

filed by July 31, 1995. Petitions to stay must be filed by August 4, 1995. Requests for a public use condition in conformity with 49 CFR 1152.28(a)(2) and requests for interim trail use/rail banking under 16 U.S.C. 1247(d) must be filed by August 9, 1995. Petitions for reopening must be filed by August 14, 1995.

**ADDRESSES:** Send pleadings, referring to Docket Nos. AB-3 (Sub-No. 119X) and AB-387 (Sub-No. 1X), to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue NW., Washington, DC 20423; and (2) Petitioners' representatives: Daniel A. LaKemper, General Counsel, Fort Smith Railroad Company, 1318 South Johanson, Peoria, IL 61607, and Joseph D. Anthofer and Jeanna L. Regier, Missouri Pacific Railroad Company, 1416 Dodge Street, Room 830, Omaha, NE 68179-0830.

**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 NW., room 2229, Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services at (202) 927-5721.]

Decided: July 6, 1995.

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

**Vernon A. Williams,**

Secretary.

[FR Doc. 95-17855 Filed 7-19-95; 8:45 am]

BILLING CODE 7035-01-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 July 11, 1995, three proposed consent decrees in *United States v. Joseph M. Blosenski, Jr., et al.*, Civ. A. No. 93-1976, were lodged with the United States District Court for the Eastern District of Pennsylvania. 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 Blosenski Landfill Superfund Site in West Caln Township, Pennsylvania.

Under the first proposed Consent Decree, the "Generator Decree", twenty (20) settling defendants are required to implement future work at the Site and pay past costs of approximately \$3.175 million. In addition, this Consent Decree resolves the United States' penalty claims against two of these defendants. The second consent decree, the "Blosenski Decree", is a "cash-out" decree which requires a payment of \$1.1 million and resolves the United States' cost and penalty claims against Joseph M. Blosenski, his wife Ada Blosenski and related corporations. The third decree, the "Barry Decree" is also a "cash-out" decree which requires a payment of \$5,000 and resolves the United States' cost claims against Alexander Barry.

The Department of Justice will receive comments relating to these proposed consent decrees 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. Joseph M. Blosenski, Jr. et al.*, DOJ Reference No. 90-11-2-556A.

The proposed consent decrees may be examined at the Office of the United States Attorney for the Eastern District of Pennsylvania, 615 Chestnut St., Philadelphia, PA; the 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 each 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, the specific decree involved, and enclose a check in the amounts as follows: Generator Decree—\$27.00, Blosenski Decree—\$7.75, and Barry Decree—\$6.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Bruce S. Gelber,**

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

[FR Doc. 95-17841 Filed 7-19-95; 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

In accordance with 42 U.S.C. § 9622(d), 42 U.S.C. § 6973(d), and 28 CFR 50.7, notice is hereby given that on July 11, 1995, a proposed consent decree in *United States of America v. Coakley Landfill, Inc., et al.*, Civil Action No. 95-339M, was lodged with the United States District Court for the District of New Hampshire. The United States' complaint sought injunctive relief and recovery of response costs under the Comprehensive Environmental Response, Compensation, Liability Act ("CERCLA") and the Resource Conservation and Recovery Act ("RCRA"), against Coakley Landfill, Inc., Ronald Coakley, Neil Coakley, Deborah Broza, and Patricia Case in regard to the Coakley Landfill Superfund Site in the Towns of North Hampton and Greenland, New Hampshire. The consent decree provides that the defendants will pay \$686,927.00 to the Superfund for response costs incurred and to be incurred by the U.S. Environmental Protection Agency ("EPA"), \$89,261.00 to the U.S. Department of the Interior ("DOI") for natural resource damages, and \$66,212.00 to the State of New Hampshire for response costs incurred and to be incurred by the State, plus interest. The consent decree also provides that the defendants will provide access to and institutional controls on property they own at the Site in connection with response actions at the Site. The Consent Decree includes a covenant not to sue by the United States under Sections 106 and 107 of the CERCLA, 42 U.S.C. §§ 9606 and 9607, and under Section 7003 of RCRA, 42 U.S.C. § 6973.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Coakley Landfill, Inc., et al.*, D.J. Ref. 90-11-2-678A. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. § 6973(d).

The proposed consent decree may be examined at the office of the United

States Attorney, 55 Pleasant St., Rm. 312, Concord, New Hampshire 03301 and at the Region I office of the Environmental Protection Agency, One Congress St., Boston, Massachusetts 02203. The proposed consent decree may also be examined at the Consent Decree Library, 1120 G St. 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 St., NW., 4th Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$13.00 (25 cents per page reproduction cost) payable to the "Consent Decree Library."

