

**SUMMARY:** This notice announces the availability of, and opportunity to comment on, a background paper that will be used in the development of EPA's Report to the President on the impact of the Environmental Protection Agency's New Source Review (NSR) program on investment in new utility and refinery generation capacity, energy efficiency, and environmental protection. The National Energy Policy Development Group, under the direction of Vice President Richard Cheney, has directed EPA, in consultation with the Secretary of Energy and other relevant agencies, to review NSR regulations, including administrative interpretation and implementation, and prepare this Report to the President within 90 days. The Report to the President is scheduled to be released in August. The background paper summarizes the data that EPA has found thus far addressing the topics that are covered by the NEPD Group's recommendation. The background paper is not a draft of the Report to the President, but is intended to facilitate public comment on issues that may be addressed in that report.

The EPA is now accepting comments on this background paper and other information relevant to the NSR Review and Report to the President. Because the Report to the President is scheduled to be completed in August, commenters are encouraged to submit information as early as possible.

**DATES:** Comments will be accepted until July 27, 2001.

**ADDRESSES:** Docket No. A-2001-19 contains the background paper and additional supporting information that EPA relied upon in developing the background paper. Material in the docket is available for public inspection and copying between 8:00 a.m. and 5:30 p.m., Monday through Friday, at the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, telephone (202) 260-7548, fax (202) 260-4000. The docket is available at the above address in Room M-1500, Waterside Mall (ground floor, central mall). A reasonable fee may be charged for copying. The background paper is also available on the Internet at the following address: <http://www.epa.gov/air/NSR-review>.

Comments and additional information may be provided in writing to the address provided above for the Air and Radiation Docket and Information Center, or may be faxed to the Docket at (202) 260-4000. Information may also be submitted by electronic mail (e-mail) to: [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov). Electronic

comments must be submitted as an ASCII file to avoid the use of special characters and encryption problems or on disks in WordPerfect version 5.1, 6.1 or Corel 9 file format. All comments and data submitted in any form must note the docket number: A-2001-19.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael Ling, Information Transfer and Program Integration Division (MD-12), U.S. EPA, Research Triangle Park, North Carolina 27711, (919) 541-4729, e-mail: [ling.michael@epa.gov](mailto:ling.michael@epa.gov).

**SUPPLEMENTARY INFORMATION:** In its May 2001 report, the energy task force headed by Vice President Cheney recommended that "the Administrator of the EPA, in consultation with the Secretary of Energy and other relevant agencies, review the New Source Review regulations, including administrative interpretation and implementation, and report to the President within 90 days on the impact of the regulations on investment in new utility and refinery generation capacity, energy efficiency, and environmental protection."

New Source Review is a program that was first incorporated into the Clean Air Act in 1977. It requires that a source of air pollution install the best pollution control equipment when it is built or when it makes a major modification that increases emissions. NSR has been an important part of EPA's efforts to protect air quality. At the same time, it is widely recognized that the NSR program is overly complex and burdensome both for affected companies and for the state and local agencies that are responsible for implementing it. For several years, EPA has been exploring options designed to simplify the program, reduce the length of the review process, and remove any barriers it may pose to innovation and improved energy efficiency.

Consistent with the Report, EPA has undertaken a 90-day review of NSR to determine if changes should be made to help the program work more efficiently while still maintaining environmental safeguards. In particular, the Agency will study the impact of NSR regulations on investment in new utility and refinery capacity, energy efficiency, and pollution emissions.

The final report, which is scheduled to be submitted to the President on August 17, will summarize NSR data related to the electricity generating and petroleum refining industries, and examine whether NSR, including enforcement cases filed against those industries, have had a negative impact on investments in new capacity. The report will also include

recommendations on how to improve NSR and minimize any adverse impacts on the energy industry.

EPA is conducting this review in close cooperation and consultation with the Department of Energy, the Department of the Interior, the Office of Management and Budget, the White House Council on Environmental Quality, and the National Economic Council.

In addition to today's notice of availability and opportunity to submit comments on the background paper, the Agency is taking additional steps to seek input from the public and from affected stakeholders. We will hold several public meetings across the U.S. to collect information and public views on NSR. Information about these meetings will be published separately in the **Federal Register**, and will be available on the Internet at <http://www.epa.gov/air/NSR-review>. We will also hold separate meetings with outside stakeholders, including affected industries, environmental groups, and state and local governments.

Dated: June 22, 2001.

