

the OEI Docket in the EPA Headquarters Docket Center.

Dated: May 4, 2007.

**Peter W. Preuss,**

*Director, National Center for Environmental Assessment.*

[FR Doc. E7-9022 Filed 5-9-07; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8311-9]

### Correction to the Spring 2007 Regulatory Agenda

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

**ACTION:** Correction.

**SUMMARY:** On Monday, April 30, 2007, the Regulatory Agenda of the Federal Regulatory and Deregulatory Actions for the Environmental Protection Agency was published in the **Federal Register** (72 FR 23156). The regulatory agenda entry for sequence number 2750, "Action on Petition to List Diesel Exhaust as a Hazardous Air Pollutant," contains erroneous information. This notice corrects the information that was published in the **Federal Register** (72 FR 23191) under the heading of Abstract.

**FOR FURTHER INFORMATION CONTACT:**

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**SUPPLEMENTARY INFORMATION:** The Environmental Protection Agency (EPA) publishes the semiannual regulatory agenda to update the public about:

- Regulations and major policies currently under development;
- Reviews of existing regulations and major policies; and
- Rules and major policymakings completed or canceled since the last Agenda.

The regulatory agenda entry in the proposed rule section for sequence number 2750, "Action on Petition to List Diesel Exhaust as a Hazardous Air Pollutant" (72 FR 23191) contains erroneous information. The Agency did not intend to announce a decision to deny the petition. This notice corrects the information that was provided under the heading of Abstract for the Action on Petition to List Diesel Exhaust as a Hazardous Air Pollutant. The following agenda item replaces in its

entirety the agenda item that was provided in the EPA's Semiannual Regulatory Agenda for sequence number 2750, Action on Petition to List Diesel Exhaust as a Hazardous Air Pollutant: *Priority:* Substantive, Nonsignificant. *Legal Authority:* Clean Air Act Section 112(b)(3).

*CFR Citation:* 40 CFR Part 63. *Legal Deadline:* Initial Action, Judicial, 5/30/07. As per 12/2005 Consent Decree, extended several times from original date of 6/12/2006. Final, Judicial 6/26/07, as per 12/2005 Consent Decree. Only required if Agency proposes to grant petition.

*Abstract:* Section 112 of the Clean Air Act contains a mandate for EPA to evaluate and control emissions of HAP from stationary sources. Section 112(b)(1) of the Clean Air Act includes the original list of hazardous air pollutants (HAP). Section 112(b) of the Clean Air Act requires EPA to review the original list periodically and, where appropriate, revise the list by rule. In addition, under section 112(b)(3) of the Clean Air Act, any person may petition EPA to modify the list by adding or deleting one or more substances. On August 11, 2003, Environmental Defense submitted a petition to add diesel exhaust to the list of HAP. EPA is in the process of considering whether the Agency should take further action to address stationary diesel emissions and, if so, what actions may be appropriate. EPA intends to address this petition in the context of this process.

The current deadline for signature of the **Federal Register** notice is May 30, 2007. (Received extension by litigants December 14, 2006; Received another extension by litigants March 14, 2007; Received another extension by litigants April 12, 2007.)

Dated: May 3, 2007.

**Brian F. Mannix,**

*Associate Administrator, Office of Policy, Economics & Innovation.*

[FR Doc. E7-9013 Filed 5-9-07; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8311-7]

### Proposed Settlement Under Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act Regarding the Hilliard's Creek Site, the Route 561 Dump Site, and the U.S. Avenue Burn Site, Gibbsboro, New Jersey

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed administrative settlement and opportunity for public comment.

**SUMMARY:** The United States Environmental Protection ("EPA") is proposing to enter into an administrative settlement to resolve claims under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"). In accordance with Section 122(h)(1) of CERCLA, notice is hereby given of a proposed administrative settlement concerning the Hilliard's Creek Site, the Route 561 Dump Site, and the U.S. Avenue Burn Site (collectively referred to as "the Site"). Section 122(h) of CERCLA provides EPA with the authority to consider, compromise and settle certain claims for costs incurred by the United States. Notice is being published to inform the public of the proposed settlement and of the opportunity to comment.

The Site is located in the Borough of Gibbsboro, Camden County, New Jersey. From 1851 to 1978 a paint and varnish manufacturing facility was operational there. As part of its operations, hazardous substances were generated, stored and utilized. The facility included areas used for unloading raw materials from railroad cars, raw materials tank farms including storage tanks constructed prior to 1908, storage areas for drummed raw materials, an industrial/domestic wastewater treatment and disposal system consisting of six unlined percolation/settling lagoons, an extensive system of pipes for the transport of raw materials, and a drum cleaning area. The mixing and processing of raw materials took place in a number of specialized buildings within the facility. In 1978 Sherwin-Williams shut down the production at the Site.

As a result of these operations and a release or threatened release of hazardous substances, EPA has undertaken response actions at or in connection with the Site under Section 104 of CERCLA, 42 U.S.C. 9604.

Under the terms of the Agreement, Sherwin-Williams will pay a total of \$385,000 to reimburse EPA for certain response costs incurred at the Site. In exchange, EPA will grant a covenant not to sue or take administrative action against Sherwin-Williams for reimbursement of past response costs pursuant to Section 107(a) of CERCLA. The Attorney General has approved this settlement.

EPA will consider any comments received during the comment period and may withdraw or withhold consent