

Commission or with any U.S. District Court or has been decided in favor of a complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication), 49 CFR 1105.7 (environmental reports), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on January 10, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29³ must be filed by December 21, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by January 2, 1996, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission,⁴ 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: Jo A. DeRoche, 1350 New York Ave., N.W., Suite 800, Washington, DC 20005-4797.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

SF&L has filed an environmental report which addresses the effects of the abandonment, if any, on the environment and historic resources. The Commission's Section of Environmental

Analysis (SEA) will issue an environmental assessment (EA) by December 15, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA is available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: December 4, 1995.

By the Commission, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 95-30059 Filed 12-8-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32256]

Consolidated Rail Corporation— Control and Operation Exemption— Clearfield and Mahoning Railway Company

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission exempts from the prior approval requirements of 49 U.S.C. 11343-45 the control and operation by Consolidated Rail Corporation of Clearfield and Mahoning Railway Company, subject to standard labor protective conditions.

DATES: This exemption will be effective on January 7, 1996. Petitions to stay must be filed by December 18, 1995, and petitions to reopen must be filed by December 28, 1995.

ADDRESSES: Send pleadings referring to Finance Docket No. 32256 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission 1201 Constitution Avenue, NW., Washington, DC 20423; and (2) Petitioner's representative, John J. Paylor, 2001 Market St.—16A, P.O. Box 41416, Philadelphia, PA 19101.

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 DC NEWS & DATA, 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 (202) 927-5721.]

Dated: November 22, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioner Simmons.

Vernon A. Williams,

Secretary.

[FR Doc. 95-30079 Filed 12-8-95; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. General Motors Corporation*, Civil Action No. 1:95-CV-02215, was lodged on November 30, 1995, with the United States District Court for the District of Columbia. The proposed Consent Decree resolves claims against General Motors Corporation for injunctive relief and civil penalties under the Clean Air Act, 42 U.S.C. 7401 *et seq.* (the "Act"), arising from the sale of approximately 470,000 model year 1991-1995 Cadillac vehicles, certain model year 1991-1995 light duty vehicles, and certain model year 1989-1996 heavy-duty gasoline engines (collectively, the "covered vehicles and engines") in violation of the Act and the regulations promulgated thereunder relating to the emission of pollutants from mobile sources.

The proposed Consent Decree requires that General Motors Corporation: Implement a remedial recall campaign to reduce emissions associated with the climate-control system fuel-enrichment strategy employed on the Cadillacs that are the subject of the government's claims; establish a fund of up to \$8.75 million to implement one or more emission remedial projects and an emission test program to remedy the past and future emission of air pollutants from the covered vehicles and engines; conduct tests of future model years of the covered vehicles and engines to assess the affects of accessory- and timer-based enrichment strategies; and pay a civil penalty of \$11 million to resolve the United States' civil claims with respect to the vehicles and engines covered by the Consent Decree.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication,

¹ A stay will be issued routinely by the Commission in those proceedings where an informed decision on environmental issues (whether raised by a party or by the Commission's Section of Environmental Analysis in its independent investigation) cannot be made prior to the effective date of the notice of exemption. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any entity seeking a stay involving environmental concerns is encouraged to file its request as soon as possible in order to permit the Commission to review and act on the request prior to the effective date of this exemption.

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

³ The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.

⁴ Legislation that will terminate the Commission on December 31, 1995, is now pending enactment. Parties submitting pleadings should continue to use the Commission's current name and address until further notice.

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. General Motors Corporation*, DOJ Ref. #90-5-2-1-2011 and 2011A.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Judiciary Center Bldg., 555 Fourth St. NW., Washington, DC 20001; at the Environmental Protection Agency Library, Reference Desk, Room 2904, 401 M Street SW., Washington, DC 20460; 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 \$18.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section.

[FR Doc. 95-30055 Filed 12-8-95; 8:45 am]

BILLING CODE 4410-01-M

OFFICE OF NATIONAL DRUG CONTROL POLICY

National Consultation on Drug Control

AGENCY: Office of National Drug Control Policy.

ACTION: The Office of National Drug Control Policy (ONDCP) is requesting an emergency review under the Paperwork Reduction Act. This is because ONDCP is required by law to deliver the 1996 National Drug Control Strategy and Budget document to the Congress in February, 1996, and the subject consultation is critical to the development of that Strategy.

