

TX, and MP 245.4 at Hutchinson, KS, and between MP 245.4 at Hutchinson, KS, and MP 89.0 at Topeka, KS, with (a) the right to serve all industries served by SP Lines within the Liberal and McPherson, KS, and Hooker and Guymon, OK, switching districts of SP Lines, (b) the right to connect with Santa Fe's line of railroad at Vaughn, NM, Stratford, TX, and Hutchinson, KS, (c) the right to connect with Burlington Northern Railroad's (BN) line of railroad at Dalhart, TX, and (d) the right to interchange with all carriers at El Paso, TX, and Hutchinson, KS.

These trackage rights have been granted pursuant to a settlement agreement dated April 13, 1995, which was entered into by SP Lines, on the one side, and by BN and Santa Fe, on the other side, in connection with the Finance Docket No. 32549 proceeding. See *Burlington Northern Inc. and Burlington Northern Railroad Company—Control and Merger—Santa Fe Pacific Corporation and The Atchison, Topeka and Santa Fe Railway Company*, Finance Docket No. 32549 (ICC served Aug. 23, 1995) (BN/Santa Fe).

The settlement agreement provides that the various rights granted therein will be effective upon consummation of common control of BN and Santa Fe, which can occur no earlier than September 22, 1995. See *BN/Santa Fe*, slip op. at 117.

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: Michael A. Smith, 1700 E. Golf Road, Schaumburg, IL 60173-5860.

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: September 14, 1995.

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

Vernon A. Williams,  
Secretary.

[FR Doc. 95-23817 Filed 9-25-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-362 (Sub-No. 2X)]<sup>1</sup>

**Texas and Oklahoma R.R. Company—Abandonment Exemption—Between The Oklahoma-Texas State Line And Orient Junction (Sweetwater), TX**

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of exemption.

**SUMMARY:** The Commission exempts from the prior approval requirements of 49 U.S.C. 10903-04 the Texas and Oklahoma R.R. Company's abandonment of a 156.49-mile segment of the North Orient Rail Line extending from milepost 480.19 located at the Oklahoma-Texas State line to milepost 636.68 at Orient Junction, near Sweetwater, TX. This exemption is granted subject to historic, environmental, public use, trail use, and standard labor protection conditions.

**DATES:** The exemption will be effective on October 26, 1995, unless a formal expression of intent to file an offer of financial assistance is filed. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2)<sup>2</sup> must be filed by October 6, 1995; petitions to stay must be filed by October 6, 1995; requests for public use conditions must be filed by October 16, 1995; and petitions to reopen must be filed by October 16, 1995.

**ADDRESSES:** Send pleadings referring to Docket No. AB-362 (Sub-No. 2X) to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Petitioner's representative: Richard H. Streeter, Franklin Tower, Suite 500, 1401 Eye Street, N.W., Washington, DC 20005.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 927-5660. [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

<sup>1</sup> This proceeding embraces *Texas and Oklahoma R.R. Co.—Abandonment Exemption—in Foard and Wilbarger Counties, TX*, Docket No. AB-362 (Sub-No. 3X) (59 FR 44157 (1994)). The effective date of that notice of exemption was stayed pending the disposition of this proceeding. The entire line segment that is the subject of Docket No. AB-362 (Sub-No. 3X) is included in the line that has been authorized for abandonment here. Therefore, the notice of exemption filed in AB-362 (Sub-No. 3X) has become moot and has been dismissed.

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

Constitution Avenue, NW., Room 2229, Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD service (202) 927-5721.]

Decided: September 18, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95-23901 Filed 9-25-95; 8:45 am]

BILLING CODE 7035-01-P

**DEPARTMENT OF JUSTICE**

**Antitrust Division**

[Civil No. 64-CIV. 3121]

**U.S. v. Gestetner Corporation**

Take notice that Gestetner Corporation, defendant in this action, has filed a motion for an Order terminating the Final Judgment which was entered on September 9, 1968, in this antitrust action. The United States of America ("Government") has consented to the entry of such an Order, but has reserved the right to withdraw its consent for at least seventy (70) days after the publication of this notice.

The Complaint in this case was filed on October 14, 1964, and charged Gestetner with conspiring with independent Gestetner dealers to restrain trade in stencil duplicating machines, related machines and parts, and accessories and supplies for such machines in violation of Section 1 of the Sherman Act, 15 U.S.C. § 1. More specifically, the complaint alleged that Gestetner required each of its dealers to sell Gestetner products only in territories, and to customers, allocated to it; that Gestetner required each dealer to sell its products at prices and terms and conditions of sale fixed by the defendant; and that Gestetner prevented its dealers from competing for sales to the United States Government or to any other specific customers designated by Gestetner as "National Accounts", and from leasing Gestetner's machines without its permission. The complaint further alleged that Gestetner enforced these restrictions by cutting off the supply of products to, or reducing the sales territory of, any dealer who failed to be governed by the restrictions.

