

day. Based on the the NOAEL of 500 mg/kg/day from the acute oral neurotoxicity screening study in rats and assuming a safety of 100 (10x for interspecies variability and 10x for interspecies extrapolation), the MOE for adults of 143,000 and for children of 41,000 do not exceed EPA's level of concern for adults or children. This assessment is based on the GENECC highest predicted acute concentration of flucarbazon-sodium in drinking water using worst-case assumptions.

Using GENECC, the highest predicted chronic concentration of flucarbazon-sodium was 1.14 µg/L. Assuming a 70 kg adult consumes 2 L of water per day containing 1.14 µg/L of flucarbazon-sodium residues for a period of 70 years, less than 0.04% of the RfD was consumed from residues of flucarbazon-sodium in surface water used for drinking water (worst-case scenario). For a 10 kg child drinking 1 L of water per day containing 1.14 µg/L of flucarbazon-sodium residues only 0.15% of the RfD was consumed by drinking water.

2. *Non-dietary exposure.* There are no current non-food uses for flucarbazon-sodium registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. No non-food uses are proposed for flucarbazon-sodium. No non-dietary exposures are expected for the general population.

#### D. Cumulative Effects

Flucarbazon-sodium falls into the category of sulfonamide herbicides. There is no information to suggest that any of this class of herbicides has a common mechanism of mammalian toxicity or even produce similar effects so it is not appropriate to combine exposures of flucarbazon-sodium with other herbicides. Bayer Corporation is considering only the potential risk of flucarbazon-sodium.

#### E. Safety Determination

1. *U.S. population.* As presented previously, the exposure of the U.S. general population to flucarbazon-sodium is low, and the risks, based on comparisons to the reference dose, are minimal. The margins of safety from the use of flucarbazon-sodium are well within EPA's acceptable limits. Bayer Corporation concludes that there is a reasonable certainty that no harm will result to the U.S. population from aggregate exposure to flucarbazon-sodium residues.

2. *Infants and children.* The complete toxicological data base including the developmental toxicity and 2-generation reproduction studies were considered in assessing the potential for additional

sensitivity of infants and children to residues of flucarbazon-sodium. The developmental toxicity studies in rats and rabbits revealed no increased sensitivity of rats or rabbits to *in-utero* exposure to flucarbazon-sodium. The 2-generation reproduction study did not reveal any increased sensitivity of rats to *in-utero* or postnatal exposure to flucarbazon-sodium. Furthermore, none of the other toxicology studies revealed any data demonstrating that young animals were more sensitive to flucarbazon-sodium than adult animals. The data taken collectively clearly demonstrate that application of a Food Quality Protection Act (FQPA) uncertainty factor for increased sensitivity of infants and children is not necessary for flucarbazon-sodium.

#### F. International Tolerances

There are currently no international (Codex) tolerances established for flucarbazon-sodium. It is not currently registered in any other countries. There are no harmonized Maximum Residue Levels (MRLs) at the European Union level at present. Petitions for MRLs for flucarbazon-sodium in/on wheat, meat, milk, and liver have been submitted to the Pesticide Management Regulatory Agency in Canada.

[FR Doc. 99-26335 Filed 10-7-99; 8:45 am]

BILLING CODE 6560-50-F

### ENVIRONMENTAL PROTECTION AGENCY

[FRL-6454-3]

#### Peer Reviews Associated With the Guide for Industrial Waste Management

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

**ACTION:** Notice of availability.

**SUMMARY:** On June 11, 1999, the EPA released for public comment a draft guidance document entitled "Guide for Industrial Waste Management." The purpose of the draft voluntary Guide is to assist facility managers, State and Tribal environmental managers, and the public in evaluating and choosing protective practices regarding the management of non-hazardous industrial wastes. The Guide is available on a CD-ROM format. The CD-ROM also contains user-friendly ground-water and air models. The ground-water model is called the Industrial Waste Evaluation model, while the air model is called the Industrial Waste Air Model. When the draft Guide, CD-ROM, and models were noticed for comment in June, the EPA stated that both models

would undergo peer review by independent experts. These peer reviews have been completed and the EPA is making the comments developed by the peer reviewers publicly available by this notice. Persons wishing to comment on the models may wish to review the independent peer review comments.

**DATES:** Public comments on the draft "Guide for Industrial Waste Management", the CD-ROM, and the models are due on or before December 13, 1999.

**ADDRESSES:** Any public comments received to date on the draft Guide, the CD-ROM, or the models and these peer review comments are available for viewing in the RCRA Information Center (RIC), located at Crystal Gateway I, First Floor, 1235 Jefferson Davis Highway, Arlington, VA. The RIC is open from 9 a.m. to 4 p.m., Monday through Friday, excluding Federal holidays. To review docket materials (docket number F-1999-IDWA-FFFFF), it is recommended that the public make an appointment by calling 703-603-9230. The public may copy a maximum of 100 pages from any regulatory docket at no charge. Additional copies cost \$0.15 per page. The index and some supporting material are available electronically.

These peer review comments are also available on the Internet. Follow these instructions to access the information electronically.

WWW: <http://www.epa.gov/industrialwaste>

FTP: <ftp://ftp.epa.gov>

Login: anonymous

Password: your Internet address

Files are located in pub/epaanswer.