**Bruce S. Gelber,**

*Acting Chief Environmental Enforcement Section Environment & Natural Resources Division.*

[FR Doc. 95-17842 Filed 7-19-95; 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**

Notice is hereby given that on July 11, 1995, a proposed settlement agreement was lodged with the United States Bankruptcy Court for the Northern District of Ohio at Canton in *In re SIMETCO, Inc.*, Case No. 93-61772. The proposed settlement agreement settles an amended proof of claim filed by the United States on behalf of the United States Environmental Protection Agency (EPA) relating to costs incurred and to be incurred by the United States pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9607, at the Hylebos Waterway Problem Areas of the Commencement Bay Nearshore/Tideflats Superfund Site ("CB N/T Site") in Pierce County, Washington.

SIMETCO filed a voluntary petition for reorganization under chapter 11 of the Bankruptcy Code on September 17, 1993 in the United States District Court for the Northern District of Ohio. The United States filed an amended proof of claim on behalf of EPA in the Simetco bankruptcy on July 13, 1994, for unreimbursed environmental responses costs which have been and which will be incurred in the future by the United States under Section 107 of CERCLA, 42 U.S.C. § 9607. The claims relate to costs incurred and to be incurred by the United States at the Hylebos Waterway Problem Areas of the CB N/T Site.

Under the proposed settlement agreement, EPA's claim shall be allowed as an Unsecured Claim in the amount of \$510,000, and paid in accordance with the Debtor's Plan of Reorganization that was confirmed on December 7, 1994. In consideration of the payments made by the Debtor under the settlement agreement, the United States covenants not to sue the Debtor pursuant to Sections 106 and 107 of CERCLA for response actions or response costs relating to the Hylebos Waterway Problem Areas of the CB N/T Site.

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, DC 20530, and should refer to *In re SIMETCO, Inc.* D.J. Ref. No. 90-11-2-726A.

The proposed settlement agreement may be examined at the Region 10 Office of EPA, 7th Floor Records Center, 1200 Sixth Avenue, Seattle, WA 98101. A copy of the settlement agreement may be obtained in person or by mail from the Consent Decree Library, 1120 G Street NW., 4th Floor, Washington, DC 20005, (202) 624-0892. In requesting copies, please enclose a check in the amount of \$2.25 (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. 95-17843 Filed 7-19-95; 8:45 am]

BILLING CODE 4410-01-M

**Drug Enforcement Administration**

**Manufacturer of Controlled Substances; Registration**

By Notice dated May 18, 1995, and published in the **Federal Register** on May 25, 1995, (60 FR 27790), Roche Diagnostic Systems, Inc., 1080 U.S. Highway 202, Somerville, New Jersey 08876, made application to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Lysergic acid diethylamide (7315) .....	I
Tetrahydrocannabinols (7370) ..	I
Phencyclidine (7471) .....	II

Drug	Schedule
Methadone (9250) .....	II
Morphine (9300) .....	II

No comments or objections have been received. Therefore, pursuant to section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and Title 21, Code of Federal Regulations, § 1301.54(e), the Deputy Assistant Administrator, Office of Diversion Control, hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic classes of controlled substances listed above is granted.

Dated: July 14, 1995.

**Gene R. Haislip,**

*Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.*

[FR Doc. 95-17889 Filed 7-19-95; 8:45 am]

BILLING CODE 4410-09-M

**Barney Rubenstein, M.D.; Revocation of Registration**

On December 28, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Barney Rubenstein, M.D. of San Antonio, Texas (Respondent), proposing to revoke his DEA Certificate of Registration, BR0775291, and deny any pending applications for registration as a practitioner. The statutory basis for the Order to Show Cause was that Respondent was no longer authorized to handle controlled substances in the State of Texas. 21 U.S.C. 823(f) and 824(a)(3).

By letter dated January 26, 1995, Respondent waived a hearing in this matter and, in the alternative, submitted a written statement regarding his position as to the facts and law involved in this matter pursuant to 21 CFR 1301.54. The Deputy Administrator hereby enters his final order based upon the investigative file and Respondent's written statement in accordance with 21 CFR 1301.57.

Review of the investigative file indicates that Respondent's DEA Certificate of Registration and Texas Controlled Substances Registration were surrendered on January 23, 1982, in accordance with a stipulated agreement between Respondent and the Texas State Board of Medical Examiners (the Board), because of questionable prescribing practices. On October 28, 1986, after a hearing, the Board removed all sanctions against Respondent and recommended that he reapply for a