

**FOR FURTHER INFORMATION CONTACT:**

William R. Schneider, PM 90, Biopesticides and Pollution Prevention Division (7511W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: 5th floor CS1 2800 Crystal Drive, Arlington, VA, (703) 308-8683, e-mail: schneider.william@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:****I. Background**

Notice of receipt of this notification does not imply a decision by the Agency on this notification.

These small-scale field tests are designed to evaluate fluorescent *Pseudomonas strains* that are able to control the plant pathogens that cause the following diseases in wheat: take-all, *Rhizoctonia* root rot, and *Pythium* root rot. The bacteria will be applied to the seeds prior to planting. In accordance with 40 CFR 172.3, these small-scale field tests will be conducted on a cumulative total of no more than 10 acres of land and any food or feed crops will be destroyed. Each test site will include a containment border such as a 20 foot wide unplanted area, fallow-field, or sod-berm, and will be direct-seeded in accordance with no-till practices to reduce or eliminate run-off of water from the site. The genetically-modified construct and the naturally-occurring wild type parental control strain will have been selected for a rifampicin-resistance marker gene to facilitate monitoring.

The object of the genetic manipulations is to combine: (1) The properties of *Pseudomonas* isolates that produce efficacious levels of antibiotics effective against the microorganisms that cause wheat diseases with (2) other *Pseudomonas* isolates that colonize wheat roots well. The antibiotic genes will be stably inserted into the chromosome of the recipient strain and both the recipient and the donor strains will be fluorescent pseudomonads. For example, in the proposed 1997 tests, the genes for phenazine-1-carboxylate from *Pseudomonas fluorescens* 2-79, isolated from wheat, were transferred into the chromosome of *Pseudomonas fluorescens* Q8R1-96, which is a better wheat root colonizer than strain 2-79. The plasmid used to introduce the *phzA*, *-B*, *-C*, *-D*, *-E*, *-F*, and *-G* genes is not maintained by the recipient strain and, thus, is eliminated, leaving the phenazine biosynthetic genes in the Q8R1-06 chromosome.

Following the review of the ARS/WSU notification and any comments received in response to this notice, EPA

may approve the tests, ask for additional data, require additional modifications to the test protocols, or require EUP applications to be submitted. In accordance with 40 CFR 172.50, under no circumstances shall the proposed tests proceed until the submitters have received notice from EPA of its approval of such tests.

**II. Public Record and Electronic Submissions**

The official record for this notice, as well as the public version, has been established for this notice under docket control number "OPP-50857" (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. Comment 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-50837." Electronic comments on this document may be filed online at many Federal Depository Libraries.

**List of Subjects**

Environmental protection.

Dated: December 15, 1997.

**Kathleen D. Knox,**

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

[FR Doc. 97-33228 Filed 12-18-97; 9:30 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

[OPP-30444; FRL-5761-1]

**Novartis Seeds, Inc.; Application to Register a Pesticide Product**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of an application to register a plant pesticide containing an active ingredient involving a changed use pattern of the product pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**DATES:** Written comments must be submitted by January 20, 1998.

**ADDRESSES:** By mail, submit written comments identified by the document control number [OPP-30444] and the file symbols to: Public Information and Records Integrity Branch (7502C), Information Resources and Services Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Environmental Protection Agency, Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA.

Comments and data may also be submitted electronically to: opp-docket@epamail.epa.gov. Follow the instructions under "SUPPLEMENTARY INFORMATION." 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:** By mail: Michael Mendelsohn, Regulatory Action Leader, Biopesticides and Pollution Prevention Division (7511W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. CS51B6, Westfield Building North Tower, 2800 Crystal Drive, Arlington, VA 22202, (703) 308-8715; e-mail: mendelsohn.mike@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA received an application from Novartis Seeds, Inc., 3054 Cornwallis Road, P.O. Box 12257, Research Triangle Park, NC 27709-2257, to amend the plant pesticide *Bacillus thuringiensis* European Corn Borer Control Protein (EPA Registration Number 66736-1)

containing the active ingredient *Bacillus thuringiensis* CryIA(b) delta-endotoxin and the genetic material necessary for its production (pCIB4431 in corn) at 0.0001-0.0018 percent, which involves a changed use pattern of the product. This product is proposed for use on popcorn to be added to its presently registered use on field corn pursuant to the provision of section 3(c)(4) of FIFRA. Notice of receipt of the application does not imply a decision by the Agency on the application.

