

National Park will be revised to add the parcel now adjacent to the park and to exclude the parcel now inside the park. Land added to the park shall be administered as part of the park in accordance with the laws and regulations applicable thereto. The lands to be exchanged are generally described as follows:

Federally-owned parcel.

A parcel of land in Lot 2, Section 5, Township 41 South, Range 11 West, Salt Lake Base and Meridian, containing 5.33 acres, more or less.

Privately-owned parcel.

A parcel of land in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 41 South, Range 10 West, Salt Lake Base and Meridian containing 5.40 acres more or less.

The value of the properties exchanged shall be determined by a current fair market value appraisal and if they are not approximately equal, the values shall be equalized by payment of cash as circumstances require.

For a period of 45 calendar days from the date of this notice, interested parties may submit comments to the above address. Adverse comments will be evaluated and this action may be modified or vacated accordingly. In the absence of any action to modify or vacate, this realty action will become the final determination of the Department of Interior.

Dated: August 7, 1997.

Michael D. Snyder,

Acting Director, Intermountain Region.

[FR Doc. 97-23085 Filed 8-28-97; 8:45 am]

BILLING CODE 4310-70-U

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 Partial Consent Decree in *United States v. Consolidated Rail Corp.*, Civil Action No. 94-1437 (E.D.Pa.), was lodged on August 21, 1997, with the United States District Court for the Eastern District of Pennsylvania. The decree addresses Conrail's violations of Section 112 of the Clean Air Act (the "Act"), 42 U.S.C. 7412, and the National Emission Standards for Hazardous Air Pollutants for asbestos ("Asbestos NESHAP") which occurred in 1993 at its Port Richmond Grain Elevator facility located at 2870 E. Allegheny Avenue, Philadelphia, PA. Conrail's violations included failure to notify the City of Philadelphia or EPA of asbestos removal activities involved in the renovation,

failure to wet adequately the asbestos that was being removed from the facility, and failure to assure that no visible emissions were released into the outdoor atmosphere.

Under the proposed Partial Consent Decree, Conrail has agreed to pay a civil penalty of \$389,100 to resolve its liability in the instant District Court action as well as its liabilities in an unrelated administrative asbestos NESHAP action involving another Conrail facility in Philadelphia. Conrail has agreed, in addition, to perform Supplemental Environmental Projects ("SEPs") valued at \$410,900. The SEPs are referred to in Section VII of the new Decree and described in detail in the Settlement Conditions Document attached to the Decree.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Agreement. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Consolidated Rail Corp.*, DOJ Ref. #90-5-2-1-1883.

The proposed Agreement may be examined at the Office of the United States Attorney, 615 Chestnut Street, Suite 1300, Philadelphia, PA 19106; the Region III Office of the Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed Agreement 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 \$15.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Walker B. Smith,

Deputy Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 97-23115 Filed 8-28-97; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response Compensation and Liability Act

Notice is hereby given that on August 18, 1997, a proposed Settlement Agreement for an adversary complaint

filed by the United States and the State of Michigan in *In Re Richard Thomas*, Civil Action No. 395-38143-RCM-7, was lodged with the United States District Bankruptcy Court for the Northern District of Texas.

In their adversary complaint, the United States and the State of Michigan sought a declaration that Thomas was not entitled to a homestead exemption for a condominium owned by him in Dallas, Texas, and sought imposition of an equitable lien on this property. The basis of the claims of the United States and Michigan was that Thomas had allegedly purchased the property with funds transferred from companies owned by Thomas in an effort to protect his assets from the claims of the United States and Michigan brought under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.* The CERCLA suit giving rise to the Governments' claims was brought in the Federal District Court for the Western District of Michigan, *Kelley v. Thomas Solvent Co.*, Civil Action Nos. K86-167 CA8 & K86-164 CA8, and concerned contamination of the Verona Well Field located near Battle Creek, Michigan.

Pursuant to the settlement between the Governments and Thomas, Thomas will pay \$160,000 to the United States and \$45,000 to the State of Michigan upon the sale of the condominium or within two years of the entry of the Settlement Agreement, whichever comes first. In return, the Governments will release their claims against the property owned by Thomas. Furthermore, the Governments agree that Thomas is no longer subject to the personal judgments entered against him through an earlier settlement between Thomas and the Governments.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Settlement Agreement. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *In re Richard Thomas*, No. 395-38143-RCM-7, D.J. Ref. 90-11-2-140A.

The Settlement Agreement may be examined at the Office of the United States Attorney, 1100 Commerce Street, Suite 300, Dallas, Texas 75242, at U.S. EPA Region V, Office of Regional Counsel, 200 West Adams Street, Chicago, Illinois 60606, and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the Settlement Agreement may be obtained in person or by mail from the Consent