

By the Commission, David M. Konschnik,
Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 95-6897 Filed 3-20-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-416 (Sub-No. 2X)]

**San Bernardino Associated
Governments—Abandonment
Exemption—San Bernardino County,
CA**

AGENCY: Interstate Commerce
Commission.

ACTION: Notice of Exemption.

SUMMARY: The Commission, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 10903-10904 the abandonment by the San Bernardino Associated Governments of 1.94 miles of rail line on the Redlands Subdivision, between milepost 11.40 and milepost 13.34, in San Bernardino County, CA, subject to standard labor protective conditions.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on April 10, 1995. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2)¹ and petitions to stay must be filed by March 31, 1995. Requests for a public use condition and petitions to reopen must be filed by April 10, 1995.

ADDRESSES: Any comments must be filed with the Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423 and served on petitioner's representative: Charles A. Spitulnik, Hopkins & Sutter, 888 16th Street, N.W., Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dynamic Concepts, Inc., Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Room 2229, Washington, D.C. 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services at (202) 927-5721.]

Decided: March 9, 1995.

¹ See *Exempt. of Rail Abandonment—Offers of* Finan. Assist., 4 I.C.C.2d 164 (1987).

By the Commission, Chairman McDonald,
Vice Chairman Morgan, and Commissioners
Simmons and Owen.

Vernon A. Williams,
Secretary.

[FR Doc. 95-6899 Filed 3-20-95; 8:45 am]

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DEPARTMENT OF JUSTICE

**Notice of Lodging of Consent Decree
Pursuant to the Comprehensive
Environmental Response,
Compensation and Liability Act**

Notice is hereby given that on March 9, 1995, a proposed Consent Decree in *United States v. Arrowhead Refining Co. et al.*, Civil Action 5-89-202, was lodged with the United States District Court for the District of Minnesota. This consent decree represents a settlement of claims against 209 parties under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. 9601 *et seq.* (CERCLA).

The consent decree requires 44 parties (the Settling Defendants) to perform one component of the remedial action (the "sludge pit" clean-up) at the Arrowhead Refining Co. Site (the Site) at an approximate cost of \$12.52 million. These parties have already spent \$6.4 million in Site related investigative and response activities. In addition, the Settling Defendants are required to pay an additional \$134,800 to federal and state natural resources trustees for use in habitat restoration projects.

One hundred and sixty-five other parties, including De Minimis and De Micromis parties, "Hardship" parties, a defunct owner/operator, eight federal entities, and several oil company defendants, will contribute financially to the Settling Defendants' performance of the remedial action.

This settlement was part of EPA's Mixed Funding Pilot Project. In addition to the work to be performed by the Settling Defendants, EPA and the Minnesota Pollution Control Agency (MPCA) intend to undertake the remaining soils and groundwater components of the remedial action as "mixed work." These portions of the remedy are expected to cost approximately \$6.35 million and \$1.0 million, respectively.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the

Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer *United States v. Arrowhead Refining Co. et al.* D.J. Ref. 90-11-3-164.

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of Minnesota, 234 U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minnesota, at the Region V Office of the Environmental Protection Agency, 200 West Adams Street, Chicago, Illinois, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount \$26.75 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

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

[FR Doc. 95-6895 Filed 3-20-95; 8:45 am]

BILLING CODE 4410-01-M

**Notice of Lodging of Modification of
Consent Decree Under Sections 106
and 107 of the Comprehensive
Environmental Response,
Compensation, and Liability Act**

In accordance with Department policy, 28 CFR 50.7 and 42 U.S.C. 9622(d)(2), notice is hereby given that on February 27, 1995 a proposed Modification of Consent Decree in *United States v. Champion International Corporation*, Civil Action No. CV-89-127-M-CCL, was lodged with the United States District Court for the District of Montana. The consent decree in this case was entered on October 18, 1989 pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9606 and 9607, between the United States and Champion International Corporation ("Champion") to resolve the CERCLA liability of Champion for the Libby Groundwater National Priorities List Superfund Site located in Libby, Montana. The decree required Champion, *inter alia*, to implement the December 1988 Record of Decision ("ROD") issued by the United States Environmental Protection Agency ("EPA") for the Site. The decree provided a covenant not to sue Champion by the United States under

Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, for the Site except that claims of the United States against Champion regarding deep aquifer contamination were reserved.

The proposed Modification of Consent Decree requires Champion to implement the September 1993 Explanation of Significant Differences ("ESD") issued by EPA. The ESD waives the soils remediation levels for pyrene, naphthalene and phenanthrene while maintaining overall protectiveness of public health and the environment. The ESD also selects monitoring and institutional controls on usage as a final remedy for the deep aquifer. Under the proposed Modification of Consent Decree, Champion is required to implement the ESD and the covenants not to sue in the consent decree are extended to cover the deep aquifer contamination at the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Modification of Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044, and should refer to *United States v. Champion International Corporation*, DOJ Ref. No. 90-11-2-379.

The proposed Modification of Consent Decree may be examined at the Montana Operations Office of the United States Environmental Protection Agency, Region VIII, Federal Building, Room 285, 301 S. Park, Helena, Montana 59626. Copies of the proposed Modification of Consent Decree may also be examined at or obtained by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005 (202-624-0892). When requesting a copy of the proposed Modification of Consent Decree by mail, please enclose a check in the amount of \$3.75 (twenty-five cents per page reproduction costs) payable to the "Consent Decree Library."

Joel Gross,

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

[FR Doc. 95-6894 Filed 3-20-95; 8:45 am]

BILLING CODE 4410-01-M

Notice of Consent Decree in Action Brought Under the Clean Air Act

Notice is hereby given that a proposed Consent Decree in *United States v. Lafarge, et al.*, Civil Action No. 4-94CV-356Y, was lodged with the

United States District Court for the Northern District of Texas on February 15, 1995. This Consent Decree resolves a Complaint filed by the United States against Art O'Shea pursuant to Section 112 of the Clean Air Act, 42 U.S.C. 7412.

The United States Department of Justice brought this action on behalf of the U.S. Environmental Protection Agency, seeking to impose civil penalties and injunctive relief on Lafarge, Inc., Victor Yorstoun and Art O'Shea for their alleged violations of the National Emission Standards for Hazardous Air Pollutants ("the NESHAP") for asbestos during demolition activities at a mill building at the Lafarge cement manufacturing and distribution facility in Fort Worth, Texas. The NESHAP for asbestos consists of regulations promulgated by EPA pursuant to the Clean Air Act.

The settlement in this case requires defendant O'Shea to pay a civil penalty of \$500 and comply with the asbestos NESHAP in all future demolition and activities which he owns or operates.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044 and refer to *United States v. Lafarge*, DOJ number 90-5-2-1-1865.

Copies of the proposed Consent Decree may be examined at the Office of the United States Attorney, Northern District of Texas, 801 Cherry Street, Suite 1700, Fort Worth, Texas 76102, and at the U.S. Environmental Protection Agency, Office of the Regional Counsel, Region VI, 1445 Ross Avenue, Dallas, Texas 75202. Copies of the proposed Consent Decree may also be obtained from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. A copy of the proposed Consent Decree may be obtained by mail or in person from the Consent Decree Library. When requesting a copy of the Consent Decree, please enclose a check in the amount of \$3.00 (25 cents per page reproduction costs) payable to the Consent Decree Library.

Joel Gross,

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

[FR Doc. 95-6893 Filed 3-20-95; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging a Final Judgment by Consent Pursuant to the Comprehensive Environmental Response Compensation and Liability Act (CERCLA)

Notice is hereby given that on March 2, 1995, a proposed consent decree in *United States v. Scovill, Inc.*, Civ. A. No. 3:95CV159, was lodged with the United States District Court for the Eastern District of Virginia. The complaint in this action seeks recovery of costs and injunctive relief under Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499, 42 U.S.C. 9606, 9607(a). This action involves the Arrowhead Plating Superfund Site located in Montross, Westmoreland County, Virginia.

Under the proposed Consent Decree, Scovill, Inc. will pay \$339,811.48 to reimburse the Superfund for costs incurred by the United States in performing certain response actions at the Arrowhead Plating Superfund Site. The Decree also requires Scovill, Inc. to perform the remedial action for the Site selected in the September 30, 1991 Record of Decision issued by the United States Environmental Protection Agency ("EPA"). The Decree reserves the right of the United States to recover future response costs and seek further injunctive relief against the settling defendants for conditions at the Site that are not known by the United States at the time of entry of this decree.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty 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, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044, and should refer to *United States v. Scovill, Inc.*, DOJ Reference No. 90-11-3-859.

The proposed consent decree may be examined at the Office of the United States Attorney for the Eastern District of Virginia, Norfolk Division, 101 W. Main Street, Suite 8000, Norfolk, Va. 23510; Region III Office of the Environmental Protection Agency, 841 Chestnut Street, Philadelphia, Pa.; and at the Consent Decree Library, 1120 "G" Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed decree may be obtained in person or by mail from the Consent Decree Library at the address listed above. In requesting a copy, please refer