

the state has met certain conditions and the river meets eligibility criteria.

These preconditions are:

- (1) The river is already designated into a state river protection system.
- (2) The state has the ability to manage the river at no cost to the federal government, except for those lands managed by a federal agency.
- (3) The river has resources of regional or national significance and is free-flowing as defined by the Departments of the Interior and Agriculture.
- (4) The state has adequate mechanisms in place to protect the resources for which the river is eligible in the first place.

Upon the request of a state governor to the Secretary, the National Park Service, acting for the Secretary, undertakes an evaluation of the state's request. The National Park Service requested the assistance of the U.S. Forest Service (USFS) and the Bureau of Land Management (BLM) in the preparation of the report. This was done for two reasons: (1) The BLM currently administers 41% of the area under consideration; and (2) the USFS recently completed a wild and scenic assessment—and an environmental impact statement on the impacts of designation—at the request of Congress through the 1988 Oregon Omnibus Rivers Act. The National Park Service acted as a cooperating agency in the preparation of the USFS report. In addition, the BLM and USFS have an adopted river management plan in place for the Wallowa River. Both the BLM and the USFS acted as cooperating agencies in this assessment on behalf of the state.

Under the 1988 Oregon Omnibus Rivers Act, the USFS was directed to study the Wallowa River for possible inclusion into the National Wild and Scenic Rivers System. In September of 1994, the USFS released their final study and environmental impact statement (EIS). In the EIS, the preferred alternative was identified as wild and scenic river designation through section 2(a)(ii) of the Wild and Scenic Rivers Act. This would permanently protect the nationally significant resources of the Wallowa River, while leaving the river in state management and having the least impact to area residents. Following the release of the EIS, Governor Roberts, acting on the recommendations of the USFS, petitioned Secretary Babbitt to designate the Wallowa River through section 2(a)(ii). As the agency responsible for section 2(a)(ii) determinations, the National Park Service undertook an assessment of the river and the state of Oregon's petition.

As a result of the assessment, the National Park Service has concluded that the state of Oregon has met all requirements to include the Wallowa River in the national system and the river itself meets all eligibility criteria. The National Park Service is recommending that the Secretary designate the Wallowa as a National Recreational River.

Dated: August 18, 1995.

**William C. Walters,**

*Deputy Field Director, Pacific West Field Area, National Park Service.*

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## INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32703]

### The Kansas City Southern Railway Company; Trackage Rights Exemption; Dallas Area Rapid Transit Property Acquisition Corporation and the Atchison, Topeka & Santa Fe Railway Company

Dallas Area Rapid Transit Property Acquisition Corporation (DART) has agreed to grant overhead trackage rights to The Kansas City Southern Railway Company (KCS) over 15 miles of rail line beginning at the connection of The Atchinson, Topeka and Santa Fe Railway Company (Santa Fe) and DART's rail lien at Santa Fe's milepost 77.35, at or near Wylie, TX, then westerly to the connection at Santa Fe's and DART's rail lien at milepost 73.35, near Renner, TX. In conjunction with the above agreement, Santa Fe has also agreed to grant overhead trackage rights to KCS over 21 miles of rail line between Santa Fe's milepost 385.6 at Dalton Junction, TX, and milepost 364.6 at Santa Fe's new rail yard facility at or near Alliance, TX. The trackage rights were to become effective on August 10, 1995.

This notice is filed under 49 CFR 1180.2(d)(7). If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction. Pleadings must be filed with the Commission and served on: (1) Lonnie E. Blydes, Jr., Director, Dallas Area Rapid Transit Property Acquisition Corporation, P.O. Box 660163, Dallas, TX 75266-7210; (2) Richard E. Weicher, Esq., General Counsel, The Atchison, Topeka and Santa Fe Railway Company, 1700 East Golf Road, Schaumburg, IL 60173; (3)

Robert K. Dreiling, Esq., Assistant General Counsel, The Kansas City Southern Railway Company, 114 West Eleventh St., Kansas City, MO 64105; and (4) William A. Mullins, Esq., Troutman Sanders, 601 Pennsylvania Ave., N.W., Suite 640, Washington, DC 20004-2608.

As a condition to use of this exemption, any employees adversely affected by the trackage rights will be protected pursuant to *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Decided: August 18, 1995.

By the Commission, Julia M. Farr, Acting Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

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## DEPARTMENT OF JUSTICE

### Lodging of Consent Decrees Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that two proposed consent decrees in *United States v. Velsicol Chemical Corporation, et al.*, Civil Action No. 92-2214-FBRO (W.D. Tenn.), where lodged on August 15, 1995 with the United States District Court for the Western District of Tennessee. The proposed consent decrees settle an action brought under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9607, as amended, against Velsicol Chemical Corporation, the City of Memphis, and The Procter & Gamble Cellulose Corporation for recovery of costs incurred by the United States in responding to the release and threatened release of hazardous substances at the North Hollywood Landfill located in Memphis, Shelby County, Tennessee.

The proposed consent decree with Velsicol Chemical Corporation and the City of Memphis, Tennessee provides that those entities will collectively pay \$1,595,000 to resolve their liability to the United States for past costs incurred at the North Hollywood Landfill. The proposed consent decree with The Procter & Gamble Cellulose Corporation provides for a payment of \$300,000 to resolve The Procter & Gamble Cellulose Corporation's liability with the United States for costs incurred at the North Hollywood Landfill. The proposed