

**ENVIRONMENTAL PROTECTION AGENCY**

[OPP-30445; FRL-5761-3]

**Receipt of an Application to Amend a Microbial Pesticide Product's Composition Via Recombinant DNA Technology**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

**SUMMARY:** This notice announces receipt of an application to amend a *Bacillus thuringiensis* subspecies *kurstaki* EG7841 product by using a modified construct of this active ingredient during commercial production. The Agency has determined that this amendment application may be of regional and national significance. Therefore, the Agency is soliciting public comments on this amendment application.

**DATES:** Written comments must be submitted to EPA by February 6, 1998.

**ADDRESSES:** By mail, submit written comments to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to: Rm. 1132, CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically to: opp-docket@epamail.epa.gov. Follow the instructions under the SUPPLEMENTARY INFORMATION unit of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential will be included in the public docket by EPA without prior notice. The public docket is available for public inspection in Rm. 1132 at the Virginia address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mike Mendelsohn, Biopesticides and Pollution Prevention Division (7501W), Office of Pesticide Programs, Environmental Protection Agency, 401

M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: 5th Floor, CS #1, 2805 Jefferson Davis Hwy., Arlington, VA, (703) 308-8715; e-mail: mendelsohn.mike@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Notice of receipt of this amendment application does not imply a decision by the Agency on this application.

An application to amend CRYMAX Bioinsecticide (EPA Reg. No. 55638-34) was received from Ecogen, Inc., 2005 Cabot Boulevard West, Langhorne, PA 19047-3023. The proposed amendment involves modifying the *Bacillus thuringiensis* subspecies *kurstaki* EG7841 product by using a modified construct of the active ingredient during commercial production. The cry gene carried by the recombinant plasmid in EG7841 was modified by site-directed mutagenesis to incorporate a single amino acid substitution in its encoded cry protein. Following review of this amendment and any comments received in response to this notice, EPA may approve the amendment, ask for additional data prior to making a regulatory decision, or deny the application.

The official record for this notice, as well as the public version, has been established for this document under docket control number "OPP-30445" (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The official record is located at the Virginia address in "ADDRESSES" at the beginning of this document.

Electronic comments can be sent directly to EPA at: opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in Wordperfect 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket control number "OPP-30445." Electronic comments on this notice may be filed online at many Federal Depository Libraries.

**List of Subjects**

Environmental protection, Genetically engineered microbial pesticides.

Dated: December 24, 1997.

**Kathleen D. Knox,**

Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 98-361 Filed 1-6-98; 8:45 am]

BILLING CODE 6560-50-F

**ENVIRONMENTAL PROTECTION AGENCY****Proposed Administrative Order on Consent; Portland Cement Site, Salt Lake County, UT**

AGENCY: Environmental Protection Agency (U.S. EPA).

ACTION: Proposed Landowner and Prospective Purchaser Settlements.

**SUMMARY:** Notice is hereby given of two proposed Settlement Agreements under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.*, and the inherent authority of the Attorney General of the United States concerning the Portland Cement Site in Salt Lake County, Utah (the "Site"). The first proposed Settlement Agreement requires the settling party, the Horman Family Trust to pay \$45,000 to resolve certain claims of the United States Environmental Protection Agency ("EPA") in connection with the remediation of the Site and \$5,000 to the United States Department of Interior ("DOI") to resolve certain claims for natural resources affected by contamination at the Site. In addition, the Horman Family Trust will implement specific institutional controls to assure that remediation performed at the Site is effective and permanent. The second proposed Settlement Agreement requires the settling party, Redwood Development, LLC., to pay \$45,000 to resolve certain claims of the United States Environmental Protection Agency ("EPA") in connection with the remediation of the Site and \$5,000 to the United States Department of Interior ("DOI") to resolve certain claims for damages to natural resources affected by contamination at the Site. In addition Redwood Development, LLC. will implement specific institutional controls to assure that remediation performed at the Site is effective and permanent.

**DATES:** Comments must be submitted to EPA on or before February 6, 1998.

**ADDRESSES:** Comments should be addressed to Matthew Cohn, (8ENF-L), Senior Enforcement Attorney, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500,

Denver, Colorado 80202-2466, and should refer to: In the Matter of: Portland Cement-Horman-Redwood Settlement Agreements.

**FOR FURTHER INFORMATION CONTACT:** Matthew Cohn, (8ENF-L), Senior Enforcement Attorney, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado, 80202-2466, (303) 312-6853.

**SUPPLEMENTARY INFORMATION:** Copies of the proposed Settlement Agreements may be obtained in person or by mail from Sharon Abendschan, Enforcement Specialist (ENF-T), Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado, 80202-2466, (303) 312-6957.

Dated: December 18, 1997.

