of an EUP will be announced in the **Federal Register**.

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

The Agency's authority for taking this action is under FIFRA section 5.

List of Subjects

Environmental protection,
Experimental use permits.

Dated: February 16, 2001.

Janet L. Andersen,

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

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6948-9]

Stressor Identification Guidance Document; Notice of Availability

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice of availability.

SUMMARY: EPA is announcing the availability of the *Stressor Identification Guidance Document* (EPA 822-B-00-025) published under the authority of Section 304(a)(2) of the Clean Water Act (CWA). This technical guidance document is designed to assist water quality managers in identifying unknown causes of biological impairments in any type of water body. Section 101(a) of the Clean Water Act states that it is the objective of the Act to restore and maintain the chemical, physical and *biological integrity* of the Nation's waters. To achieve this objective, numerous States and Tribes are using biological assessments and biocriteria to help protect the Nation's waters. Using these tools, State and Tribal water quality experts are finding water bodies where the fish, invertebrate, algae or plant communities (or other aquatic life) have been detrimentally impacted by different singular or multiple causes. In many cases, the cause, or causes, of these biological impairments have not yet been identified. The *Stressor Identification Guidance Document* provides a logical, scientific process by which State, Tribal, and other water quality experts can evaluate available information to identify the stressor(s) causing the biological impairments. The process has three main steps: (1) List candidate causes of impairment, (2) analyze the evidence, and (3) characterize the causes. When evidence is adequate, using this guidance, investigators should be able to successfully identify the likely cause, or causes. This guidance will also help investigators identify where evidence is weak or lacking and needs to be developed to be able to successfully identify the stressor(s). Once the causes of the biological impairments are identified, water resource managers will be better able to locate the sources of the stressor, or stressors, and take management actions aimed at improving the biological condition of the water body.

This guidance is advisory in nature and its use is not mandatory. As such this guidance does not impose legally-binding requirements on EPA, the

States, Tribes, industry, the public or any other entity.

Availability of Documents: The guidance document is being published by EPA with the title and document number; *Stressor Identification Guidance Document* (EPA-822-B-00-025), dated December 2000. Paper copies can be obtained from the U.S. EPA, Water Resource Center by phone at: (202) 260-7786, or by sending an e-mail to the Center at center.water-resource@epa.gov, or through conventional mail by sending a letter of request to U.S. EPA Water Resource Center, Ariel Rios Building, 1200 Pennsylvania Ave., Washington, DC 20460. Copies of the document may also be obtained from the U.S. EPA National Center for Environmental Publications and Information (NCEPI), 11029 Kenwood Road, Cincinnati, OH 45242 or (513) 489-8190. The document and fact sheet are also available on the EPA website at www.epa.gov/OST/biocriteria.

FOR FURTHER INFORMATION CONTACT:

Susan Cormier at (513) 569-7995 or email at cormier.susan@epa.gov; Glenn Suter at (513) 569-7808 or by email at suter.glenn@epa.gov; Sue Norton at (202) 564-3246 or by email at norton.susan@epa.gov; or William Swietlik at (202) 260-9569 or by e-mail at swietlik.william@epa.gov.

Dated: January 17, 2001.

Geoffrey H. Grubbs,

Director, Office of Science and Technology.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6949-9]

Metalex Superfund Site; Notice of Proposed Settlement

AGENCY: Environmental Protection
Agency.

ACTION: Notice of proposed agreement.

SUMMARY: The Environmental Protection Agency is proposing to enter into an agreement with Libby Corporation pursuant to 122 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, regarding the Metalex Superfund Site located in Lexington County, Lexington, South Carolina. EPA will consider public comments on the proposed settlement for thirty (30) days. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or considerations which indicate the