

based on the NOEL of 7.32 mg/kg/day from the chronic toxicity study in rats and a 100-fold uncertainty factor. The U.S. population exposure is 3.2% of the cPAD and the most highly exposed subpopulation exposure is children 1–6 with 7.4% of the cPAD.

ii. *Drinking water.* A drinking water level of comparison (DWLOC) was calculated by subtracting the chronic/acute food exposures calculated using DEEM™ from the cPAD/aPAD to obtain the acceptable chronic/acute exposure to flonicamid in drinking water. The estimated average and maximum concentration of flonicamid in surface water is 1.20 ppb and 1.64 ppb, respectively. These are both well below the lowest chronic (676 ppb) and acute (29,831 ppb) DWLOC values for flonicamid. Therefore, taking into account all proposed uses, it can be concluded with reasonable certainty that residues of flonicamid in food and drinking water will not result in unacceptable levels of human health risk.

2. *Non-dietary exposure.* There are currently no residential uses of flonicamid registered or pending action that need to be added to the total risk from exposure.

#### D. Cumulative Effects

In consideration of potential cumulative effects of flonicamid and other substances that may have a common mechanism of toxicity, to our knowledge there are currently no available data or other reliable information indicating that any toxic effects produced by flonicamid would be cumulative with those of other chemical compounds; thus only the potential risks of flonicamid have been considered in this assessment of its aggregate exposure. If ISK Biosciences Corporation learns of any other compound with the same mechanism of toxicity they will submit information for EPA to consider concerning potential cumulative effects of flonicamid consistent with the schedule established by EPA in the **Federal Register** of August 4, 1997 (62 FR 42020) (FRL–5734–6), and other EPA publications pursuant to the Food Quality Protection Act (FQPA).

#### E. Safety Determination

1. *U.S. population.* Using conservative exposure assessment analyses, the acute dietary exposure estimates are well below the aPAD of 3 milligrams/kilogram body weight/day (mg/kg bwt/day) for all population subgroups. In addition, the chronic dietary exposure estimates for the various population groups are well below the cPAD of 0.073

mg/kg bwt/day. Based on this information, ISK Biosciences Corporation concludes that there is reasonable certainty that no harm will result from acute or chronic exposure to flonicamid.

2. *Infants and children.* Based on the available developmental and reproductive data on flonicamid, ISK Biosciences Corporation, concludes that, reliable data support use of the standard 100-fold uncertainty factor, and that an additional uncertainty factor is not needed to protect the safety of infants and children under the FQPA. Although, the reproduction study indicated signs of toxicity to some reproductive organs/systems at the high dose of 1,800 ppm in the diet, other signs of toxicity such as effects on the kidney accompanied these; there were no effects observed at a dose level of 300 ppm. There were no effects on reproduction or survival at any dose level. Since acute and chronic aggregate exposure assessments are well below the aPAD and cPAD respectively, there is reasonable certainty that no harm will result to infants and children from aggregate exposure to flonicamid residues.

#### F. International Tolerances

There are no Canadian or Mexican residue limits or codex MRLs for the insecticide flonicamid and its metabolites TFNA, TFNA-AM, and TFNG.

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL–7502–9]

#### Proposed Administrative Settlement Under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 Regarding the Central Steel Drum Superfund Site, Newark, NJ

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** The United States Environmental Protection Agency (“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”), 42 U.S.C. 9601 *et seq.* In accordance with EPA guidance, notice is hereby given of

a proposed administrative settlement pursuant to section 122(h)(1) of CERCLA concerning the Central Steel Drum Superfund Site, located in Newark, New Jersey. This notice is being published to inform the public of the proposed settlement and to provide the public with an opportunity to comment on the proposed settlement. This settlement is intended to resolve the civil liability of certain responsible parties for response costs incurred by EPA at the Central Steel Drum Superfund Site. CERCLA provides EPA the authority to settle certain claims for response costs incurred by the United States with the approval of the Attorney General of the United States.

The proposed settlement provides that the potentially responsible parties, Marian Abrams and Jane Mattson, will pay \$18,000.00 in reimbursement of response costs incurred by EPA in performing a removal action to remove the contaminants and hazardous substances from the Central Steel Drum Superfund Site in return for a covenant not to sue under sections 106 and 107 of CERCLA from the United States.

**DATES:** Comments must be provided on or before June 23, 2003.

**ADDRESSES:** Comments should be addressed to the U.S. Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th Floor, New York, New York 10007–1866 and should refer to: In the Matter of Central Steel Drum Superfund Site, Marian Abrams and Jane Mattson, Settling Parties, U.S. EPA Region II Docket No. CERCLA–02–2003–2001.

**FOR FURTHER INFORMATION CONTACT:** U.S. Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th Floor, New York, New York 10007–1866, Attention: Muthu S. Sundram, Esq. (212) 637–3148.

**SUPPLEMENTARY INFORMATION:** A copy of the proposed administrative settlement agreement, as well as background information relating to the settlement, may be obtained in person or by mail from EPA’s Region II Office of Regional Counsel, 290 Broadway—17th Floor, New York, New York 10007–1866.

Dated: May 14, 2003.

**George Pavlou,**

*Director, Emergency & Remedial Response Division.*

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