Notice of approval or denial of an application to register a pesticide product will be announced in the **Federal Register**. The procedure for requesting data will be given in the **Federal Register** if an application is approved.

Comments received within the specified time period will be considered before a final decision is made; comments received after the time specified will be considered only to the extent possible without delaying processing of the application.

The official record for this notice, as well as the public version, has been established for this notice under docket number [OPP-30444] (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 notice record is located at the 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. Comment 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-30444]. Electronic comments on this notice may be filed online at many Federal Depository Libraries.

Written comments filed pursuant to this notice, will be available in the Public Information and Records Integrity Branch, Information Resources and Services Division at the address provided, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding holidays. It is suggested that persons interested in reviewing the application file, telephone this office at (703-305-

5805) to ensure that the file is available on the date of intended visit.

**Authority:** 7 U.S.C. 136.

#### List of Subjects

Environmental protection, Pesticides and pest, Product registration.

Dated: December 8, 1997.

**Kathleen D. Knox,**

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

[FR Doc. 97-33229 Filed 12-18-97; 9:30 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-5937-3]

##### Lindsley Lumber Site/Tifton, Georgia; Notice of Proposed Settlement

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement.

**SUMMARY:** Under section 122(h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Environmental Protection Agency (EPA) has proposed to settle claims for response costs at the Lindsley Lumber Site (Site) located in Dania, Florida, with Lone Star Industries, Inc./Lone Star Building Centers (Eastern), Inc. EPA will consider public comments on the proposed settlement for thirty days. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper, or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, U.S. Environmental Protection Agency, Region IV, Program Services Branch, Waste Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303, (404) 562-8887.

Written comment may be submitted to Mr. Greg Armstrong at the above address within 30 days of the date of publication.

Dated: December 5, 1997.

**Jewell Harper,**

*Deputy Director.*

[FR Doc. 97-33224 Filed 12-18-97; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-42197B; FRL-5763-1]

##### Enforceable Consent Agreement Development for Ethylene Dichloride; Solicitation of Interested Parties and Notice of Public Meeting

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

**ACTION:** Notice.

**SUMMARY:** EPA is soliciting interested parties who want to monitor or participate in negotiations on an enforceable consent agreement (ECA) concerning the use of pharmacokinetics (PK) studies and mechanistic data to help meet testing requirements for ethylene dichloride (CAS No. 107-06-02) in the proposed hazardous air pollutants (HAPs) test rule. In addition, EPA invites all interested parties to attend a public meeting to initiate negotiations on the ECA for ethylene dichloride.

**DATES:** EPA must receive written notification requesting designation as an interested party for ethylene dichloride on or before January 9, 1998. Those persons who identify themselves as interested parties for ethylene dichloride may submit written comments to EPA on the PK proposal for this chemical, on EPA's preliminary technical analysis, and on other materials in the docket for the proposed HAPs test rule, that relate to the ECA process for this chemical by January 9, 1998.

The public meeting is scheduled from 10 a.m. to 2 p.m. on January 12, 1998.

**ADDRESSES:** Each comment must bear the docket control number, OPPTS-42197B. All comments should be sent in triplicate to: OPPT Document Control Officer (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. G-099, East Tower, Washington, DC 20460.

EPA will address these comments at the public meeting.

Comments and data may also be submitted electronically to: oppt.ncic@epamail.epa.gov. following the instructions under Unit VI. of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

All comments which contain information claimed as CBI must be clearly marked as such. Three sanitized copies of any comments containing information claimed as CBI must also be submitted and will be placed in the public record for this document.