

representing Central Plains tradition (A.D. 1000—1400) components based on the presence of previously defined diagnostic traits involving: ceramic decoration, stone tool form and function, architecture, chronology, mortuary custom, subsistence pattern, settlement pattern and geographic location.

The Central Plains tradition is recognized by many anthropologists, based on a preponderance of the evidence, as ancestral to the present-day Pawnee/Arikara, and possibly the Wichita, through recognition of broad similarities and continuity in material culture, geography, and architecture. In addition, Pawnee and Arikara oral traditions conform to anthropologically-based evidence showing cultural affiliation between these groups and the Central Plains tradition. The Wichita and Arikara have agreed to allow the Pawnee to claim these remains.

The Nebraska State Historical Society also intends to repatriate other human remains representing a minimum of 28 individuals and 228 funerary objects from sixteen (16) sites within the Pawnee aboriginal lands. These include: 25AP54 part of the Elkhorn Valley Project in Antelope County, NE, 1 individual; 25BF15 in Buffalo County, NE, 1 individual with 1 funerary object; 25BF26 in Buffalo County, NE, 1 individual; 25BU1 in Butler County, NE, 1 individual with 14 funerary objects; 25BU11 in Butler County, NE, 1 individual; 25CU1 (the Forsythe site) in Custer County, NE, 2 individuals; 25FR32 (the West Bloomington Ossuary) in Franklin County, NE, 1 individual with 151 funerary objects; 25GY0 in Greeley County, NE, 1 individual; 25HN0 in Harlan County, NE, 3 individuals with 3 funerary objects; 25HN2 (the Stevenson site) in Harlan County, 9 individuals with 58 funerary objects; 25HT14 in Holt County, NE, 1 individual; 25HW00 in Holt County, NE, 1 individual; 25HW9 (the Bert Mortensen site) in Howard County, NE, 1 individual; 25NC0 in Nance County, NE, 1 individual; 25SM16 in Sherman County, NE, 1 individual; and 25VY0 in Valley County, NE, 1 individual with 4 funerary objects.

The unrefuted evidence is that each of these sites is located within Pawnee aboriginal lands as adjudicated by the Indian Claims Commission. These lands were occupied historically by the Pawnee Tribe to the exclusion of other tribes, as adjudicated by the Indian Claims Commission; and the Pawnee Tribe has a strong attachment to and affiliation with its aboriginal homeland by virtue of its long occupation spanning centuries. Thus, the totality of

these circumstances establish a Pawnee cultural affiliation with these sites by a preponderance of the evidence in the opinion of the Nebraska State Historical Society. Moreover, this opinion and finding of cultural affiliation is bolstered by a careful evaluation of these remains by Nebraska State Historical Society staff and other experts, mentioned in paragraph two of this Notice, which determined that the remains from these sites cannot be assigned to any other tribal group or other defined archeological context. On the basis of all of the foregoing types of evidence, these remains are reasonably believed by the Nebraska State Historical Society to be culturally affiliated with the Pawnee Tribe.

Based on the above mentioned information, officials of the Nebraska State Historical Society have determined that pursuant to 25 U.S. C. 3001 (2), there is a relationship of shared group identify which can be reasonably traced between these human remains and funerary objects and the Pawnee Tribe of Oklahoma. All of the objects are reasonably believed to have been placed with or near individual Native American human remains either at the time of death or later as part of a death rite or ceremony.

Inventory of the human remains and funerary objects and review of accompanying documentation from the forty-six (46) sites listed above indicate that no known individuals were identifiable.

The notice has been sent to officials of the Pawnee Tribe of Oklahoma, the Three Affiliated Tribes, and the Wichita and Affiliated Tribes. Representatives of any other Indian tribe which believes itself to be culturally affiliated with these human remains and funerary objects should contact Gail DeBuse Potter, Senior Museum Curator, Nebraska State Historical Society, PO Box 82554, Lincoln, NE 68501, telephone (402) 471-4759, fax: (402) 471-3314, on or before May 22, 1995. Repatriation of the objects of the Pawnee Tribe of Oklahoma may begin after that date if no additional claimants come forward.

Dated: March 24, 1995.

Francis P. McManamon,

Departmental Consulting Archeologist, Chief, Archeological Assistance Division.

[FR Doc. 95-8419; Filed 4-5-95; 8:45 am]

BILLING CODE 4310-70-F

DEPARTMENT OF JUSTICE

Notice of Lodging of Settlement Agreement in Re Eagle-Picher Industries, Inc.

Notice is hereby given that a proposed Settlement Agreement among the United States, the States of Michigan, Oklahoma, and Arizona and Debtor Eagle-Picher Industries, Inc. and certain of its subsidiaries was lodged on March 28, 1995, with the United States Bankruptcy Court for the Southern District of Ohio in *In re Eagle-Picher Industries, Inc.*, No. 1-91-00100. Under the Agreement, the Debtors agree to an allowed general unsecured claim for the United States of \$41,016,000 in the Debtors' bankruptcy proceeding for response costs and natural resource damages under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, at the following twenty-three (23) sites: The Albion Sheridan Site in Albion, Michigan; the Auto-Ion Site in Kalamazoo, Michigan; the Carver Scrap Salvage Site in Carterville, Missouri; the Cedartown Site in Cedartown, Georgia; the Cemetery Site in Oakland County, Michigan; the Cherokee County Site in Cherokee County, Kansas; the Fisher-Calio Site in Kingsbury, Indiana; the Ft. Wayne Reduction Site in Ft. Wayne, Indiana; the Great Lakes Asphalt Site in Boone County, Indiana; the Howe Valley Site in Elizabethtown, Kentucky; the Laskin/Poplar Site in Jefferson, Ohio; the Northside Sanitary Landfill Site in Zionville, Indiana; the Oronogo-Duenweg Mining Belt (Jasper County) Site in Jasper County, Missouri; the Rasmussen Dump Site in Livingston County, Michigan; the Rose Township Site in Oakland County, Michigan; the Solvents Recovery Site in Southington, Connecticut; the Springfield Township Site in Oakland County, Michigan; the Tar Creek Site in Ottawa County, Oklahoma; the Thermo-Chem Site in Muskegon, Michigan; the Transcoil Site in Worcester, Pennsylvania; the Verona Wellfield/Thomas Solvent Site in Battle Creek, Michigan; the Wayne Waste Oil/Wayne Reclamation Site in Columbia City, Indiana; and the Xtron Site in Blanding, Utah. The Settlement Agreement includes a covenant not to sue for these sites as described in the Agreement under Sections 106 and 107 of CERCLA and Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6973. The Settlement Agreement also provides that certain obligations and liabilities arising from prepetition acts, omissions, or conduct of Eagle-Picher at any

