

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,