

applicants in regard to this Notice. Information regarding the time, date and location of the meeting(s) will be included in the proposal application package.

Proposal Review: Proposals will be reviewed, evaluated, and ranked numerically by an independent review panel on the basis of weighted criteria listed on this Notice. All funding decisions are at the discretion of the Associate Director for Immigration and Refugee Affairs, CRS. Awards will be subject to the availability of funds.

Processing Time: CRS expects that all eligible submissions will be reviewed and rated within 45 days of the closing date.

Past Performance: Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding.

Preaward Activities: Any costs incurred by an applicant prior to an award being made are incurred solely at the applicant's own risk, and will not be reimbursed by the Government. Notwithstanding any verbal assurance that an applicant may have received, there is no obligation on the part of the Department of Justice to cover pre-award costs.

No Obligation for Future Funding: If an application is selected for funding, the Department of Justice has no obligation to provide any additional future funding beyond the first budget period. Renewal of an award to increase funding or extend the period of performance is at the total discretion of the Department of Justice.

Delinquent Federal Debts: No award of Federal funds shall be made to an applicant who has an outstanding delinquent Federal debt until either: (1) the delinquent account is paid in full; (2) a negotiated repayment schedule is established and at least one payment is received; or, (3) other arrangements satisfactory to the Department of Justice are made.

Name Check Review: All non-profit and for-profit applicants are subject to a name check review process. Name checks are intended to reveal if any key individuals associated with the applicant have been convicted of, or are presently facing, criminal charges such as fraud, theft, perjury, or other matters which significantly reflect on the applicant's management, honesty or financial integrity.

Primary Applicant Certification: All primary applicants must submit completed OJP Form-4061-6, "Certifications Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying:"

A. Nonprocurement Debarment and Suspension. Prospective participants (as defined at 15 CFR Part 26, Section 105) are subject to 15 CFR Part 26, "Nonprocurement Debarment and Suspension" and the related section of the certification form prescribed above applies;

B. Drug-Free Workplace. Grantees (as defined at 15 CFR Part 26, Section 605) are subject to 15 CFR Part 26, Subpart F, "Government-wide Requirements for Drug-Free Workplace (Grants)" and the related section of the certification form prescribed above applies;

C. Anti-Lobbying. Persons (as defined at 15 CFR Part 28, Section 105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," and the lobbying section of the certification form prescribed above applies to applications/bids for grants, cooperative agreements, and contracts for more than \$100,000;

D. Anti-Lobbying Disclosures. Any applicant that has paid or will pay for lobbying using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities," as required under 15 CFR Part 28, Appendix B.

Lower-Tier Certifications: Recipients shall require applicants/bidders for subgrants, contracts, subcontracts, or other lower-tier covered transactions at any tier under the award to submit, if applicable, a completed OJP Form 4061-6, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower-Tier Covered Transactions and Lobbying" and disclosure form, SF-LLL, "Disclosure of Lobbying Activities." OJP Form 4061-6 is intended for the use of Recipients and should not be transmitted to the Department of Justice. SF-LLL submitted by any tier recipient or subrecipient should be submitted to the Department of Justice in accordance with the instructions contained in the award document.

False Statements: A false statement on an application is grounds for denial or termination of funds, and for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

Disclosure of Federal Participation: Recipients and subrecipients receiving Federal funds must adhere to the requirements of Section 136 of the Department of Defense Appropriation Act (Steven's Amendment of October 1, 1988). The Steven's Amendment requires grantees and subgrantees to state clearly in writing, during time of application submission: 1) the percentage of the total cost of the program or project which will be

financed with Federal money; and 2) the dollar amount of Federal funds for the project or program. All grantees and subgrantees shall make this statement when issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Federal Policies and Procedures: Recipients and subrecipients are subject to all applicable Federal laws and Federal, Department of Justice, and CRS policies, regulations, and procedures applicable to Federal financial assistance awards.

Dated: December 27, 1994.

Catalog of Federal Domestic Assistance Number: 16.201

Jeffrey Weiss,

Acting Director, Community Relations Service.

Intergovernmental Review

Application Requirements

Pursuant to Executive Order 12372, Intergovernmental Review of Federal Programs, all States have the option of designing procedures for review and comment on applications for Federally assisted programs from State and local applicants.

Each applicant is required to notify each State in which it is proposing activities under this announcement and to comply with the State's established review procedures. This may be done by contacting the applicable State Single Point of Contact (SPOC).

State Requirements

Comments and recommendations relative to applications submitted under this solicitation should be mailed no later than 30 days after the date of publication, addressed to: Kenneth Leutbecker, Associate Director, Immigration and Refugee Affairs, Community Relations Service, Suite 330, 5550 Friendship Boulevard, Chevy Chase, Maryland 20815.

[FR Doc. 95-175 Filed 1-4-95; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act and the Resource Conservation and Recovery Act; ASARCO Inc.

