effects of grass/turf in decreasing runoff (EPA, 1998, EPA–730–F–97–002, PB97–137806, page 15). This division by six was used to calculate the potential exposure via surface water from the Compass turf application, 0.06 ppb / 6 = 0.010 ppb. Therefore, the highest potential exposure to trifloxystrobin from surface water is from the Compass ornamental use, 0.017 ppb.

b. *Estimated ground water concentrations.* The screening concentration in ground water (SCI-GROW) estimated ground water concentrations for the proposed Flint and Compass uses also contributed little to the overall exposure. The estimated concentrations were not adjusted for the estimated market share or percentage of use area. In each use scenario, the concentration of trifloxystrobin in ground water was predicted to be below 1 part per trillion. The highest estimated concentration of trifloxystrobin in the ground water was 0.000587 ppb provided by the Compass turf use.

c. *Drinking water levels of concern—acute exposure.* The estimated maximum concentrations of trifloxystrobin in surface water at Peak Day–0 was 2.48 ppb (GENEEC) and 0.000587 ppb in ground water (SCI-GROW). The acute drinking water level of concentration (DWLOC) values were calculated and compared to these estimated water concentrations. Per EPA preference, the 10–day multiple dosing rat teratology study defined the acute NOAEL at 10 mg/kg/day.

From the acute dietary exposure analysis, the lowest Margin of Exposure (MOE) from the use of trifloxystrobin was 1,960 at the 99.9th percentile for the U.S. population and all population subgroups. This indicates a food exposure of less than 0.0051 mg/kg/day for all populations. Based on the EPA's ''Interim Guidance for Conducting Drinking Water Exposure and Risk Assessments'' document (draft 12/2/97), acute drinking water levels of concern ($DWLOC_{acute}$) were calculated for trifloxystrobin. The lowest acceptable Margin of Exposure (MOE) for any pesticide is 100. This value was used in the DWLOC calculations as a conservative approach. Based on this analysis, trifloxystrobin estimated surface water (2.48 ppb) and ground water concentrations (0.000587 ppb) do not exceed the calculated acute DWLOC values (3,497, 3,496, 2,997, 997). Therefore, trifloxystrobin exposures would not exceed the exposure allowable by the risk cup.

d. *Chronic exposure.* The estimated maximum concentrations of trifloxystrobin in surface water at Day–56/3 was 0.017 ppb (GENEEC) and 0.000587 ppb in ground water (SCI-GROW). The chronic DWLOC values were calculated and compared to these estimated water concentrations. The chronic reference dose for trifloxystrobin is 0.025 mg/kg body wt/day, based upon the findings in the rat chronic toxicity study. From the chronic dietary exposure analysis, an exposure estimate of 0.000140 mg/kg body wt/day was determined for the U.S. population and > 0.00032 for all subgroups. Using this information, chronic drinking water levels of concern ($DWLOC_{chronic}$) were calculated for trifloxystrobin. The trifloxystrobin estimated ground water (0.000587 ppb) and surface water (0.017 ppb) concentrations do not exceed the calculated chronic DWLOC values (872, 870, 746, 247). Therefore, trifloxystrobin exposures would not exceed the exposure allowable by the risk cup.

2. *Non-dietary exposure.* Non-dietary exposure to trifloxystrobin is considered negligible as the chemical is intended primarily for commercial and agricultural use. Post-application re-entry exposure to homeowners from professional use on residential ornamentals is considered negligible. For workers handling this chemical, acceptable margins of exposure (in the range of thousands) have been obtained for both acute and chronic scenarios.

D. Cumulative Risk

Consideration of a common mechanism of toxicity is not appropriate at this time since there is no information to indicate that toxic effects produced by trifloxystrobin would be cumulative with those of any other types of chemicals. Furthermore, the oximinoacetate is a new type of fungicide and no compound in this general chemical class currently has a significant market share. Consequently, Novartis is considering only the potential exposure to trifloxystrobin in its aggregate risk assessment.

E. Safety Determination

1. *U.S. population.* Using the conservative exposure assumptions described above and based on the completeness and reliability of the toxicity data base for trifloxystrobin, Novartis has calculated aggregate exposure levels for this chemical. The calculation shows that only 0.5% of the RfD will be utilized for the U.S. population based on chronic toxicity endpoints. EPA generally has no concern for exposures below 100 percent of the RfD because the RfD represents the level at or below which daily aggregate dietary exposure over a lifetime will not pose appreciable risks to human health. Novartis concludes that there is a reasonable certainty that no harm will result from aggregate exposure to trifloxystrobin residue.

2. *Infants and children.* Developmental toxicity, manifested as reduced weaning pup weight, enlarged thymus, or fused sternabrae, was observed in the teratology study and 2–generation rat reproduction studies at maternally toxic doses. All of these findings are judged to be non-specific, secondary effects of maternal toxicity. The lowest NOAEL for developmental toxicity was established in the rat reproduction study at 5 mg/kg, a level that is likely to be an overly low estimate (as a result of dose gap) but is still higher than the chronic NOAEL of 2.5 mg/kg on which the RfD is based.

Using the same conservative exposure assumptions as employed for the determination in the general population, Novartis has calculated that the percent of the RfD that will be utilized by aggregate exposure to residues of trifloxystrobin is only 2.1% for non-nursing infants (> l year old) (the most impacted sub-population). Therefore, based on the completeness and reliability of the toxicity data base and the conservative exposure assessment, Novartis concludes that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to trifloxystrobin residues.

F. International Tolerances

No Codex MRL's have been established for residues of trifloxystrobin. Flint has been registered on pome fruit in Switzerland, and Stratego (trifloxystrobin + propiconazole) has been registered on cereals in Switzerland.

[FR Doc. 00–1214 Filed 1–18–00; 8:45 am]

BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6526–1]

Proposed Prospective Purchaser Agreement Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as Amended by the Superfund Amendments and Reauthorization Act, Oronogo-Duenweg Mining Belt Superfund Site, Jasper County, Missouri

AGENCY: Environmental Protection Agency.

ACTION: Notice; request for public comment.

SUMMARY: Notice is hereby given that a proposed prospective purchaser agreement associated with the Oronogo-Duenweg Mining Belt Superfund Site, located in Jasper County, Missouri, was executed by the Agency on December 29, 1999. The Site is part of an inactive lead and zinc mining area known as the Tri-State Mining District. The Site encompasses approximately 270 square miles, with large volumes of abandoned and uncontrolled mining wastes spread throughout the Site. The mining wastes at the Site contain elevated levels of lead, which is a hazardous substance as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1986 (''CERCLA''). The Prospective Purchaser Agreement would resolve certain potential EPA claims under CERCLA against the Missouri Highway Transportation Commission (''MHTC''), the prospective purchaser (''the purchaser'').

The settlement requires the purchaser to utilize large quantities of materials from past mining activities as fill, which would become part of the construction of the ''Rangeline Bypass.'' The purchaser must ensure that upon completion of construction, clean cover is in place over all mine materials. The purchaser will handle the mine material in accordance with a work plan that is designed to ensure that contamination is not spread during construction. The purchaser agrees to provide to EPA access to the property. EPA may at any time conduct an inspection of the property, including sampling, to ensure the work is being performed in accordance with the work plan.

For thirty (30) days following the date of publication of this document, the Agency will receive written comments relating to the proposed settlement.

DATES: Written comments must be submitted on or before February 18, 2000.

ADDRESSES: Comments should reference the ''Oronogo-Duenweg Mining Belt Superfund Site'' and should be forwarded to D. Mark Doolan, Remedial Project Manager, U.S. Environmental Protection Agency, Region VII, 901 North 5th Street, Kansas City, Kansas 66101. A copy of the proposed agreement may be obtained from Venessa Cobbs (913) 551–7630.

FOR FURTHER INFORMATION CONTACT: David Cozad, Senior Associate Regional Counsel, United States Environmental Protection Agency, Region VII, 901 North 5th Street, Kansas City, Kansas 66101, (913) 551–7587.

Dated: January 4, 2000.

Dennis Grams,

Regional Administrator, Region 7.

[FR Doc. 00–1213 Filed 1–18–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6526–3]

Water Quality Criteria: Notice of Draft Ambient Water Quality Criteria for Dissolved Oxygen (Saltwater): Cape Cod to Cape Hatteras

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability of Draft Ambient Water Quality Criteria for Dissolved Oxygen (Saltwater): Cape Cod to Cape Hatteras.

SUMMARY: Pursuant to section 304(a)(1) of the Clean Water Act (CWA), the Environmental Protection Agency announces the availability of a draft document titled, Draft Ambient Water Quality Criteria for Dissolved Oxygen (Saltwater): Cape Cod to Cape Hatteras. The EPA is considering using the values presented in this document as its recommended national 304(a) criteria for dissolved oxygen in saltwater. These 304(a) criteria would provide recommended guidance values for States, Territories, and authorized Tribes to use in adopting water quality criteria to protect aquatic life from acute and chronic effects of low dissolved oxygen. Under the CWA, States, Territories, and Tribes are to adopt water quality criteria to protect designated uses. As the document is currently written, these water quality criteria would apply only to the Virginian Province (Cape Cod to Cape Hatteras), but with appropriate modifications, they may be applicable to other regions. While these criteria would constitute EPA's scientific recommendations regarding ambient concentrations of dissolved oxygen that protect saltwater aquatic life, these criteria are not regulations; thus they would not impose legally binding requirements on EPA, States, Territories, Tribes, or the public, and might not apply to a particular situation based upon the circumstances. State, Territories, and authorized Tribes retain the discretion to adopt, where appropriate, other scientifically defensible water quality standards that differ from these recommendations. EPA may change these 304(a) criteria in the future.

These draft criteria were under development prior to the Agency's revision and implementation of its current processes for notice of data availability and criteria development (see **Federal Register**, December 10, 1998, 63 FR 68354 and in the EPA document titled, National Recommended Water Quality—Correction EPA 822–Z–99–001, April 1999). As indicated in the December 10, 1998 FR document, the Agency believes it is important to provide the public with an opportunity to submit scientific information on draft criteria, even though we are not required to invite nor respond to specific issues. Therefore, EPA will review and consider significant scientific information submitted by the public that might not have otherwise been identified during development of these criteria, or in the external peer review. The external peer review comments and EPA's responses are available in the Water Docket. After review of the submitted significant scientific information, EPA will publish a revised document, or publish a document indicating its decision not to revise the document.

This draft document has been approved for publication by the Office of Science and Technology, Office of Water, U.S. Environmental Protection Agency. Mention of trade names or commercial products does not constitute endorsement or recommendation for use.

DATES: All significant scientific information must be submitted to the Agency within 45 days after publication of this document in the **Federal Register** under docket number W–99–22. The Administrative Record supporting this guidance document, including results of the peer review is available at the Water Docket, Room EB–57, Environmental Protection Agency, 401 M Street SW, Washington, DC 20460 on Monday through Friday, excluding Federal holidays, between 9:00 a.m. and 4:00 p.m. For access to docket materials call (202) 260–3027 for an appointment. A reasonable fee will be charged for photocopies. Any scientific information submitted should be adequately documented and contain enough supporting information to indicate that acceptable and scientifically defensible procedures were used and that the results are likely reliable.

ADDRESSES: Copies of the complete document, titled Draft Ambient Water Quality Criteria for Dissolved Oxygen (Saltwater): Cape Cod to Cape Hatteras can be obtained from EPA's Water Resource Center by phone at 202–260–7786, or by e-mail to *center.water-resources@epa.gov* or by conventional mail to EPA Water Resource Center, RC–