

Dated: May 15, 1995.

**Rober I. Brauer,**

*Acting Advisory Committee Management Officer, Joint Board for the Enrollment of Actuaries.*

[FR Doc. 95-12210 Filed 5-17-95; 8:45 am]

BILLING CODE 4810-25-M

**DEPARTMENT OF JUSTICE**

**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 May 11, 1995, a proposed consent decree in *United States v. ACF Industries, Inc.*, Civ. A. No. 2:95-0360, was lodged with the United States District Court for the Southern District of West 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 ACF Industries Site near Eleanor, West Virginia, a property which the United States acquired by eminent domain in December 1989.

Under the proposed Consent Decree, AFC Industries Inc. will pay \$2,000,000 for costs incurred by the United States in performing certain response actions at the Site. The Decree also requires ACF Industries Inc. to perform certain response actions for the Site.

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. ACF Industries, Inc.*, DOJ Reference No. 90-11-2-681.

The proposed consent decree may be examined at the Office of the United States Attorney for the Southern District of West Virginia, 500 Quarrier St., Room 3201, Charleston, West Virginia, offices of the U.S. Army Corps of Engineers Huntington District, 502 Eighth Street, Huntington, West Virginia 25701, 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 to the referenced case and number, and enclose a check in the amount of \$16.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Joel M. Gross,**

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

[FR Doc. 95-12236 Filed 5-17-95; 8:45 am]

BILLING CODE 4410-01-M

**DEPARTMENT OF LABOR**

**Pension and Welfare Benefits Administration**

[Prohibited Transaction Exemption 95-36; Exemption Application No. D-09798, et al.]

**Grant of Individual Exemptions; Amended Profit Sharing Plan and Trust of Walker Products Co., Inc., et al.**

**AGENCY:** Pension and Welfare Benefits Administration, Labor.

**ACTION:** Grant of individual exemptions.

**SUMMARY:** This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1986 (the Code).

Notices were published in the **Federal Register** of the pendency before the Department of proposals to grant such exemptions. The notices set forth a summary of facts and representations contained in each application for exemption and referred interested persons to the respective applications for a complete statement of the facts and representations. The applications have been available for public inspection at the Department in Washington, DC. The notices also invited interested persons to submit comments on the requested exemptions to the Department. In addition the notices stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicants have represented that they have complied with the requirements of the notification to interested persons. No public comments and no requests for a hearing, unless otherwise stated, were received by the Department.

The notices of proposed exemption were issued and the exemptions are being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue

exemptions of the type proposed to the Secretary of Labor.

**Statutory Findings**

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990) and based upon the entire record, the Department makes the following findings:

- (a) The exemptions are administratively feasible;
- (b) They are in the interests of the plans and their participants and beneficiaries; and
- (c) They are protective of the rights of the participants and beneficiaries of the plans.

**Amended Profit Sharing Plan and Trust of Walker Products Co., Inc. (the P/S Plan)**

Located in Lincoln, Kansas

[Prohibited Transaction Exemption 95-36; Exemption App. No. D-09798]

**Exemption**

The restrictions of sections 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the sale of certain farm land (the Land) by the P/S Plan to Mr. Lloyd Walker, a 33 1/3% shareholder of the P/S Plan sponsor and a party in interest with respect to the P/S Plan, provided that the following conditions are satisfied:

- (1) The sale will be a one-time cash transaction;
- (2) The P/S Plan will receive the fair market value of the Land as determined at the time of the sale by an independent, qualified appraiser;
- (3) The P/S Plan will pay no expenses associated with the sale; and
- (4) The terms of this transaction are at least as favorable to the P/S Plan as an arms-length transaction between unrelated parties.

For a complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on March 20, 1995 at 60 FR 14792/14793.

**FOR FURTHER INFORMATION CONTACT:** Ekaterina A. Uzlyan of the Department, telephone (202) 219-8883. (This is not a toll-free number.)

**The Travelers Separate Account "R" (SAR)**

Located in Hartford, Connecticut

[Prohibited Transaction Exemption 95-37; App. No. D-09827]

**Exemption**

The restrictions of sections 406(a), 406(b)(1) and 406(b)(2) of the Act and