

### What Is the Next Step in the Process for This ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: July 23, 2009.

**Suzanne E. Schwartz,**

*Acting Director, Office of Wetlands, Oceans, and Watersheds.*

[FR Doc. E9-18391 Filed 7-30-09; 8:45 am]

**BILLING CODE 6560-50-P**

### ENVIRONMENTAL PROTECTION AGENCY

[FRL-8938-1]

#### Agreement and Covenant Not To Sue

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** As required by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601, *et seq.*, as amended ("CERCLA"), notice is hereby given that an Agreement and Covenant Not to Sue ("Agreement") is proposed by the United States, on behalf of the Environmental Protection Agency ("EPA"), and the Redevelopment Agency of Salt Lake City ("Settling Respondent") for a portion of the Utah Power and Light/American Barrel Superfund Site located in Salt Lake County, Utah ("Site") which Settling Respondent is proposing to purchase ("the Property").

The Site was listed on the National Priorities List in 1989. Historical operations on the Site, including a coal gasification plant, pole treating (creosote), railroad operations, and industrial barrel reclamation and storage resulted in the release of various types of hazardous substances into Site soils and shallow groundwater.

During the 1990s, Utah Power and Light Company ("UP&L") undertook certain response actions at the Site, including the Property, in order to implement the Record of Decision issued by EPA for the Site. Specific

response actions undertaken by UP&L associated with the Property included excavation, and removal of soils impacted by organic compounds (tar) and lead down to a depth of 15 feet. Construction completion was achieved in 1996 for the Site. EPA has conducted two five-year reviews in 2001 and 2006. The response action for the Site was and continues to be protective of human health and the environment. Active groundwater remediation efforts (soil vapor extraction) have been completed and shallow groundwater contamination is currently being addressed through monitored natural attenuation.

This Agreement requires the Settling Respondent to place an environmental covenant with use and activity restrictions on the Property and to pay the United States \$30,000 for future oversight of the environmental covenant. In addition, the Settling Respondent will seek, to the maximum extent practicable, to have future developers incorporate the Environmentally Responsible Redevelopment and Reuse ("ER3") components listed in Appendix D of the Agreement in future development of the Property.

**DATES:** Comments should be received by August 31, 2009. The Agency will consider all comments received on the proposed Agreement 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. The Agency's response to any comments received will be available for public inspection at the EPA Superfund Record Center, 1595 Wynkoop Street, 3rd Floor, in Denver, Colorado.

**ADDRESSES:** The proposed settlement and additional background information relating to the settlement are available for public inspection at the EPA Superfund Records Center, 1595 Wynkoop Street, 3rd Floor, in Denver, Colorado. Comments and requests for a copy of the proposed settlement should be addressed to Sharon Abendschan, Enforcement Specialist (8ENF-RC), Technical Enforcement Program, U.S. Environmental Protection Agency, 1595 Wynkoop Street, Denver, Colorado, 80202-2466, (303) 312-6957, and should reference the Utah Power and Light proposed Agreement.

**FOR FURTHER INFORMATION CONTACT:** Richard Sisk, Legal Enforcement Attorney (ENF-L), Legal Enforcement Program, U.S. Environmental Protection Agency, 1595 Wynkoop Street, Denver, Colorado 80202-2466, (303) 312-6638.

*It is so agreed:*

Dated: July 22, 2009.

**Eddie A. Sierra,**

*Acting Assistant Regional Administrator, Office of Enforcement, Compliance and Environmental Justice, Region 8.*

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL-8934-6]

#### Office of Research and Development; Ambient Air Monitoring Reference and Equivalent Methods: Designation of One New Reference Method and Two New Equivalent Methods

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of the designation of one new reference method and two new equivalent methods for monitoring ambient air quality.

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has designated, in accordance with 40 CFR Part 53, one new reference method for measuring concentrations of oxides of nitrogen (NO<sub>x</sub>) in the ambient air and two new equivalent methods, one for measuring concentrations of ozone (O<sub>3</sub>) in the ambient air and one for measuring concentrations of sulfur dioxide (SO<sub>2</sub>) in the ambient air.

**FOR FURTHER INFORMATION CONTACT:** Surender Kaushik, Human Exposure and Atmospheric Sciences Division (MD-D205-03), National Exposure Research Laboratory, U.S. EPA, Research Triangle Park, North Carolina 27711. Phone: (919) 541-5691, e-mail: [Kaushik.Surender@epa.gov](mailto:Kaushik.Surender@epa.gov).

**SUPPLEMENTARY INFORMATION:** In accordance with regulations at 40 CFR Part 53, the EPA evaluates various methods for monitoring the concentrations of those ambient air pollutants for which EPA has established National Ambient Air Quality Standards (NAAQSs) as set forth in 40 CFR Part 50. Monitoring methods that are determined to meet specific requirements for adequacy are designated by the EPA as either reference methods or equivalent methods (as applicable), thereby permitting their use under 40 CFR Part 58 by States and other agencies for determining compliance with the NAAQSs.

The EPA hereby announces the designation of one new reference method for measuring NO<sub>x</sub> in the ambient air and two new equivalent methods, one for measuring