

D. Cumulative Effects

The potential for mefenpyr-diethyl to leach into groundwater has been assessed in various laboratory studies. These experiments clearly demonstrate that mefenpyr-diethyl is rapidly degraded in the environment, chiefly via metabolism in biologically active soils. Aerobic degradation half-lives of 3– days or less were observed under a wide range of experimental conditions. Clear degradation of metabolites was also observed, with soil photolysis accelerating the process. Mefenpyr-diethyl was stable to hydrolysis under acid conditions, but was rapidly degraded at mildly alkaline pH values. Rapid photodegradation was observed under those aqueous conditions where mefenpyr-diethyl is stable to hydrolysis. The compound sorbed readily to soil organic matter, therefore leaching is not of concern. Based on these environmental fate data and the anticipated conditions of use, the potential for movement of mefenpyr-diethyl is considered to be low. As such, the potential contribution of any residues of the compound in water to the total dietary intake of mefenpyr-diethyl will be negligible.

E. Safety Determination

1. *U.S. population.* A Reference Dose value (RfD) of 0.48 mg/kg body weight/day is appropriate for chronic dietary risk assessments of mefenpyr-diethyl. This RfD is based on the 2–year rat chronic toxicity study in which the NOEL was 1,000 ppm, equivalent to 48 mg/kg body weight for males, and a 100–fold safety factor to account for interspecies extrapolation and intraspecies variation.

Under the conservative (worst-case) dietary exposure assumption described above in paragraph D.1., chronic dietary exposures will utilize only 0.11% of the RfD for the general U.S. population. There is generally no concern for exposures below 100% of the RfD since it represents the level at or below which no appreciable risks to human health is posed. Thus, there is reasonable certainty that no harm will result to the U.S. population in general from aggregate exposure to mefenpyr-diethyl residues.

2. *Infants and children.* Data from rat and rabbit development toxicity studies and rat multigeneration reproduction studies are generally used to assess the potential for increased sensitivity of infants and children. The developmental toxicity studies are designed to evaluate adverse effects on the developing organism resulting from pesticide exposure during prenatal

development. Reproduction studies provide information relating to reproductive and other effects on adults and offspring from pre-natal and post-natal exposure to the pesticide.

FFDCA Section 408 provides that the Agency may apply an additional safety factor for infants and children to account for pre- and post-natal toxicity or incompleteness of the database. However, the toxicology database for mefenpyr-diethyl regarding potential pre- and post-natal effects in offspring is complete according to existing Agency data requirements and does not indicate any particular developmental or reproductive concerns. No reproductive effects were noted in any of the studies and the NOEL's for the parents and offspring were the same in three of the four studies. A marginal decrease in pup weights was noted at a non-maternally toxic dose level in the second rat developmental toxicity study, but only at a dose level of 1,000 mg/kg/day. Thus, there does not appear to be any significant difference in sensitivity to mefenpyr-diethyl between adults and offspring. Furthermore, the proposed RfD of 0.48 mg/kg/day, which is based on a 48 mg/kg/day NOEL from the 2–year rat feeding study, already provides for a safety factor of 208 relative to the 100 mg/kg/day developmental NOEL from the rabbit developmental toxicity study. Thus, the RfD of 0.48 mg/kg/day is considered to be appropriate for assessing potential risks to infants and children and an additional uncertainty factor is not warranted.

Using the conservative assumptions described above, aggregate exposure to mefenpyr-diethyl is expected to utilize 0.25% of the reference dose in the population subgroups children 1–6 years old and 0.18% of the reference dose in the population subgroup children 7–12 years old. These numbers would, in all likelihood, be significantly lower if an adjustment for actual percent of crop treated was considered.

F. International Tolerances

Italy has established an MRL (maximum residue limit) of 0.05 ppm in wheat grain for residues of mefenpyr-diethyl and metabolites.

[FR Doc. 97–25656 Filed 9–25–97; 8:45 am]

BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

[FRL–5899–2]

Clean Water Act Class II: Proposed Administrative Penalty Assessment and Opportunity To Comment Regarding ProSoCo, Inc., Kansas City, KS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed administrative penalty assessment and opportunity to comment regarding ProSoCo, Inc., Kansas City, Kansas.

SUMMARY: EPA is providing notice of opportunity to comment to the proposed assessment.

Under 33 U.S.C. 1321(b)(6), EPA is authorized to issue orders assessing civil penalties for various violations of the Act. EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. EPA provides public notice of the proposed assessment pursuant to 33 U.S.C. 1321(b)(6)(C).

