

ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-59364; FRL-5773-4]

Certain Chemicals; Approval of a Test Marketing Exemption**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

SUMMARY: This notice announces EPA's approval of an application for test marketing exemption (TME) under section 5(h)(1) of the Toxic Substances Control Act (TSCA) and 40 CFR 720.38. EPA has designated this application as TME-97-11. The test marketing conditions are described below.

DATES: This notice becomes effective February 13, 1998. Written comments will be received until March 12, 1998.

ADDRESSES: Written comments identified by the docket number [OPPT-59364] and the specific TME number should be sent to: TSCA Nonconfidential Information Center (NCIC), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. NEB-607 (7407), 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: oppt.ncic@epamail.epa.gov.

Comments and data will also be accepted on disks in WordPerfect 5.1/6.1 file format or ASCII file format. All comments and data in electronic form must be identified by [OPPT-59364]. Non Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this notice may be filed online at many Federal Depository Libraries.

FOR FURTHER INFORMATION CONTACT: Geraldine Hilton, New Chemicals Notice Management Branch, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-435, 401 M St. SW., Washington, DC 20460, (202) 260-3992. e-mail: hilton.geraldine@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Section 5(h)(1) of TSCA authorizes EPA to exempt persons from premanufacture notification (PMN) requirements and permit them to manufacture or import new chemical substances for test marketing purposes if the Agency finds that the manufacture, processing, distribution in commerce, use, and disposal of the substances for test marketing purposes will not present an unreasonable risk of injury to human health or the environment. EPA may impose restrictions on test marketing

activities and may modify or revoke a test marketing exemption upon receipt of new information which casts significant doubt on its finding that the test marketing activity will not present an unreasonable risk of injury.

EPA hereby approves TME-97-11. EPA has determined that test marketing of this new chemical substance described below, under the conditions set out in the TME application, and for the time period and restrictions specified below, will not present an unreasonable risk of injury to human health or the environment. Production volume, use, and the number of customers must not exceed that specified in the application. All other conditions and restrictions described in the applications and in this notice must be met.

Notice of receipt of this application was not published in advance of approval. Therefore, an opportunity to submit comments is being offered at this time. EPA may modify or revoke the test marketing exemption if comments are received which cast significant doubt on its finding that this test marketing activity will not present an unreasonable risk of injury.

The following additional restrictions apply to TME-97-11. A bill of lading accompanying each shipment must state that the use of the substance is restricted to that approved in the TME. In addition, the applicant shall maintain the following records until 5 years after the date they are created, and shall make them available for inspection or copying in accordance with section 11 of TSCA:

1. Records of the quantity of the TME substance produced and the date of manufacture.
2. Records of dates of the shipments to each customer and the quantities supplied in each shipment.
3. Copies of the bill of lading that accompanies each shipment of the TME substance.

TME-97-11

Date of Receipt: September 12, 1997. The extended comment period will close March 12, 1998.

Applicant: Reichhold Chemicals, Inc. **Chemical:** (G) Polyurethane Adhesive. **Use:** (G) Hot melt adhesive for paper, wood, vinyl, etc.

Production Volume: Confidential. **Number of Customers:** Confidential. **Test Marketing Period:** Confidential, commencing on first day of commercial manufacture.

Risk Assessment: EPA identified no significant health or environmental concerns for the test market substance. Therefore, the test market activities will not present any unreasonable risk of

injury to human health or the environment.

The Agency reserves the right to rescind approval or modify the conditions and restrictions of an exemption should any new information that comes to its attention cast significant doubt on its finding that the test marketing activities will not present any unreasonable risk of injury to human health or the environment.

List of Subjects

Environmental protection, Test marketing exemptions.

Dated: February 13, 1998.

Flora Chow,

Chief, New Chemicals Notice Management Branch, Office of Pollution Prevention and Toxics.

[FR Doc. 98-4807 Filed 2-24-98; 8:45 am]

BILLING CODE 6560-50-F

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5970-7]

Proposed Administrative Penalty Assessment

The Environmental Protection Agency (EPA) is providing notice of a proposed Administrative Penalty Assessment against McCune Development Company and Negus-Sons, Inc., and a proposed Administrative Penalty Assessment against Lamp, Rynearson & Associates, Inc. for alleged violations of the Clean Water Act (CWA). The EPA is also providing notice of opportunity to comment on the proposed assessments.

Under 33 U.S.C. 1319(g), EPA is authorized to issue orders assessing civil penalties for various violations of the Clean Water Act. EPA provides notice of the proposed assessments pursuant to 33 U.S.C. 1319(g)(4)(A).

The EPA is proposing a penalty against Respondents McCune Development Company, Lamp, Rynearson & Associates, Inc. and Negus-Sons, Inc. based on activities conducted by Respondents at the Willow Park Development Project located near Gretna, Nebraska. These penalties are related to the discharge and disposal of approximately 1600 cubic yards of dredged and fill material into a wetland area, which is a water of the United States, without a permit issued pursuant to section 404 of the CWA, 33 U.S.C. 1344. This discharge violated section 301 of the CWA, 33 U.S.C. 1311.

The procedures by which the public may submit written comments on a

proposed order, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR part 22. The deadline for submitting public comment on an order is thirty (30) days after issuance of a public document.

On December 15, 1997, EPA commenced 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 McCune Development Company, Lamp, Rynearson & Associates, Inc. and Negus-Sons, Inc., Docket No. VII-98-W-0007.

According to the terms of one Consent Agreement, Respondents McCune Development Company and Negus-Sons, Inc. shall each pay a civil penalty of five thousand dollars. According to the terms of a second Consent Agreement, Respondent Lamp, Rynearson & Associates, Inc. shall pay a penalty of five thousand dollars; however, this penalty shall be deferred, pending the performance by Respondent Lamp, Rynearson & Associates, Inc. of the Restoration of wetlands, as required by Order for Compliance, EPA Docket No. VII-98-0008. In the event the costs of Restoration are less than five thousand dollars, Respondent Lamp, Rynearson & Associates shall pay the difference between such costs and five thousand dollars.

For Further Information: Persons wishing to receive a copy of EPA's Consolidated Rules, review the Consent Orders/Consent Agreements or other documents filed in this proceeding, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact the Regional Hearing Clerk identified above.

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 McCune Development Company, Lamp, Rynearson & Associates, Inc. and Negus-Sons, 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: February 3, 1998.

Dennis Grams,

Regional Administrator.

[FR Doc. 98-4787 Filed 2-24-98; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984.

Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, N.W., Room 962. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

Agreement No.: 232-011544-003.

Title: The Lykes/APL Space Charter Agreement.

Parties:

Lykes Lines Limited, LLC ("Lykes")
American President Lines, Ltd.
APL Co. Pte Ltd. ("APL Co.")

Synopsis: The proposed amendment adds APL Co. as a party to the Agreement. It also clarifies the amount of space to be chartered and clarifies the circumstances under which Lykes may charter space to parties outside the Agreement. The amendment also extends the term of the Agreement indefinitely, establishes a date before which a party may not give notice of withdrawal, and makes other, administrative changes to the Agreement. The parties have requested a shortened review period.

Agreement No.: 232-011611.

Title: MOL/APL Slot Transfer Agreement.

Parties:

American President Lines, Ltd.
("APL")
APL Co. PTE Ltd ("APL")
Mitsui O.S.K. Lines, Ltd. ("MOL")

Synopsis: The proposed Agreement authorizes (1) the sale of space by APL to MOL from space APL charters from Lykes Lines Limited, LLC, pursuant to FMC Agreement No. 232-011544; (2) the sale or exchange of space between the parties on vessels chartered or operated by them; and (3) agreement on the terms and conditions relating to sailing schedules, service frequency, ports served, and other matters in the

trade between United States Atlantic and Gulf Coast ports, and U.S. points via those ports, and ports and points in the United Kingdom, Continental Europe and on the Mediterranean Sea.

Agreement No.: 224-200686-002.

Title: Lake Charles—Lake Charles Stevedores Terminal Agreement.

Parties:

Lake Charles Harbor & Terminal District
Lake Charles Stevedores, Inc.

Synopsis: The proposed amendment replaces the previous understanding between the parties and concerns the terms and conditions under which the contractor handles cargo at the port. The proposed amendment also concerns the transfer of automated cargo handling equipment to the port and the operation of that equipment at the port. The term of the agreement runs until January 31, 1999 but may be further extended by the parties for one year periods.

Dated: February 19, 1998.

By Order of the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 98-4721 Filed 2-24-98; 8:45 am]

BILLING CODE 6730-01-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 March 23, 1998.

A. Federal Reserve Bank of St. Louis
(Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63102-2034:

1. *South Beach Limited Partnership*, Little Rock, Arkansas; to acquire additional voting shares of P & W Bancshares, Inc., Little Rock, Arkansas,