Additional Sites not owned by the debtors will be discharged under the bankruptcy laws but will be liquidated and satisfied as general unsecured claims if and when the United States or the States undertake enforcement activities in the ordinary course. Finally, the Settlement Agreement provides the United States with an allowed claim of \$1,176,000 for civil penalties for violations of the Clean Water Act, 33 U.S.C. 1251 *et seq.*, at an Eagle-Picher facility in Joplin, Missouri.

The Department of Justice will receive comments relating to the proposed Settlement Agreement for 30 days following the publication of this Notice. 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 *In re Eagle-Picher Industries, Inc., et al.*, D.J. Ref. No. 90-11-3-747.

Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA.

The proposed Settlement Agreement may be examined at the Office of the United States Attorney for the Southern District of Ohio, U.S. Post Office & Courthouse, 5th & Walnut Streets, Room 220, Cincinnati, Ohio 45202; the Region V Office of the United States Environmental Protection Agency, 77 West Jackson Street, Chicago, Illinois 60604; and at the Consent Decree Library, 1120 G Street NW., 4th Floor, Washington, DC 20005 (202-624-0892).

A copy of the proposed Settlement Agreement 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 of the Settlement Agreement without attachments, please enclose a check in the amount of \$13.50 (25 cents per page for reproduction costs), payable to the Consent Decree Library. In requesting a copy of the Settlement Agreement with attachments, please enclose a check in the amount of \$33.00 (25 cents per page for reproduction costs), payable to the Consent Decree Library.

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

[FR Doc. 95-8484 Filed 4-5-95; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby

given that a proposed consent decree in *United States v. City of Fort Morgan*, Civil Action No. 94-C-492, was lodged on March 21, 1995 in the United States District Court for the District of Colorado. The consent decree settles an action brought under the Clean Water Act (the "Act"), 33 U.S.C. 1251 *et seq.*, seeking an injunction and civil penalties for the City of Fort Morgan's violations of the Act and for violations of the General Pretreatment Regulations, 40 CFR Part 403. Pursuant to the consent decree, the City has agreed to pay a civil penalty of \$268,000 and agreed to institute a comprehensive compliance program to bring the City into compliance with all requirements of the pretreatment regulations.

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 for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. City of Fort Morgan*, DOJ Ref. #90-5-1-1-4041.

The proposed consent decree may be examined at the office of the United States Attorney, 1961 Stout Street, Suite 1200, Denver, Colorado 80294; 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 refer to the referenced case and enclose a check in the amount of \$5.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,
Acting Chief, Environmental Enforcement Section.

[FR Doc. 95-8483 Filed 4-5-95; 8:45 am]

BILLING CODE 4410-01-M

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Petroleum Environmental Research Forum ("PERF") Project No. 92-25

Notice is hereby given that, on December 16, 1994, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Conoco Inc., acting on behalf of the participants in the PERF Project No. 93-25, has filed written notifications

simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are: Amoco Oil Co., Naperville, IL; BP Oil Co., Cleveland, OH; Conoco Inc., Houston, TX; Gas Research Institute, Chicago, IL; Oryx Energy, Dallas, TX; Texaco Inc., Port Arthur, TX; ANR Pipeline, Detroit, MI; Chevron Research & Technology, Richmond, CA; Exxon Research & Engineering Co., Florham Park, NJ; Mobil Inc., Princeton, NJ; Shell Development C., Houston, TX; and Union Oil Company of California, Brea, CA.

The nature and objectives of the research program performed in accordance with PERF Project No. 93-25 are to perform remediation studies of contaminated groundwater via air sparging, biosparging, or other innovative delivery systems.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 95-8485 Filed 4-5-95; 8:45 am]

BILLING CODE 4410-01-M

Drug Enforcement Administration

[Docket No. 93-51]

Frank's Corner Pharmacy; Revocation of Registration

On June 4, 1993, the Deputy Assistant Administrator (then Director), Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Frank's Corner Pharmacy (Respondent), of Detroit, Michigan, proposing to revoke its DEA Certificate of Registration, BF1175466, and deny any pending applications for renewal of such registration. The statutory basis for the Order to Show Cause was that Respondent's continued registration would be inconsistent with the public interest pursuant to 21 U.S.C. 823(f) and 824(a)(4).

On July 23, 1993, Respondent, through counsel, requested a hearing on the issues raised in the Order to Show Cause and the matter was docketed before Administrative Law Judge Paul A. Tenney. Following prehearing procedures, a hearing was held in Detroit, Michigan on May 3 and 4, 1994. On August 29, 1994, Judge Tenney issued his Findings of Fact, Conclusions of Law and Recommended Ruling