

**ENVIRONMENTAL PROTECTION AGENCY****[FRL-7416-1]****Intent to Grant an Exclusive Patent License****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of Intent to Grant an Exclusive Patent License.

**SUMMARY:** Pursuant to 35 U.S.C. 207 and 37 CFR Part 404, EPA hereby gives notice of its intent to grant an exclusive, royalty-bearing, revocable license to practice the inventions described and claimed in the patents listed below, all corresponding patents issued throughout the world, and all reexamined patents and reissued patents granted in connection with such patents, to BHA Group, Inc., Kansas City, Missouri. The patents are:

U.S. Patent No. 5,217,511 ('511 patent), entitled "Enhancement of Electrostatic Precipitation with Electrostatically Augmented Fabric Filtration," issued June 8, 1993.

U.S. Patent No. 6,152,988 ('988 patent), entitled "Enhancement of Electrostatic Precipitation with Precharged Particles and Electrostatically Augmented Fabric Filtration," issued November 28, 2000.

The '511 patent was announced as being available for licensing in the March 9, 1992 issue of the **Federal Register** (57 FR 8330) as U.S. Patent Application No. 07/826,302, filed January 24, 1992. The '988 patent has not been previously announced as being available for licensing. However, EPA has the authority under 37 CFR 404.7(a)(1) to proceed without a notice of availability when expeditious granting of the license will best serve the interests of the Federal government and the public. Under that authority, EPA has decided not to issue a notice of availability for the '988 patent because a notice had been published for the associated technology embodied in the '511 patent and because the only applicant, BHA Group, Inc., has filed an application for an exclusive license under 37 CFR 404.8 and is prepared to enter into an exclusive license agreement. Therefore, expeditious granting of the license is in the public's interest because the products will be brought to market sooner. Expeditious granting of the license is also in the Federal government's interest because the royalty income generated can be more quickly used for the purposes permitted under the Federal Technology Transfer Act.

The proposed exclusive license will contain appropriate terms, limitations, and conditions to be negotiated in accordance with 35 U.S.C. 209 and 37 CFR 404.5 and 404.7 of the U.S. Government patent licensing regulations.

EPA will negotiate the final terms and conditions and grant the exclusive license, unless within 15 days from the date of this notice EPA receives, at the address below, written objections to the grant, together with supporting documentation. The documentation from objecting parties having an interest in practicing the above patents should include an application for an exclusive or nonexclusive license with the information set forth in 37 CFR 404.8. The EPA Patent Counsel and other EPA officials will review all written responses and then make recommendations on a final decision to the Director of the National Risk Management Research Laboratory, who has been delegated the authority to issue patent licenses under EPA Delegation 1-55.

**DATE:** Comments on this notice must be received by EPA at the address listed below by December 18, 2002.

**FOR FURTHER INFORMATION CONTACT:** Alan Ehrlich, Patent Counsel, Office of General Counsel (Mail Code 2377A), Environmental Protection Agency, Washington, DC 20460, Telephone (202) 564-5457.

**Marla E. Diamond,**

*Associate General Counsel, Finance and Operations Law Office.*

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**ENVIRONMENTAL PROTECTION AGENCY****[FRL-7415-9]****OSWER 9355.0-85 Contaminated Sediment Remediation Guidance for Hazardous Waste Sites; Request for Comment on Draft Guidance****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** The EPA Office of Solid Waste and Emergency Response (OSWER) is requesting comments on OSWER 9355.0-85, the draft "Contaminated Sediment Remediation Guidance for Hazardous Waste Sites." EPA will accept comments on all aspects of the draft guidance, but comments are specifically solicited for the following topics: Approaches to sediment characterization; evaluation

methods for sediment stability; measurement methods for natural recovery processes; methods to reduce dredging resuspension and residual contamination; new in-situ technologies; and monitoring methods. Comments received may be used to revise the draft guidance or to assist with future EPA guidance on this topic. A written response to comments will not be issued.

**DATES:** Comments are due on or before March 3, 2003.

**ADDRESSES:** This draft guidance is available electronically at: <http://www.epa.gov/superfund/resources/sediment>. A limited number of copies on compact disk (CD) may be requested by electronic mail to the address below. Comments may be submitted electronically, by mail, through hand delivery/courier, or by facsimile.

1. *By Email.* You may submit comments or requests by electronic mail to [evison.leah@epa.gov](mailto:evison.leah@epa.gov). Please include "Sediment Guidance" in the topic line of your email and include the sender's address in the body of the message.

2. *By U.S. Mail.* Send comments to: Leah Evison, U.S. EPA Headquarters, Mail Code 5204G, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention: Sediment Guidance Comments.

3. *By Hand Delivery/Courier.* Deliver comments to: Leah Evison, U.S. EPA Crystal Gateway (12th fl. Customer Service Desk), 1235 Jefferson Davis Highway, Arlington, VA 22202, Attention: Sediment Guidance Comments.

4. *By Facsimile.* Fax your comments to: (703) 603-9100, Attention: Leah Evison, Sediment Guidance Comments.

**FOR FURTHER INFORMATION CONTACT:** Stephen Ells, phone (703) 603-8822, Sediment Team Leader, Office of Emergency and Remedial Response (Mail Code 5204G), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** EPA is authorized under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA) to respond to releases of hazardous substances. The draft Contaminated Sediment Remediation Guidance for Hazardous Waste Sites provides technical and policy guidance for project managers and management teams making risk management decisions for contaminated sediment sites. The purpose of the guidance is to increase project managers' understanding of sediment