SUMMARY: The Office of National Drug Control Policy, Executive Office of the President, in carrying out its responsibilities under the Paperwork Reduction Act (44 U.S.C. Chapter 35, 5 CFR 1320 {53 FR 16618, May 10, 1988}), is submitting a request to conduct a National Consultation on Drug Control, entitled "Consult With America." The ONDCP consultation survey instrument will be used to assess public opinion regarding perceptions of the use and impact of illicit drugs; the effectiveness of prevention, intervention and treatment programs; and level of public support for specific drug control actions. A telephone survey of a random

sample of adults 18 years of age and older will be conducted.

DATES: ONDCP has requested an emergency review of this submission under the Paperwork Reduction Act; this Office of Management and Budget (OMB) review has been requested to be completed by December 8, 1995.

FOR FURTHER INFORMATION CONTACT: Comments and questions regarding the National Survey on Drug Control should be directed to Mr. N. Ross Deck, Senior Policy Analyst, Office of National Drug Control Policy, Executive Office of the President, 750 17th Street NW., Washington, DC 20500, (202) 395-6736. Any member of the public who wants to comment on the information collection request which has been submitted to OMB should advise Mr. Deck of this intent at the earliest possible date.

Average Burden Hours/Minutes per Response: 12 Minutes.

Frequency of Response: One time data collection.

Number of Respondents: 2,000.

Total Annual Burden Hours: 400.

Total Annual Response: 2,000.

Affected Public: Non-institutional adult (18 years of age or older) population residing in the U.S. at the household level.

Respondents Obligation to Replay: The survey is voluntary.

SUPPLEMENTARY INFORMATION: None.

Signed at Washington, DC, this 1st day of December, 1995.

N. Ross Deck,

Senior Policy Analyst.

[FR Doc. 95-30030 Filed 12-8-95; 8:45 am]

BILLING CODE 3180-02-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-440]

Cleveland Electric Illuminating Company, Centerior Service Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company, Toledo Edison Company (Perry Nuclear Power Plant, Unit 1); Exemption

I

Cleveland Electric Illuminating Company, (the licensee) is the holder of Facility Operating License No. NPF-58, which authorizes operation of the Perry Nuclear Power Plant, Unit 1 (PNPP). The operating license provides, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now and hereafter in effect.

The facility consists of a single boiling water reactor located at the licensee's site in Lake County, Ohio.

II

Containment leak rate testing is necessary to demonstrate that the measured leak rate is within the acceptance criteria cited in the licensing design basis. Periodic testing of the overall containment structure along with separate leak testing of the penetrations provides assurance that post-accident radiological consequences will be within the limits of 10 CFR Part 100. The Commission's requirements regarding leak rate testing are found in Appendix J to 10 CFR Part 50.

In its letter dated October 21, 1994, the licensee applied for partial exemptions from the Commission's regulations. The subject exemptions, which are from the requirements in Appendix J, Option A, to 10 CFR Part 50, include:

- Section III.A.5(b)(2) states that the measured leakage from the containment integrated leak rate (Type A) test (L_{am}) shall be less than 75% of the maximum allowable leakage rate (0.75 L_a).

- Sections III.B.3 and III.C.3 require that the combined leakage of valves and penetrations subject to Type B and C local leak rate testing be less than 0.6 times the maximum allowable leakage rate (0.6 L_a).

- Section III.A.1(d) requires that all fluid systems that would be open to containment following post-accident conditions, be vented and drained prior to conducting the containment integrated leak rate test.

- Section III.D.1(a) states that the third Type A test of each 10-year interval be conducted when the plant is shut down for the 10-year plant inservice inspection.

- Section III.D.3 states that Type C tests shall be performed during each reactor shutdown for refueling but in no case at intervals greater than 2 years. Type C tests are tests intended to measure containment isolation valve leakage rates.

III

Section III.A.5(b)(2) states that the measured leakage from the containment integrated leak rate (Type A) test (L_{am}) shall be less than 75% of the maximum allowable leakage rate (0.75 L_a). The licensee proposes to exempt main steam line isolation valve leakage from Type A test results and consider leakage from the main steam lines separately. Sections III.B.3 and III.C.3 require that the combined leakage of valves and penetrations subject to Type B and C local leak rate testing be less than 0.6