In accordance with Department of Justice Policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. 9622(d), notice is hereby given that on December 23, 1994, a proposed Consent Decree was lodged with the United States District Court for

the Western District of Washington in *United States v. ASARCO Inc.*, Civil Action No. C94-5714RJB. The proposed Consent Decree settles claims asserted by the United States at the request of the United States Environmental Protection Agency (EPA) for releases of hazardous substances at the Ruston/North Tacoma Study Area operable unit of the Commencement Bay Nearshore/Tideflats Superfund Site in the Town of Ruston and City of Tacoma, Washington. The defendant in the action is ASARCO Incorporated (Asarco). The claims of the United States on behalf of EPA are based upon contamination of the Ruston/North Tacoma Study Area (the Study Area), an area of approximately 950 acres that lies within approximately a one mile radius of the former Asarco smelter.

In the complaint, the United States asserted claims against Asarco pursuant to Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. 9606 and 9607(a), and Section 7003 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6973, for injunctive relief to abate an imminent and substantial endangerment to public health or welfare or the environment due to the release or threatened release of hazardous substances at the Study Area. The United States also sought recovery of costs that have been and will be incurred in response to releases and threatened releases of hazardous substances at the Study Area.

Pursuant to the Consent Decree, Asarco has agreed to sample properties and areas within the Study Area, excavate soil and slag from properties that exceed action levels for lead and arsenic, and replace excavated soil and slag with clean soil and gravel. The estimated value of the work to be performed is \$26 million. Asarco will also develop and implement a community protection measures (CPM) program for the Study Area. The CPM program will contain provisions to ensure the integrity of clean soil caps where they are placed over contaminated soil that is deeper than the maximum depth to which Asarco must excavate, and to inform current and future property owners wherever a clean soil cap covering contaminated soil exists on their property. The CPM program will also advise residents how to reduce exposure to soils that are not removed but that contain concentrations of arsenic or lead that exceed either action levels or levels commonly found in urban areas. The Consent Decree further requires Asarco to develop and

implement a soil testing, collection and disposal program to apply when contaminated soil is excavated in the future from beneath a clean cap or other area where contaminated soil remains, including from areas beneath roadways and other hard surfaces. Asarco will also reimburse EPA for \$2,668,443 in past response costs that EPA has incurred in the Study Area and will reimburse EPA for all of its future response costs.

In exchange, Asarco will receive a covenant not to sue from the United States with respect to the Study Area for claims pursuant to Sections 106 and 107(a) of CERCLA and Section 7003 of RCRA, 42 U.S.C. 6973.

The Department of Justice will receive written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20530, and should refer to *United States v. ASARCO Inc.*, D.J. Ref. No. 90-11-2-698C.

The proposed Consent Decree and exhibits may be examined at the following locations: the Region 10 Office of EPA, 7th Floor Records Center, 1200 Sixth Avenue, Seattle, WA 98101; ASARCO Information Center, 5311 North Commercial, Ruston, Washington 98407; the Tacoma Public Library, Main Branch, 1102 Tacoma Avenue South, Northwest Room, Tacoma, WA 98402; and Citizens for a Healthy Bay, 771 Broadway, Tacoma, WA 98402. The complete Administrative Record for the Ruston/North Tacoma Study Area may be reviewed at the EPA Region 10 office in Seattle and at the Main Branch of the Tacoma Public Library.

A copy of the Consent Decree and exhibits (if requested) may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. In requesting copies, please enclose a check in the amount of \$20.25 (without exhibits) or \$202.50 (with exhibits) (25 cents per page reproduction cost) payable to the "Consent Decree Library."

Bruce Gelber,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 95-184 Filed 1-4-95; 8:45 am]

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Notice of Lodging of Consent Decree Pursuant to Comprehensive Environmental Response, Compensation, and Liability Act; Bay Area Battery Inc.

In accordance with the policy of the United States Department of Justice, as provided in 28 CFR 50.7, notice is hereby given that on December 21, 1994, a proposed Consent Decree in *United States v. Bay Area Battery, Inc.*, Civil No. 94-50390-RV, was lodged with the United States District Court for the Northern District of Florida. The proposed Consent Decree concerns the Sapp Battery Superfund Site in Jackson County, Florida. The Site is contaminated with heavy metals caused by a battery cranking business that operated on the Site from 1970 until 1980. Pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9696 and 9607(a), the Complaint in this action seeks defendants' performance of the remedy selected by EPA for the Site, as well as recovery of previously unreimbursed response costs incurred and to be incurred by the United States in connection with the Site.

The 20 Settling Defendants have agreed in the proposed Consent Decree to reimburse the United States in the amount of \$214,500, which comprises a portion of its response costs incurred at the Site. The proposed decree also provides that the settlors will pay \$54,800 to another group of potentially responsible parties, who are performing a portion of the remedy selected by EPA for the Site under consent decree entered by the Court in *United States v. Aaron Scrap, et al.*, Civ. No. 92-50244/LAC, on March 10, 1993.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments concerning the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C., 20044, and should refer to *United States v. Bay Area Battery, Inc.*, D.J. Ref. 90-11-2-699G.

The proposed Consent Decree may be examined at any of the following offices: (1) the Office of the United States Attorney for the Northern District of Florida, 114 E. Gregory Street, Pensacola, Florida; (2) the U.S. Environmental Protection Agency, Region 4, 345 Courtland Street, N.E., Atlanta, Georgia; and (3) the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. Copies of the proposed Decree may be obtained by mail from