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Docket: All documents in the docket are listed in the www.regulations.gov index. 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, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in www.regulations.gov or in hard copy at the Water Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426.

FOR FURTHER INFORMATION CONTACT:

Barry Burgan, Ocean and Coastal Protection Division, Office of Water, 4504T, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, *telephone number:* 202-566-1242; *fax number:* 202-566-1336; *e-mail address:* Burgan.Barry@epa.gov or Virginia Engle, Gulf Ecology Division, Office of Research and Development, Environmental Protection Agency, 1 Sabine Island Drive, Gulf Breeze, Florida 32561; *telephone number:* (850) 934-9354; *fax number:* (850) 934-9201; *e-mail address:* Engle.Virginia@epa.gov.

SUPPLEMENTARY INFORMATION:

General Information

In 2001, the first National Coastal Condition Report was released, characterizing about 70% of the estuarine resources of the United States. Using available data from 1990-1996, EPA, the National Oceanic and Atmospheric Administration (NOAA), U.S. Geological Survey (USGS), U.S. Fish and Wildlife Service (USFWS), and U.S. Department of Agriculture (USDA) determined that the Nation's estuarine resources were in fair condition and presented this information in the first Report. The second National Coastal Condition Report, released in 2005, described the condition of 100% of the Nation's estuaries in the contiguous 48

states and Puerto Rico. This third edition of the National Coastal Condition Report serves as a continuing foundation for the Nation's efforts to protect, manage, and restore coastal ecosystems. Four Federal agencies (EPA, NOAA, USGS and the USFWS) and several state and regional/local organizations have come together to report on the current condition of the Nation's coasts.

The draft National Coastal Condition Report III describes the condition of coastal waters based on several available data sets from different agencies and areas of the country and summarizes them to present a continuing picture of the condition of coastal waters. Although the data sets presented do not cover all coastal areas (e.g., no data were collected in Alaska other than south central Alaska and the Trust Territories), they do provide a multi-regional assessment of coastal condition in the conterminous United States and Puerto Rico. For example, EPA's National Coastal Assessment is conducting estuarine monitoring in all 23 coastal states and Puerto Rico, accounting for 99.8% of estuarine acreage in the continental U.S. and Puerto Rico. Data from several regional and national programs conducted by NOAA, USGS and the USFWS are included in this assessment of coastal condition. This report serves as a useful tool for analyzing the progress of coastal programs implemented since the first Report and as a benchmark for the future and provides trends in condition over time. This report will be followed in subsequent years by reports focusing on continuing assessments of ecological condition, examinations of the trends in coastal condition, and assessments of more specialized coastal issues.

The draft National Coastal Condition Report III will undergo an external peer review conducted by EPA's Office of Research and Development. The peer review plan, including peer review charge questions, is available on EPA's Science Inventory Web site (http://cfpub.epa.gov/si/si_record_view.cfm?dirEntryID=161923). You may view and download the draft Report on EPA's Internet site at the Office of Water homepage at <http://www.epa.gov/owow/oceans/nccr3/index.html> under Recent Additions.

Dated: March 2, 2007.

Benjamin H. Grumbles,

Assistant Administrator for Water.

[FR Doc. E7-4294 Filed 3-8-07; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8286-5]

Omega Chemical Superfund Site; Notice of Proposed CERCLA Administrative Settlement With Certain Ability To Pay Parties

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 settlement for recovery of past response costs concerning the Omega Chemical Site in Whittier, Los Angeles County, California with 12 settling ability to pay parties. The settlement is entered into pursuant to Section 122(h) of CERCLA, 42 U.S.C. 9622(h), and it requires the settling parties to pay approximately \$111,000 to the United States Environmental Protection Agency (EPA). The settlement includes a covenant not to sue the settling parties, pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607(a). 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 75 Hawthorne Street, San Francisco, CA 94105.

DATES: Comments must be submitted on or before April 9, 2007.

ADDRESSES: The proposed settlement is available for public inspection at EPA Region IX, 75 Hawthorne Street, San Francisco, California. A copy of the proposed settlement may be obtained from Steve Berninger, EPA Region IX, 75 Hawthorne Street, ORC-3, San Francisco, CA 94105, telephone number 415-972-3909. Comments should reference the Omega Chemical Superfund Site, Whittier, California and EPA Docket No. 2006-26, and should be addressed to Steve Berninger at the above address.

