

formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29³ must be filed by April 17, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by April 25, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: James R. Paschall, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

Applicant has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by April 10, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions⁴ will be imposed, where appropriate, in a subsequent decision.

Decided: March 29, 1995.

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

Vernon A. Williams,
Secretary.

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Commission to review and act on the request before the effective date of this exemption.

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

³The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.

⁴The Gateway Trailnet, Inc. seeks issuance of a notice of interim trail use/railbanking (NITU) under 16 U.S.C. 1247(d) and a 180-day public use condition under 49 U.S.C. 10906. A copy of the request does not appear to have been served on NW as required at 49 CFR 1104.12(a). Gateway is directed to serve a copy of the request on NW. Accordingly, the requests will be handled in a subsequent decision.

[Docket No. AB-443X]

**Danbury Terminal Railroad Company—
Discontinuance Exemption
—Westchester, Putnam, and Dutchess
Counties, NY**

Danbury Terminal Railroad Company (DTRR) has filed a notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service and Trackage Rights* to discontinue trackage rights over two segments of the rail line known as the Harlem Line. The first line segment is located between milepost 55.2, in Dykemans, and milepost 81.6, in Wassaic, a distance of approximately 26.4 miles in Dutchess and Putnam Counties, NY. The second line segment is located between milepost 22.0, in White Plains, and milepost 43.4, in Golden's Bridge, a distance of approximately 21.4 miles in Westchester County, NY.

The Harlem Line, except between mileposts 77.0 and 81.1, is owned by American Premier Underwriters, Inc., a noncarrier, and leased by the Metropolitan Transportation Authority (MTA). MTA's subsidiary, Metro North Commuter Railroad Company (MNCR) provides commuter passenger rail service over the entire Harlem Line, except between milepost 77.0 and milepost 81.1. That portion is owned by the New York and Harlem Railroad Company and is the subject of acquisition negotiations with MNCR, which, when completed, will enable MNCR to extend its commuter passenger service to Wassaic. In addition, Consolidated Rail Corporation (Conrail) provides freight service over the line under an unspecified operating arrangement with the owners and lessee. DTRR acquired the rights at issue here from Conrail.¹ Thus, freight and passenger service will still be provided after the discontinuance.

DTRR has certified that: (1) No local traffic has moved pursuant to the trackage rights operation over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the

¹In *Danbury Terminal Railroad Company and Maybrook Properties, Inc.—Acquisition and Operation Exemption—Consolidated Rail Corporation*, Finance Docket No. 32180 (Sub-No. 1) (ICC served Dec. 29, 1992), DTRR obtained operating and freight rights over the Harlem Line, between milepost 22.0, in White Plains and milepost 81.6, in Wassaic. Following the proposed discontinuance, DTRR will continue to operate between mileposts 43.4 and 55.2.

Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee adversely affected by the discontinuance shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) to subsidize continued operations has been received, this exemption will be effective on May 5, 1995, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues² and formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2)³ must be filed by April 17, 1995. Petitions to reopen must be filed by April 25, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any petition filed with the Commission should be sent to applicant's representative: Robert A. Wimbish, Suite 420, 1920 N Street, N.W., Washington, D.C. 20036.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

Decided: March 31, 1995.

By the Commission, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 95-8355 Filed 4-4-95; 8:45 am]

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²The Commission's Section of Environmental Analysis will not conduct an independent investigation because no environmental effects are expected in cases where service on the line will continue. A stay will be issued routinely by the Commission if an informed decision on environmental issues raised by a party cannot be made before the effective date of the notice of exemption. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any entity seeking a stay on environmental concerns is encouraged to file its request as soon as possible in order to permit this Commission to review and act on the request before the effective date of this exemption.

³See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

DEPARTMENT OF JUSTICE**Information Collections Under Review**

The Office of Management and Budget (OMB) has been sent the following collection(s) of information proposals for review under the provisions of the Paperwork Reduction Act (44 USC Chapter 35) and the Paperwork Reduction Reauthorization Act since the last list was published. Entries are grouped into submission categories, with each entry containing the following information:

- (1) The title of the form/collection;
- (2) The agency form number, if any, and the applicable component of the Department sponsoring the collection.
- (3) Who will be asked or required to respond, as well as a brief abstract;
- (4) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond;
- (5) An estimate of the total public burden (in hours) associated with the collection; and
- (6) An indication as to whether Section 3504(h) of Public Law 96-511 applies.

Comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the OMB reviewer, Mr. Jeff Hill on (202) 395-7340 AND to the Department of Justice's Clearance Officer, Mr. Robert B. Briggs, on (202) 514-4319. If you anticipate commenting on a form/collection, but find that time to prepare such comments will prevent you from prompt submission, you should notify the OMB reviewer AND the Department of Justice Clearance Officer of your intent as soon as possible. Written comments regarding the burden estimate or any other aspect of the collection may be submitted to Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, AND to Mr. Robert B. Briggs, Department of Justice Clearance Officer, Systems Policy Staff/Information Resources Management/Justice Management Division Suite 850, WCTR, Washington, DC 20530.

Extension of a Currently Approved Collection

- (1) Application for Procurement Quota for Controlled Substances.
- (2) DEA Form 250. Drug Enforcement Administration, United States Department of Justice.
- (3) Primary = Business or other for-profit. Title 21, CFR 1303.12, requires registered dosage from manufactures

who wish to purchase controlled substances in Schedule II to apply on DEA Form 250 for procurement quotas which purchase quantities. The information collected is used for establishing quotas and controlling procurement thereof.

(4) 493 annual respondents at 1 hour per response.

(5) 493 annual burden hours.

(6) Not applicable under Section 3504(h) of Public Law 96-511.

Public comment on this item is encouraged.

Dated: March 30, 1995.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

[FR Doc. 95-8277 Filed 4-4-95; 8:45 am]

BILLING CODE 4410-09-M

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

In accordance with Departmental policy, notice is hereby given that on March 16, 1995, a proposed Amendment to a previously-entered partial consent decree and judgment in *United States, et al. v. Thomas Solvent, et al.*, Civil Action No. K86-164 CA8 and K86-167 CA8, was lodged with the United States District Court for the Western District of Michigan. This Amendment is, among other things, a partial resolution of judgments previously entered against Thomas Solvent Company and Richard Thomas in connection with civil actions taken against them under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), in connection with costs incurred by the United States and the State of Michigan in responding to releases of hazardous substances at and about the Verona Well Field, located in Battle Creek, Michigan.

Under the Amendment, Thomas Solvent would cause several payments to be made out of the proceeds of its settlement with an insurance carrier. Among those payments would be one for \$2.665 million to the United States and another for \$0.585 million to the State of Michigan, in partial reimbursement of government response costs for which Thomas Solvent is liable under the previously-entered partial consent decree and judgment.

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

Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States et al. v. Thomas Solvent, et al.*, D.J. Ref. 90-11-2-140.

The proposed Amendment may be examined at the Office of the United States Attorney, Western District of Michigan, 399 Federal Building, 110 Michigan St., NW., Grand Rapids, Michigan, and at U.S. EPA Region 5, Office of Regional Counsel, 200 West Adams, Chicago, Illinois, and at the Consent Decree Library, 1120 G Street NW., 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 NW., 4th Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$6.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

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

[FR Doc. 95-8242 Filed 4-4-95; 8:45 am]

BILLING CODE 4410-01-M

Antitrust Division**Notice Pursuant to the National Cooperative Research and Production Act of 1993—ADBAC Joint Venture**

Notice is hereby given that, on January 27, 1995, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Huntington Laboratories, Inc. has filed written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in the membership of the parties to the ADBAC Joint Venture ("Joint Venture"). The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, The Ethyl Corporation spun-off its specialty chemicals group into a separate and independent publicly traded company known as Albermarle Corporation, Baton Rouge, LA. In addition, the ADBAC products of Mazer Chemical, a division of PPG, were acquired by Lonaz, Inc., Fair Lawn, NJ.

No other changes have been made in either the membership or planned activity of the Joint Venture. Membership in this group research project remains open, and ADBAC intend to file additional written