The Final Judgment prohibited Gestetner from imposing various vertical territorial or customer restraints on dealers that sell its stencil duplicating machines, electronic scanning machines, and any related machines and parts, and accessories and

supplies, and from adopting policies to enforce such restraints. The Final Judgment also enjoined Gestetner from disseminating material that suggests or recommends the prices at which Gestetner products shall be resold, unless that material also makes clear that the products may be resold at any price.

The Government has filed with the Court a Memorandum setting forth the reasons why it believes that termination of the Final Judgment would serve the public interest. Copies of the Complaint, Final Judgment, Stipulation containing the Government's consent, the Government's Memorandum, the motion papers, and all further papers filed with the Court in connection with this motion will be available for inspection at Room 200, Antitrust Division, Department of Justice, 325 7th Street, N.W., Washington, D.C. 20530 (Telephone 202-514-2481). Copies of any of these materials may be obtained from the Antitrust Division upon request and payment of the copying fee set by Department of Justice regulations.

Interested persons may submit to the Government comments regarding the proposed termination of the Final Judgment. Such comments must be received within the sixty-day (60) period established by Court order, and will be filed with the Court by the Government. Comments should be addressed to Craig W. Conrath, Esq., Chief, Merger Task Force, Antitrust Division, Department of Justice, 1401 H Street NW., Suite 4816, Washington, D.C. 20530 (Telephone 202-307-5799). Constance K. Robinson,

*Director of Operations.*

[FR Doc. 95-23872 Filed 9-25-95; 8:45 am]

BILLING CODE 4410-01-M

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

In accordance with Department policy, 28 C.F.R. § 50.7, notice is hereby given that on September 18, 1995, a proposed Consent Decree in *United States v. Nozik, et al.*, was lodged in the United States District Court for the Northern District of Ohio. The Complaint filed by the United States alleged violations of the Clean Water Act and the Rivers and Harbors Act. The Consent Decree requires payment of a civil penalty of \$125,000, restoration and monitoring of filled wetlands, \$300,000 to be spent in maintenance of marina bulkheads, and execution of a Conservation Easement for approximately 80 acres of adjacent real property, to be held and administered

by the State of Ohio Department of Natural Resources.

The Department of Justice will receive written comments relating to the consent decree for a period of thirty (30) days from the date of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Attention: Robin L. Juni, 10th Street & Pennsylvania Avenue, N.W., Room 7215—Main Building, Washington, D.C. 20530 and should refer to *United States v. Nozik, et al.*, D.J. Ref. No. 90-5-1-6-513.

The proposed Consent Decree may be examined at any of the following offices: (1) the United States Attorney for the Northern District of Ohio, 1800 Bank One Center, 600 Superior Avenue East, Cleveland, Ohio 44114-2600 (contact Assistant United States Attorney Arthur I. Harris); (2) the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Assistant Regional Counsel James J. Cha); and (3) the Environmental Defense Section, Environment & Natural Resources Division, U.S. Department of Justice, Room 7110, 10th Street & Pennsylvania Avenue NW., Washington, D.C. 20530 (contact Trial Attorney Robin L. Juni or Brud R. Rossmann). In addition, the Consent Decree may be examined at the Clerk of the Court, United States District Court for the Northern District of Ohio, 102 United States Courthouse, 201 Superior Avenue East, Cleveland, OH 44114. Copies of the proposed Consent Decree may be obtained in person or by mail from the Environmental Enforcement Section Consent Decree Library, 1120 G Street NW., Washington, D.C. 20005, telephone (202) 624-0892. For a copy of the Consent Decree please enclose a check in the amount of \$5.50 (decree alone) or \$13.25 (with exhibits) (25 cents per page reproduction charge) payable to Consent Decree Library.

Letitia J. Grishaw,

*Chief, Environmental Defense Section, Environmental & Natural Resources Division.*

[FR Doc. 95-23851 Filed 9-25-95; 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. Jewelry Design Center*, Civil No. 94-4253-AAH (C.C. Cal.), was lodged on September 12, 1995 with the United States District Court for the

Central District of California. In the complaint in that action, the United States seeks from defendant Jewelry Design Center ("JDC") civil penalties and injunctive relief under Section 309) of the Clean Water Act (the "Act"), 42 U.S.C. 1319, for JDC's failure to comply with federal and local pretreatment standards promulgated under the Act. JDC violated the pretreatment standards governing metal finishers.

The proposed consent decree requires JDC to pay a civil penalty of \$176,000, which will be split with co-plaintiff, the city of Los Angeles. JDC has installed the necessary equipment to treat its wastewater discharges.

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, U.S. Department of Justice, PO Box 7611, Washington, DC 20044; and refer to *United States v. Jewelry Design Center*, DOJ Ref. #90-5-1-1-5075.

The proposed consent decree may be examined at the office of the United States Attorney, Central District of California, Room 7516 Federal Building, 300 N. Los Angeles St., Los Angeles, CA 90012; at the Region IX office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105; 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 \$2.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 95-23852 Filed 9-25-95; 8:45 am]

BILLING CODE 4410-01-M

### Notice of Lodging of Settlement Agreement Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on September 12, 1995, a proposed Settlement Agreement in *United States v. Yaworski, Inc.*, Civil Nos. N-89-615 (JAC), H-89-870 (JAC),