FOR FURTHER INFORMATION CONTACT: Steve Berninger, Assistant Regional Counsel (ORC-3), Office of Regional Counsel, U.S. EPA Region IX, 75

Hawthorne Street, San Francisco, CA 94105; *phone*: (415) 972-3909; *fax*: (415) 947-3570; *e-mail*: berninger.stephen@epa.gov.

Dated: February 28, 2007.

Keith Takata,

Director, Superfund Division, Region IX.

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BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8286-4]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for public comment.

SUMMARY: In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9601 *et seq.*, and the authority of the Attorney General of the United States to compromise and settle claims of the United States, notice is hereby given of a proposed administrative settlement resolving, subject to reservations and limitations, liability that owners of the St. Joe Chat Pile and of the underlying property located in Ottawa County, Oklahoma, might otherwise incur under CERCLA Sections 106 or 107, 42 U.S.C. 9606, or 9607, arising from the sale of chat on the property in question. The settlement is entered into by the United States on behalf of the U.S. Environmental Protection Agency (EPA).

Chat is a gravel-like mine refuse or mine tailings that is generally contaminated with the hazardous substances lead, cadmium and zinc. Approximately 49 million cubic yards of chat, including the St. Joe Pile, pollute the Tar Creek Superfund Site (Site). The Site is located in an approximately 40-square-mile area in northern Ottawa County, Oklahoma. The Site was mined for lead and zinc ore from the late 1800's through the early 1970's, and chat is part of the waste material left behind by the mining and milling activity. EPA has determined that one of the best ways to address contaminated chat piles on the Site is to sell and remove the chat for use in a manner that will not present a threat to human health or to the environment. Sale and removal of the

chat will reduce the costs of additional response actions for the Site. The purpose of this Settlement Agreement is to encourage the sale of the chat in the St. Joe Chat Pile, by resolving certain liabilities of those with interests in the chat or in the property containing the chat, thereby helping free the chat for sale.

Under the settlement, settlors (chat owners and property owners) agree to execute an agreement for the sale of the chat pile (if they own an interest in the chat), to provide access, and to refrain from activities that would inhibit sales. The settlement also includes settlors' agreement not to sue the United States regarding any direct or indirect claim for reimbursement from the EPA Hazardous Substance Superfund pursuant to Internal Revenue Code, 26 U.S.C. 9507, through CERCLA Sections 106(b)(2), 111, 112, and 113, any claim under CERCLA Sections 107 or 113, or under any citizen suit provision of CERCLA, 42 U.S.C. 9659, the Resource Conservation and Recovery Act, 42 U.S.C. 6972, the Clean Air Act, 42 U.S.C. 7604, the Clean Water Act, 33 U.S.C. 1365, or any other similar statutes or other applicable environmental laws.

In return, subject to reservations and limitations, the United States covenants not to sue or take civil judicial or administrative action against the settlors pursuant to Sections 106 and 107 of CERCLA, 42 U.S.C. 9606, and 9607, or other applicable law, for liability of response actions and/or claims for natural resource damages arising from the sale of the chat.

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 April 9, 2007.

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 Kenneth Talton (6SF-TE), U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733 at (214) 665-7475. Comments should reference the Tar Creek Superfund Site,

Ottawa County, Oklahoma, EPA Docket Number 06-12-06 and should be addressed to Kenneth Talton at the address listed above.

FOR FURTHER INFORMATION CONTACT:

James Costello (6RC-S), U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733 at (214) 665-8045.

Dated: March 1, 2007.

Richard E. Greene,

Regional Administrator, Region 6.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2007-0162; FRL-8118-6]

Certain New Chemicals; Receipt and Status Information

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5 of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory) to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a premanufacture notice (PMN) or an application for a test marketing exemption (TME), and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which covers the period from December 18, 2006 to February 2, 2007, consists of the PMNs and TMEs, both pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period.

DATES: Comments identified by the specific PMN number or TME number, must be received on or before April 9, 2007.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPPT-2007-0162, by one of the following methods.

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

- *Mail:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania