

ii. *Developmental toxicity studies.* In the prenatal developmental toxicity studies in rats and rabbits, there was no evidence of developmental toxicity at the HDT (35.0 mg/kg/day in rats and 700 mg/kg/day in rabbits). Decreased body weight gain was observed at the maternal LOEL in each study; the maternal NOEL was established at 12.5 mg/kg/day in rats and 100 mg/kg/day in rabbits.

iii. *Reproductive toxicity study.* In the 2-generation reproduction study in rats, offspring toxicity (body weight) and parental toxicity (body weight, organ weight, and clinical signs) was observed at 27.0 mg/kg/day and greater. The parental systemic NOEL was 7.0 mg/kg/day and the parental systemic LOEL was 27.0 mg/kg/day. There were no developmental (pup) or reproductive effects up to 45.0 mg/kg/day, HDT.

iv. *Pre- and post-natal sensitivity—*a. *Pre-natal.* There was no evidence of developmental toxicity in the studies at the HDT in the rat (35.0 mg/kg/day) or in the rabbit (700 mg/kg/day). Therefore, there is no evidence of a special dietary risk (either acute or chronic) for infants and children which would require an additional safety factor.

b. *Post-natal.* Based on the absence of pup toxicity up to dose levels which produced toxicity in the parental animals, there is no evidence of special post-natal sensitivity to infants and children in the rat reproduction study.

c. *Conclusion.* Based on the above, FMC concludes that reliable data support use of the standard 100-fold uncertainty factor, and that an additional uncertainty factor is not needed to protect the safety of infants and children. As stated above, aggregate exposure assessments utilized significantly less than 1 % of the RfD for either the entire U. S. population or any of the 26 population subgroups including infants and children. Therefore, it may be concluded that there is reasonable certainty that no harm will result to infants and children from aggregate exposure to cypermethrin residues.

3. *Subchronic toxicity— Short- and intermediate-term toxicity.* The NOEL of 3.8 mg/kg/day based on the NOEL 7.5 mg/kg/day from the cypermethrin toxicity/oncogenicity study in rats and a correction factor of two to account for the biologically active isomer would also be used for short- and intermediate-term MOE calculations (as well as acute, discussed in (E.1.) above). The LOEL of this study of 50.0 mg/kg/day was based on neurological signs observed in the first week of the study.

#### F. International Tolerances

There are no Codex, Canadian, or Mexican residue limits for residues of zeta-cypermethrin in or on Brassica, head and stem vegetables; Brassica, leafy vegetables; and leafy vegetables (except Brassica vegetables) group. (Stephaine Willette).

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL-6114-3]

#### Proposed CERCLA Prospective Purchaser Agreement and Proposed CERCLA Section 122(h)(1) Administrative Cost Recovery Settlement Agreement for the Ingram-Richardson Site

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

**ACTION:** Proposal of CERCLA Prospective Purchaser Agreement and Proposal of CERCLA section 122(h)(1) Administrative Cost Recovery Settlement Agreement for the Ingram-Richardson site.

**SUMMARY:** In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601 *et seq.*, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), Pub. L. 99-499, notification is hereby given that a proposed Agreement and Covenant Not to Sue (Agreement) for the Ingram-Richardson Site (the Site) located near Frankfort, in Clinton County, Indiana, has been executed by Clinton County, Indiana (the County), Frankfort Market Place, Inc. (Frankfort Market Place), and Kelly Strange (Mr. Strange). The proposed Agreement has been submitted to the Attorney General for approval. The proposed Agreement would resolve certain potential claims of the United States under sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, against the County, as the prospective purchaser of the Site. The proposed Agreement also would resolve the potential liability of Frankfort Market Place and Mr. Strange (who are alleged to be past and current owners and operators of the Site) under CERCLA section 107 for certain past response costs incurred in connection with the Site, pursuant to the administrative cost recovery settlement authority conferred by CERCLA section 122(h)(1), 42 U.S.C. 9622(h)(1).

The components of the proposed Agreement relating to the County would

require the County to pay \$7,500 to the United States and to demolish unusable buildings on the Site before redeveloping the Site for use as a residential treatment center for juveniles. The United States would remove the CERCLA lien currently placed on the Site property.

The components of the proposed Agreement relating to Frankfort Market Place and Mr. Strange provide that: (1) Frankfort Market Place and Mr. Strange will pay \$7,500 to the United States, to be applied toward more than \$2.789 million in unreimbursed past response costs incurred in connection with removal action undertaken at the Site; (2) Frankfort Market Place and Mr. Strange will convey their ownership interest in the Site to the County, at no cost to the County; and (3) the United States will grant Frankfort Market Place and Mr. Strange a covenant not to sue for past response costs incurred in connection with the removal action (and will dismiss without prejudice a pending, unanswered civil judicial complaint filed by the United States against Frankfort Market Place under CERCLA section 107), and those parties will obtain contribution protection as provided by CERCLA sections 113(f)(2) and 122(h)(4) upon satisfactory completion of their obligations under the Agreement.

The Site is not on the NPL, and no further response activities at the Site are anticipated at this time.

**DATES:** Comments on the proposed Agreement must be received by July 23, 1998.

**ADDRESSES:** A copy of the proposed Agreement is available for review at U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. Please contact Karen Peaceman at (312) 353-5751 prior to visiting the Region 5 office.

Comments on the proposed Agreement should be addressed to Karen Peaceman, Office of Regional Counsel, U.S. EPA, Region 5, 77 West Jackson Boulevard, (Mail Code C-14J), Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Karen Peaceman at (312) 353-3751 of the U.S. EPA Region 5 Office of Regional Counsel.

A 30-day period, commencing on the date of publication of this notice, is open for comments on the proposed Agreement. Comments should be sent to the addressee identified in this document.

**Doug Ballotti,**

*Acting Director, Superfund Division, Region #5.*

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