Class II proceedings are conducted under EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR part 22. The procedures by which the public may submit written comment on a proposed Class II order or participate in a Class II proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. The deadline for submitting public comment on a proposed Class II order is thirty (30) days after issuance of public notice.

On August 6, 1997, EPA commenced the following Class II proceeding for the assessment of penalties by filing with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101, (913) 551–7630, the following Complaint:

In the Matter of ProSoCo, Inc., Kansas City, Kansas, EPCRA Docket No. VII–97E–44 and CWA Docket No. VII–97–W–0017.

The Complaint proposes a penalty of Ten Thousand Dollars (\$10,000) under the Clean Water Act for the release and discharge of a hazardous substance into waters of the United States in violation of section 103(a) of CERCLA and section 311(b)(3) of the Clean Water Act.

FOR FURTHER INFORMATION CONTACT:

Persons wishing to receive a copy of EPA's Consolidated Rules, review the Complaint or other documents filed in this proceeding, comment upon the

proposed penalty assessment, or otherwise participate in the proceeding should contact Vanessa Cobbs, Regional Hearing Clerk, at (913) 551-7630.

The administrative record for the proceeding is located in the EPA Regional Office at the address stated above, and the file will be open for public inspection during normal business hours. All information submitted by ProSoCo, Inc., is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in this proceeding prior to thirty (30) days from the date of this document.

Dated: September 17, 1997.

William A. Spratlin,
Acting Regional Director.

[FR Doc. 97-25648 Filed 9-25-97; 8:45 am]

BILLING CODE 6560-50-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5899-37]

Clean Water Act Class II: Proposed Administrative Penalty Assessment and Opportunity To Comment Regarding Morton International, Inc., Hutchinson, KS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed administrative penalty assessment and opportunity to comment regarding Morton International, Inc., Hutchinson, Kansas.

SUMMARY: EPA is providing notice of opportunity to comment on the proposed assessment.

Under 33 U.S.C. 1321(b)(6), EPA is authorized to issue orders assessing civil penalties for various violations of the Act. EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. EPA provides public notice of the proposed assessment pursuant to 33 U.S.C. 1321(b)(6)(C).

Class II proceedings are conducted under EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR part 22. The procedures by which the public may submit written comment on a proposed Class II order or participate in a Class II proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. The deadline

for submitting public comment on a proposed Class II order is thirty (30) days after issuance of public notice.

On March 31, 1997, EPA commenced the following Class II proceeding for the assessment of penalties by filing with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101, (913) 551-7630, the following Complaint: In the Matter of, Morton International, Inc., Hutchinson, Kansas; EPCRA Docket No. VII-96E-218 and CWA Docket No. VII-97-W-0008.

The Complaint proposes a penalty of Six Thousand Nine Hundred Dollars (\$6,900) for the discharge of a hazardous substance in violation of section 11(b)(3) of the Clean Water Act.

FOR FURTHER INFORMATION CONTACT:

Persons wishing to receive a copy of EPA's Consolidated Rules, review the Complaint or other documents filed in this proceeding, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact Vanessa Cobbs, Regional Hearing Clerk at (913) 551-7630.

The administrative record for the proceeding is located in the EPA Regional Office at the address stated above, and the file will be open for public inspection during normal business hours. All information submitted by Morton International, Inc. is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in this proceeding prior to thirty (30) days from the date of this document.

Dated: September 17, 1997.

William A. Spratlin,
Regional Administrator.

[FR Doc. 97-25649 Filed 9-25-97; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10:46 a.m. on Tuesday, September 23, 1997, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider a personnel matter and other matters which relate to the Corporation's corporate and supervisory activities.

In calling the meeting, the Board determined, on motion of Director

Joseph H. Neely (Appointive), seconded by Director Eugene A. Ludwig (Comptroller of the Currency), concurred in by Director Nicolas P. Retsinas (Acting Director, Office of Thrift Supervision), and Acting Chairman Andrew C. Hove, Jr., that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(2), (c)(4), (c)(6), (c)(8), and (c)(9)(A)(ii)).

The meeting was held in the Board Room of the FDIC Building located at 550-17th Street, N.W., Washington, DC.

Dated: September 23, 1997.

Federal Deposit Insurance Corporation.

James D. LaPierre,

Deputy Executive Secretary.

[FR Doc. 97-25780 Filed 9-24-97; 2:37 pm]

BILLING CODE 6714-01-M

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than October 10, 1997.

A. Federal Reserve Bank of Kansas City (D. Michael Manies, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *Bradley Investments, L.L.L.P.*, Golden, Colorado, Leo N. Bradley, Golden, Colorado, Susan Q. Bradley, Denver, Colorado, and Jeffrey N.