

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,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29<sup>3</sup> 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,<sup>4</sup> 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]

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#### [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]

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#### 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,

<sup>1</sup> 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.

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

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

<sup>4</sup> 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.