

guidelines for fibrous substances that can be used by EPA in future rulemaking, negotiated enforceable consent agreement, or voluntary action to obtain the necessary toxicologic information for risk assessment. At present, there is no general agreement upon test protocols for chronic inhalation toxicity and carcinogenicity testing of fibers for regulatory purposes. It is, therefore, important for the Agency to obtain input from the scientific community on a number of issues related to fiber testing prior to the development of proposed standardized study protocol(s) for respirable fibers.

EPA, in collaboration with the National Institute of Environmental Health Sciences, the National Institute for Occupational Safety and Health, and the Occupational Safety and Health Administration, through an interagency working group has scheduled a workshop on chronic inhalation toxicity and carcinogenicity testing of respirable fibrous particles to be held May 8-10, 1995. The goal of the workshop is to obtain scientific evaluations and recommendations from outside expert scientists on:

- (1) Issues dealing with the design and conduct of chronic inhalation studies of fibers.
- (2) What preliminary studies would be useful guides in designing the chronic study.
- (3) What mechanistic studies would be important adjuncts to the chronic study to enable better interpretation of study results and extrapolation of potential effects in exposed humans.
- (4) Which, or which combination of the available screening studies constitute a minimum data set which can be used to make judgements about the potential health hazard of the fiber in question, and prioritize the need for further testing in a chronic inhalation study.

Authority: 15 U.S.C. 2603

Dated: April 7, 1995.

Charles M. Auer,

Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

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Proposed Administrative order on Consent; Petrochem Recycling Corp./Ekotek, Inc. Site, Salt Lake City, Utah

AGENCY: U.S. Environmental Protection Agency (U.S. EPA).

ACTION: Proposed *de minimis* settlement.

SUMMARY: In accordance with the requirements of section 122(i)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA), notice is hereby given of a proposed *de minimis* settlement under section 122(g) of CERCLA concerning the Petrochem Recycling Corp./Ekotek, Inc., Site in Salt Lake City, Utah (Site). The proposed Administrative Order on Consent (AOC) requires 7 potentially responsible parties (PRP) to pay an aggregate total of \$152,825.15 to resolve their liability to the EPA related to response actions taken or to be taken at the Site. The terms of the proposed AOC for these settlements are identical to that approved and made effective by EPA November 16, 1994 (See Federal Register notice, dated September 2, 1994). One of the 7 settlements, EIMAC Corp. (Varian Associates, Inc.), was revised from its previous listing in the September 2, 1994, Federal Register notice based on an amended settlement volume (with no other changes to the AOC), and is thus re-noticed here.

DATES: Comments must be submitted by May 18, 1995.

ADDRESSES: Comments should be addressed to Greg Phoebe (8HWM-SR), Enforcement Specialist, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2405, and should refer to: In the matter of Petrochem/Ekotek *De Minimis* Settlement.

FOR FURTHER INFORMATION CONTACT: James M. Stearns, Office of Regional Counsel, EPA Region VIII, at (303) 294-7197.

SUPPLEMENTARY INFORMATION: Notice of section 122(g) *De Minimis* Settlement: In accordance with section 122(i)(1) of CERCLA, notice is hereby given that the terms of an Administrative Order on Consent (AOC) have been agreed to by the following 7 parties, for the following amounts: Option A Settlements: Bloomfield Refining Co. (\$19,300.00); EIMAC Corporation (Varian Associates, Inc.) (\$77,744.26); Auto Body Supply, Inc. (\$2,759.90); Auto Painting & Collision Specialists, Inc. (\$2,547.60); and G & K Services, Inc. (\$6,872.58). Option B Settlements: BP Exploration & Oil, Inc. (fka SOHIO and SOHIO Oil Company; aka BP Exploration, Inc.) (\$16,501.31); and US Polymeris (aka US Polymeric Industries, Inc.; nka BP Chemicals "HITCO," Inc.) (\$27,099.50).

By the terms of the proposed AOC, these PRPs will together pay \$152,825.15 to the Hazardous Substance Superfund (Superfund). This amount represents approximately 0.2% of the

total anticipated costs for the Site upon which this settlement was based.

In exchange for payment, U.S. EPA will provide the settling parties with a covenant not to sue for liability under sections 106 and 107(a) of CERCLA, including liability for EPA past costs, the one-time cost of remedy, future EPA oversight costs, future operation and maintenance of the as-yet unselected remedy, and under section 7003 of the Solid Waste Disposal Act, as amended (also known as the Resource Conservation and Recovery Act (RCRA)).

The amount that each individual PRP will pay, as shown above, equals \$2.97 multiplied by the number of gallons of waste the party sent to the Site (Base Amount), plus a premium payment of either 30% or 120% of the Base Amount, as specified by each Respondent PRP in the AOC. The per gallon charge of \$2.97 was calculated by dividing the total estimated response costs for the Site (\$69,594,403) by the total estimated volume of waste disposed of at the Site (23,454,592 gallons). For parties paying a 30% premium, the "Option A" settlement, there is an exception to the covenant not to sue if total response costs at the Site exceed \$69,594,403. If this amount were exceeded, EPA could sue these parties for all or a portion of the overage. For parties paying the 120% premium, the "Option B" settlement, the exception to the covenant not to sue does not apply.

For a period of thirty (30) days from the date of this publication, the public may submit comments to U.S. EPA relating to the proposed *de minimis* settlement.

A copy of the proposed settlement AOC may be obtained from Greg Phoebe (8HWM-SR), U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2405, (303) 294-7036. Additional background information relating to the *de minimis* settlement is available for review at the Superfund Records Center at the above address, and at the Marriott Library, Special Collections Department, University of Utah, Salt Lake City, Utah (801) 581-8863.

Jack McGraw,

Acting, Regional Administrator, U.S. EPA, Region VIII.

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