**Linda Fisher,**

*Deputy Administrator.*

[FR Doc. 01-16267 Filed 6-26-01; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7002-6]

### **Motorola 52nd Street Superfund Site Phoenix, AZ; Proposed Notice of Administrative Settlement**

**AGENCY:** Environmental Protection Agency

**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 sections 9600 *et seq.*, notice is hereby given that a proposed Agreement and Covenant Not to Sue (Prospective Purchaser Agreement) associated with the Motorola 52nd Street Superfund Site (the Site) was executed by the United States Environmental Protection Agency (EPA) on June 13, 2001. The Prospective Purchaser Agreement would resolve certain potential claims of the United States under sections 106 and 107(a) of CERCLA, 42 U.S.C sections 9606 and 9607(a), and section 7003 of the Resource Conservation and Recovery

Act (RCRA), 42 U.S.C. section 6973, against the City of Phoenix, a municipal corporation of the State of Arizona (City). City plans to acquire six (6) parcels of land comprising 22.1 acres within Operable Unit 2 (OU2) of the Site by purchase or condemnation as part of an expansion plan for Sky Harbor International Airport in Phoenix. City plans to use these parcels for aviation-related purposes, including airfields, terminals, parking operations, air cargo operations, car rental operations, airport administrative functions and aircraft maintenance operations. City will pay EPA \$100,000, will provide access to these parcels to EPA if and as necessary to accomplish cleanup of the Site and will implement institutional controls on these properties if and as requested by EPA.

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, California 94105.

**DATES:** Comments must be submitted on or before July 27, 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 James Collins, Assistant Regional Counsel (ORC-3), Office of Regional Counsel, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105. Comments should reference "City of Phoenix PPA, Motorola 52nd Street Site" and Docket No. 2000-06, and should be addressed to James Collins at the above address.

**FOR FURTHER INFORMATION CONTACT:** James Collins, Assistant Regional Counsel (ORC-3), Office of Regional Counsel, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105; phone: (415) 744-1345; fax: (415) 744-1041; e-mail: collins.jim@epa.gov

Dated: June 15, 2001.

**Keith Takata,**

*Director, Superfund Division, U.S. EPA, Region IX.*

[FR Doc. 01-16115 Filed 6-26-01; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7002-4]

### Notice of Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

**AGENCY:** Environmental Protection Agency.

**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 settlement concerning the Shore Refinery site, Kilgore, Gregg County, Texas with the parties referenced in the Supplementary Information portion of this Notice.

The settlement require the settling parties to perform a removal action, and make payment of future response costs to the Hazardous Substances Superfund. The settling parties were provided orphan share compensation in the form of forgiveness of past costs. The settlement includes a covenant not to sue pursuant to Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607.

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 1445 Ross Avenue, Dallas, Texas, 75202-2733.

**DATES:** Comments must be submitted on or before July 27, 2001.

**ADDRESSES:** The proposed settlement and additional background information relating to the settlement are available for public inspection at 1445 Ross Avenue, Dallas, Texas, 75202-2733. A copy of the proposed settlement may be obtained from Carl Bolden, 1445 Ross Avenue, Dallas, Texas, 75202-2733 at (214) 665-6713. Comments should reference the Shore Refinery Superfund Site, Kilgore, Gregg County, Texas and EPA Docket Number 6-01-2000, and should be addressed to Carl Bolden at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Michael Boydston, 1445 Ross Avenue,

Dallas, Texas, 75202-2733 at (214) 665-7376.

#### SUPPLEMENTARY INFORMATION:

Atlas Processing Company c/o Pennzoil-Quaker State Company  
LaGloria Oil and Gas Company c/o  
Crown Central Petroleum  
Texaco Inc.  
Eastman Chemical Company  
ExxonMobil Chemical Company

Dated: June 13, 2001.

**Jerry Clifford,**

*Acting Regional Administrator, Region 6.*

[FR Doc. 01-16116 Filed 6-26-01; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-50040A; FRL-6784-6]

### Correction to Chemical Nomenclature for Monomer Acid and Derivatives for TSCA Inventory Purpose

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

**ACTION:** Notice.

**SUMMARY:** An August 2, 1985 letter from EPA erroneously equated monomer acid and its derivatives with Tall Oil Fatty Acid (TOFA) and its corresponding derivatives for Toxic Substances Control Act (TSCA) Inventory purposes when, in fact, they are chemically distinct. As a result, many manufacturers of monomer acid derivatives have not submitted Premanufacture Notices (PMNs) under TSCA section 5, because the letter incorrectly indicated that monomer acid derivatives were covered by TOFA derivatives already on the Inventory. This notice implements a correction to the 1985 letter on nomenclature of monomer acid and derivatives. With this correction, monomer acid derivatives that are not on the Inventory will be considered new chemical substances under section 5 of TSCA. Manufacturers of monomer acid derivatives not on the Inventory have 1 year to complete the PMN process to comply with this nomenclature correction. Today's nomenclature correction finalizes the **Federal Register** notice of October 31, 2000.

**DATES:** This action will become effective June 27, 2002.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I.C. of the **SUPPLEMENTARY INFORMATION**. To ensure proper receipt by EPA, it is imperative that you identify docket control number