**Carol Rushin,**

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

[FR Doc. 98-110 Filed 1-6-98; 8:45 am]

BILLING CODE 6560-50-M

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5947-7]

### **Proposed Administrative Settlement Under the Comprehensive Environmental Response, Compensation, and Liability Act; in Re: Gaynor Stafford Industries Superfund Site; Stafford, CT**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed prospective purchaser agreement and request for public comment.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to enter into a prospective purchaser agreement to address claims under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 *et seq.* Notice is being published to inform the public of the proposed settlement and of the opportunity to comment. The settlement is intended to resolve the liability under CERCLA of C & C Industrial, L.L.C., for injunctive relief and for costs incurred or to be incurred by EPA in conducting response actions at the Gaynor Stafford Industries Superfund Site in Stafford, Connecticut.

**DATES:** Comments must be provided on or before February 6, 1998.

**ADDRESSES:** Comments should be addressed to the Docket Clerk, U.S. Environmental Protection Agency,

Region I, JFK Federal Building, Mailcode RAA, Boston, Massachusetts 02203, and should refer to: In re: C & C Industrial, L.L.C., U.S. EPA Docket No. CERCLA-I-97-1096.

**FOR FURTHER INFORMATION CONTACT:** Audrey Zucker, U.S. Environmental Protection Agency, J.F.K. Federal Building, Mailcode SES, Boston, Massachusetts 02203, (617) 565-3444.

**SUPPLEMENTARY INFORMATION:** In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 *et seq.*, notice is hereby given of a proposed prospective purchaser agreement concerning the Gaynor Stafford Industries Superfund Site in Stafford, Connecticut. The settlement was approved by EPA Region I on November 15, 1997, and by the U.S. Department of Justice on December 8, 1997, subject to review by the public pursuant to this Notice. C & C Industrial, L.L.C. has executed a signature page committing it to participate in the settlement. Under the proposed settlement, the Settling Respondent is required to pay \$30,000 to the Hazardous Substances Superfund and to provide access to the property. In exchange, the Settling Respondent is granted a covenant not to sue under CERCLA and protection from contribution actions or claims under CERCLA with respect to the existing contamination at the site. EPA believes the settlement is fair and in the public interest.

EPA will receive written comments relating to this settlement for thirty (30) days from the date of publication of this Notice.

A copy of the proposed administrative settlement may be obtained in person or by mail from Audrey Zucker, U.S. Environmental Protection Agency, JFK Federal Building, Mailcode SES, Boston, Massachusetts 02203, (617) 565-3444.

The Agency's response to any comments received will be available for public inspection with the Docket Clerk, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Mailcode RAA, Boston, Massachusetts 02203 (U.S. EPA Docket No. CERCLA-I-97-1096).

Dated: December 12, 1997.

**John P. DeVillars,**

*Regional Administrator.*

[FR Doc. 98-356 Filed 1-6-98; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5946-1]

### **Proposed Administrative Order on Consent; Reclaim Barrel Site, Salt Lake County, UT**

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

**ACTION:** Proposed Section 122(g)(4) De Minimis Settlements.

**SUMMARY:** In accordance with the requirements of Section 122(g)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA), 42 U.S.C. 9601 *et seq.*, notice is hereby given of a proposed *de minimis* settlement agreement under Section 122(g)(4), 42 U.S.C. 9622(g)(4), concerning the Reclaim Barrel Site in Salt Lake County, Utah (the "Site"). The proposed Administrative Order on Consent (AOC) requires the settling party, Western Dairymen Cooperative, Incorporated to pay a total of \$1,104 to resolve its liability for response costs incurred and to be incurred by the United States Environmental Protection Agency ("EPA") in connection with the remediation of the Reclaim Barrel Site.

**DATES:** Comments must be submitted to EPA on or before February 6, 1998.

**ADDRESSES:** Comments should be addressed to Matthew Cohn, (8ENF-L), Senior Enforcement Attorney, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2466, and should refer to: In the Matter of: Reclaim Barrel Site Administrative Settlement Agreement.

**FOR FURTHER INFORMATION CONTACT:** Matthew Cohn, (8ENF-L), Senior Enforcement Attorney, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado, 80202-2466, (303) 312-6853.

**SUPPLEMENTARY INFORMATION:** Notice of Section 122(g)(4), 42 U.S.C. 9622(g)(4), Administrative Order on Consent *De Minimis* Settlement: In accordance with Section 122(g)(4) of CERCLA, 42 U.S.C. 9622(g)(4), notice is hereby given that the terms of an Administrative Order on Consent (AOC) for a *de minimis* settlement has been agreed to by the settling party, Western Dairymen Cooperative, Incorporated.

By the terms of the proposed AOC, Western Dairymen Cooperative, Incorporated will pay \$1,104 to the EPA Hazardous Substance Superfund. In exchange for payment, as provided for by CERCLA, the settling party will