

### III. What Action is the Agency Taking?

Following the review of the AgriPhi, Inc. 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 EUP program, and if issued, the conditions under which it is to be conducted. Any issuance of an EUP will be announced in the **Federal Register**.

#### List of Subjects

Environmental protection,  
Experimental use permits.

Dated: April 5, 2000.

**Janet L. Andersen,**

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

[FR Doc. 00-9664 Filed 4-18-00; 8:45 am]

BILLING CODE 6560-50-F

### ENVIRONMENTAL PROTECTION AGENCY

[OPP-00652; FRL-6552-2]

#### Pesticides; Guidance for Pesticide Registrants on First Aid Instructions

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

**ACTION:** Notice of availability.

**SUMMARY:** EPA is announcing the availability of guidance which provides revised first aid instructions for all pesticide products. Pesticide Registration (PR) Notice 2000-3 is effective now, but comments will be accepted for 30 days, after which the Agency may revise the notice. The first aid instructions have been revised to reflect more medically correct information and to make them easier to find and be understood.

**DATES:** Comments, identified by docket control number OPP-00652, must be received on or before May 19, 2000.

**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 OPP-00652 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** Amy Breedlove, Field and External Affairs Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-9069; fax number:

(703) 305-5884; e-mail address: breedlove.amy@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

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

This action is directed to the public in general. Although this action may be of particular interest to those persons who register or regulate pesticides, as well as poison control centers, and the medical community, 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 information in this notice, 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 the PR Notice from the Office of Pesticide Programs' Home Page at <http://www.epa.gov/pesticides/>. You can also go directly to the listings from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations" 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. *Fax on Demand.* You may request a faxed copy of the PR Notice titled "First Aid Statements on Pesticide Product Labels," by using a faxphone to call (202) 401-0527 and selecting item 6126. You may also follow the automated menu.

3. *In person.* The Agency has established an official record for this action under docket control number OPP-00652. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, 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 Highway, 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-00652 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, Ariel Rios Bldg., 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 Highway, 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," 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, Suite 8, or ASCII file format. All comments in electronic form must be identified by docket control number OPP-00652. 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 identified 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 or collection activity.
7. Make sure to submit your comments by the deadline in this notice.
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**

#### *A. What Guidance Does this PR Notice Provide?*

The PR Notice provides revised recommended first aid instructions for all pesticide products, unless they are determined to be medically inappropriate. Some of the major changes include revising the ingestion first aid statements so that inducing vomiting is only recommended by a doctor or poison control center, not the label; the first aid statements are now the same for all toxicity categories; the instructions have been revised to be easier to understand and, in some cases, more explicit. The heading "First Aid" is being recommended for use in place of "Statement of Practical Treatment." In addition, a format using non-narrative text and a box or table to highlight the information is being suggested. The PR Notice provides separate instructions for products containing petroleum distillates. The

recommendation is now being made to avoid ingesting any water (or other liquids) for these products, unless data shows it is advantageous.

While the PR Notice is effective now, we will accept comments for 30 days. If the PR Notice is revised, EPA will issue an updated notice.

#### *B. Why is a PR Notice Guidance and Not a Rule?*

The PR Notice discussed in this notice is intended to provide guidance to EPA personnel and decision-makers, and to the public. As a guidance document and not a rule, this policy is not binding on either EPA or any outside parties. Although this guidance document provides a starting point for EPA decisions, EPA will depart from this policy where the facts or circumstances warrant. In such cases, EPA will explain why a different course was taken. Similarly, outside parties remain free to assert that this policy is not appropriate for a specific pesticide or that the specific circumstances demonstrate that this policy should be abandoned.

EPA has stated in this notice that it will make available revised guidance after consideration of public comment, if necessary. Public comment is not being solicited for the purpose of converting this guidance document into a binding rule. EPA will not be codifying this policy in the Code of Federal Regulations. EPA is allowing for comments so as to ensure the revised guidance is complete and medically accurate.

The "revised" guidance will not be an unalterable document. Once a "revised" guidance document is issued, EPA will continue to treat it as guidance, not a rule. Accordingly, on a case-by-case basis, EPA will decide whether it is appropriate to depart from the guidance or to modify the overall approach in the guidance. In the course of commenting on this guidance document, EPA would welcome comments that specifically address how the guidance document can be structured so that it provides meaningful guidance without imposing binding requirements.

#### **List of Subjects**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, First aid.

Dated: April 14, 2000.

**Marcia E. Mulkey,**

*Director, Office of Pesticide Programs.*

[FR Doc. 00-9797 Filed 4-18-00; 8:45 am]

**BILLING CODE 6560-50-F**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6581-8]

### **Prospective Purchaser Agreement and Covenant Not To Sue Under the Comprehensive Environmental Response, Compensation, and Liability Act Regarding the Yurgin Motors Superfund Site, Mantua Township, NJ**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed prospective purchaser agreement and request for public comment.

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9601 *et seq.*, the U.S. Environmental Protection Agency ("EPA") announces a proposed administrative settlement with the Matthew F. Guzzo (The "Settling Party"), a "prospective purchaser" of the Yurgin Motors Superfund Site ("Site") in Mantua Township, New Jersey. The proposed administrative settlement is memorialized in an Agreement And Covenant Not To Sue ("Agreement") between EPA and Matthew F. Guzzo. By this Notice, EPA is informing the public of the proposed settlement and of the opportunity to comment.

In 1996 EPA performed a CERCLA removal action at the Site, a wooded lot of some 26 acres in a residential area. The previous owner operated an automotive repair facility at the Site, leaving behind various waste materials containing hazardous substances. During the removal action EPA removed drums, compressed gas cylinders, small containers containing corrosive and ignitable wastes, PCBs, and halogenated solvents from the Site. Now abandoned, the Site is an eyesore with dilapidated buildings and has attracted trash dumpers. Mr. Guzzo has pledged to demolish the buildings, clean up the Site, and remove two empty underground storage tanks. EPA believes this settlement serves the public interest because the Site will be restored to a useful condition.

Under the agreement, Matthew Guzzo will pay \$6,500 to EPA and in return will receive a covenant not to sue from the United States for civil liabilities pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), with the respect to existing contamination present at the Site.

EPA will consider any comments received during the comment period