

conservation technologies and practices have or have not made the achievement of new flow-normalized mass-based permit limits based on the reduced wastewater flow more difficult for both direct and indirect dischargers. EPA solicits comment on how and when NPDES permit writers are calculating flow-normalized mass-based permit limits when facilities reduce their wastewater flow. EPA solicits comment on whether the commenters' suggestion is more or less relevant to certain industries, treatment technologies, or pollutants. If EPA were to address the commenters' suggestion, should any rule or guidance changes be limited to one or a few industries (e.g., OCPSP) or more broadly applicable. EPA solicits comment on whether there are differences between direct and indirect dischargers that might suggest that different approaches are warranted.

Comments and data provided to EPA will be evaluated in the context of the CWA factors required for consideration of effluent guidelines. Were EPA to make any effluent guidelines revisions, they would need to be supported by an administrative record following an opportunity for public comment based on available data.

*H. EPA Solicits Comment on Implementation Issues Related to the Analytical Methods for Synthetic-Based Drilling Fluids (SBF) in the Oil and Gas Extraction Point Source Category (40 CFR Part 435)*

EPA solicits comment on the suggested revisions to the Oil and Gas Extraction effluent guidelines (40 CFR Part 435) raised by commenters. See section V.B.3.b. In particular, EPA solicits comment on whether EPA should propose a rulemaking to replace the synthetic-based drilling fluids (SBF) analytic methods in the Oil and Gas Extraction effluent guidelines with the SBF analytical methods from the EPA Region 6 general permit for the "Outer Continental Shelf of the Gulf of Mexico," NPDES Permit No: GMG290000 (see OW-2004-0032-0047). EPA also solicits comment on the number, geographic distribution, and types of wells (e.g., oil or gas extraction, exploration or development, deepwater or shallow water, likely bottom depth of well) with down-hole temperatures above the practical limitations of ester-based drilling fluids (i.e., above 350 °F). EPA also solicits comment on whether drilling fluid additives (e.g., emulsifiers) can address the effects of high temperatures on ester-based drilling fluids. Finally, EPA solicits comments on whether the issues raised by commenters are more appropriately

addressed through improved standardization of the SBF analytical methods in order to reduce variability rather than the commenter's suggested revisions to the effluent guidelines.

*I. EPA Solicits Comment on the Draft Strategy*

In connection with the final 2006 Plan, EPA intends to finalize the draft Strategy for National Clean Water Industrial Regulations ("draft Strategy"). See 67 FR 71165 (November 29, 2002). EPA again solicits public comment on the draft Strategy. This will allow time for EPA to better refine the Strategy as it performs future effluent guidelines reviews. In particular, EPA requests comments on its proposed use of the four factors described in the draft Strategy (see section V.A.2) and invites the public to identify other or different factors for EPA's consideration.

The Agency is also interested to receive comments on whether each of these four factors should be ranked, and if so, whether different weights should be applied to each. EPA also requests suggestions as to the information the Agency should use to prioritize industrial categories that pass both the primary and secondary screening reviews described in the draft Strategy.

*J. EPA's Evaluation of Categories of Indirect Dischargers Without Categorical Pretreatment Standards To Identify Potential New Categories for Pretreatment Standards*

EPA solicits comments on its evaluation of categories of indirect dischargers without categorical pretreatment standards. Specifically, EPA solicits wastewater characterization data (e.g., wastewater volumes, concentrations of discharged pollutants), current examples of pollution prevention, treatment technologies, and local limits for all industries EPA evaluated: Food Service Establishments; Industrial Laundries; Photoprocessing; Printing and Publishing; Independent and Stand Alone Laboratories; Industrial Container and Drum Cleaning; and Health Services Industry. EPA solicits comment on the grouping of six industrial sectors into the Health Services Industry grouping (see OW-2004-0032-0038). EPA also solicits comment on whether there are industrial sectors discharging pollutants that cause interference issues that cannot be adequately controlled through the general pretreatment standards.

Dated: August 19, 2005.

**Michael Shapiro,**

*Acting Assistant Administrator for Water.*

[FR Doc. 05-17032 Filed 8-26-05; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7961-8]

**Proposed CERCLA Administrative Agreement; Circuitron Corporation Superfund Site, East Farmingdale, Suffolk County, NY**

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

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

**SUMMARY:** In accordance with the Agency's May 24, 1995, "Guidance on Agreements with Prospective Purchasers of Contaminated Property," notice is hereby given of a proposed prospective purchaser agreement ("PPA") with the United States Environmental Protection Agency; Suffolk County, New York; the State of New York; and an as-of-yet unnamed "Auction Purchaser" regarding a 0.9-acre parcel of real property (the "Property") included within the Circuitron Corporation Superfund Site, located at 82 Milbar Boulevard in East Farmingdale, Suffolk County, New York (the "Site"). Under the PPA, Suffolk County would market the Property at auction, with a portion of the proceeds to be paid to EPA in reimbursement of response costs it incurred at the Site. Also under the PPA, the United States and the State would covenant not to sue or take administrative action against Suffolk County and its departments and agencies, and the Auction Purchaser, under Sections 106 or 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"). EPA also agrees to release the CERCLA Section 107(l) lien against the Property, and waive any lien or right to perfect any lien it may have on the Property now and in the future under Section 107(r) of CERCLA. By publication of this Notice, a thirty (30) day period has been established in which the Agency will accept written comments relating to the PPA agreement. The Agency will consider all comments received and may modify or withdraw its consent to the PPA if comments received disclose facts or considerations which indicate that the agreement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the

U.S. Environmental Protection Agency, Region II, Office of Regional Counsel, New York/Caribbean Superfund Branch, 290 Broadway, 17th Floor, New York, NY 10007-1866.