**FOR FURTHER INFORMATION CONTACT:** For general information and copies of the Ground-Water peer review comments or the Air peer review comments, contact the RCRA Hotline at 800-424-9346 or TDD 800-553-7672 (hearing impaired). In the Washington, DC, metropolitan area, call 703-412-9810 or TDD 703-412-3323. A limited number of paper copies of the peer review comments are available for distribution. These are available on a first-come first-serve basis.

Questions regarding any aspect of the Ground-Water peer review comments may be directed to Virginia Colten-Bradley (703-308-8613) while questions regarding the Air peer review comments should be directed to Charlotte Bertrand (703-308-9053). Questions for these individuals can also be e-mailed to their e-mail address: [colten-](mailto:colten-bradley.virginia@epamail.epa.gov)

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## SUPPLEMENTARY INFORMATION:

**Customer Service**

How can I influence the development of the final ground-water and air models that will be developed for the final Guide for Industrial Waste Management? You can influence the development of the final ground-water and air models by reviewing the peer review comments and the draft models and providing your written comments regarding these models to EPA. Your comments will be most effective if you follow the suggestions below:

Explain your views as clearly as possible and why you feel that way;  
Provide solid technical data to support your views;  
Tell us which parts you support, as well as those you disagree with;  
Provide specific examples to illustrate your concerns; and  
Offer specific alternatives.

**Background and Overview**

The EPA, with assistance from State representatives, who serve as members of a Task Force from the Association of State and Territorial Solid Waste Management Officials (ASTSWMO), industry, and public interest stakeholders, has developed a draft voluntary "Guide for Industrial Waste Management." The Guide recommends best management practices and key factors to take into account in siting, operating, designing, monitoring, and performing corrective action and closure and post closure care. The Guide is available in both paper copy and CD-ROM. The CD-ROM also incorporates both the ground-water and air models that can be used to evaluate potential risks and choose appropriate facility designs.

The air model, called the Industrial Waste Air Model (IWAIR), contains three modeling components. The first is an emissions model that estimates emissions of specific constituents from the unit into the atmosphere. The second component of the model estimates atmospheric dispersion of constituents and ambient air concentrations at a specific receptor point. The third component combines constituent concentrations at the specified receptor point with receptor exposure factors and toxicity benchmarks to estimate risk. IWAIR can be used two ways. Forward calculation uses known constituent concentrations in a waste to calculate risk to receptors at specified locations. Backward calculation starts with a target risk level at a specified receptor location. The model then calculates the concentration levels in a waste that can be protectively

managed in a unit without exceeding a pre-selected target risk level.

The ground-water model, called the Industrial Waste Evaluation Model, identifies a benchmark concentration (Maximum Contaminant Level or Health-Based Number) for each constituent in a receptor well associated with a waste management unit. The goal is not to exceed the benchmark concentrations in the receptor well (defined as a monitoring well). The model starts from this benchmark concentration in the receptor well and uses the effects of dilution and attenuation and leakage rate from a unit to determine the maximum concentration for constituents that can be protectively managed in a particular unit design. In a similar fashion, the model determines the maximum leachate concentration for constituents that can be considered for land application.

The IWAIR model and the IWEM have both undergone independent peer reviews. The peer review summaries contain a summary of the actual peer review comments and identification of the peer reviewers and their qualifications. The individual peer reviews are included as attachments to the peer review summaries. The EPA believes that these peer review summaries are useful documents for people to review as they formulate their own comments on the models. The EPA believes that announcing these peer review summaries now provides adequate time for the general public to review the summaries and formulate their own comments on the models; therefore, the December 13, 1999 deadline for receipt of comments on the draft Guide, CD-ROM, and models is not being extended. After the December deadline, the EPA will again begin to work with State, industry, and environmental representatives in assessing the comments and determining the best course of action. This work will continue through the next calendar year; therefore, if it is not possible to submit your comments or concerns regarding the draft Guide, CD-ROM, or models on time, you are still encouraged to submit comments/concerns as soon after the deadline as possible. The EPA will make all reasonable efforts to consider late comments.

Dated: September 29, 1999.

**Elizabeth Cotsworth,**

*Director, Office of Solid Waste.*

[FR Doc. 99-26334 Filed 10-7-99; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6450-8]

**Proposed Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Administrative Cost Recovery Settlement; Continental Chemical Corporation Superfund Site**

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

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

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative cost recovery settlement concerning the Continental Chemical Corporation Superfund site in Terre Haute, Vigo County, Indiana, which was signed by the EPA Superfund Division Director, Region 5, on September 24, 1999. The settlement resolves an EPA claim under section 107(a) of CERCLA against The 1439 Ash Street Company, Continental Chemical Corporation, New Concepts, Incorporated, Abraham Ashkin, Ronald Ashkin and Stephen Ashkin (who are alleged to be past and current owners and operators of the Site), for the costs expended by EPA in conducting a removal action at the Site. The settlement requires the settling parties to pay \$80,000.00 to the Hazardous Substance Superfund, to be applied toward reimbursement of approximately \$461,332.00 in past response costs incurred by EPA in conducting the removal action. The settlement amount is based on an analysis of the parties' ability to pay. The Site is not on the NPL and no further response action is anticipated at this time.

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 Superfund Records Center, 7th floor, U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**DATES:** Comments must be submitted on or before November 8, 1999.