**DATES:** Comments must be submitted on or before September 28, 2005.

**ADDRESSES:** The proposed PPA and additional background information relating to the settlement are available for public inspection at the U.S. Environmental Protection Agency, Region II, Office of Regional Counsel, New York/Caribbean Superfund Branch, 290 Broadway, 17th Floor, New York, NY 10007-1866. A copy of the proposed PPA may be obtained from the individual listed below. Comments should reference the Circuitron Corporation Superfund Site, East Farmingdale, Suffolk County, New York and EPA Index No. CERCLA-02-2005-2018, and should be addressed to the individual listed below.

**FOR FURTHER INFORMATION CONTACT:** Carl P. Garvey, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 290 Broadway, 17th Floor, New York, NY 10007-1866, Telephone: (212) 637-3181.

Dated: August 19, 2005.

**Dore LaPosta,**

*Acting Regional Administrator, Region II.*  
[FR Doc. 05-17188 Filed 8-26-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7962-1]

### Proposed CERCLA Administrative Cost Recovery Settlement; The Vega Alta Public Supply Wells Superfund Site, Vega Alta, PR

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** In accordance with Section 122(h) of the Comprehensive Environmental Response, Compensation, and Liability Act as amended ("CERCLA"), 42 U.S.C. 9622(h), notice is hereby given of a proposed administrative settlement for recovery of past response costs concerning the Vega Alta Public Supply Wells Superfund Site located in Vega Alta, Puerto Rico with the settling parties, Caribe General Electric Products, Inc. and Unisys Corporation. The settlement requires the settling parties to pay \$858,433.41, plus an

additional sum for Interest on that amount calculated from January 28, 2004 through the date of payment to the Vega Alta Public Supply Wells Superfund Site Special Account within the EPA Hazardous Substance Superfund in reimbursement of EPA's past response costs incurred with respect to the Site. The settlement includes a covenant not to sue the settling party pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607(a) for past response costs. 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.

**DATES:** Comments must be submitted on or before September 28, 2005.

**ADDRESSES:** The proposed settlement is available for public inspection at USEPA, 290 Broadway, 17th Floor, New York, New York 10007-1866. A copy of the proposed settlement may be obtained from Marla E. Wieder, Assistant Regional Counsel, USEPA, 290 Broadway, 17th Floor, New York, New York 10007-1866, (212) 637-3184. Comments should reference the Vega Alta Public Supply Wells Superfund Site, CERCLA Docket No. 02-2005-2029. To request a copy of the proposed settlement agreement, please contact the individual identified below.

**FOR FURTHER INFORMATION CONTACT:** Marla E. Wieder, Assistant Regional Counsel, USEPA, 290 Broadway, New York, New York 10007-1866, (212) 637-3184.

Dated: August 18, 2005.

**Kathleen Callahan,**

*Acting Regional Administrator, U.S. Environmental Protection Agency, Region II.*  
[FR Doc. 05-17189 Filed 8-26-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPPT-2005-0032; FRL-7730-7]

### TSCA Section 21 Petition; Response to Citizen's Petition

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

**ACTION:** Notice.

**SUMMARY:** On May 13, 2005, the Ecology Center of Ann Arbor, Michigan, petitioned EPA under section 21 of the Toxic Substances Control Act (TSCA) to

establish regulations prohibiting the manufacture, processing, distribution in commerce, use, and improper disposal of lead wheel balancing weights. For the reasons set forth in this notice, EPA has denied the petition to initiate rulemaking. In this notice, the Agency elaborates the reasons for its denial and the type of information it may need.

**FOR FURTHER INFORMATION CONTACT:** For general information contact: Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 554-1401; e-mail address: [TSCAHotline@epa.gov](mailto:TSCAHotline@epa.gov).

For technical information contact: Dave Topping, National Program Chemicals Division (7404T), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 566-1974; e-mail address: [topping.dave@epa.gov](mailto:topping.dave@epa.gov).

## SUPPLEMENTARY INFORMATION:

### I. General Information

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

You may potentially be affected by this action if you manufacture, import, process, use, distribute, or dispose of lead wheel balancing weights or are an automobile tire retailer. Since other entities may also be interested, 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 applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

#### B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket identification (ID) number OPPT-2005-0032. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the EPA Docket Center, Rm. B102-Reading Room, EPA West, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center is open from 8:30 a.m. to