

Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 14, NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;

The areas described aggregates 400.27 acres in Douglas County.

The purpose of the proposed withdrawal is to protect the investment of federal funds and the existing hydroelectric generating units constructed at the Chief Joseph Dam.

The lands in Sec. 25, T. 30 N., R. 26 E.; Sec. 29, T. 30 N., R. 27 E.; and Sec. 9, T. 30 N., R. 28 E., are overlapped by Power Site Reserve 129, withdrawn by an Executive Order dated July 2, 1910.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the State Director at the address indicated above.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with the proposed withdrawal. All interested parties who desire a public meeting for the purpose of being heard on the proposed withdrawal must submit a written request to the State Director at the address indicated above within 90 days from the publication of this notice. Upon determination by the authorized officer that a public meeting will be held, a notice of the time and place will be published in the **Federal Register** at least 30 days before the scheduled date of the meeting.

The application will be processed in accordance with the regulations set forth in 43 CFR part 2300.

For a period of 2 years from the date of publication of this notice in the **Federal Register**, the lands will be segregated as specified above unless the application is denied or canceled or the withdrawal is approved prior to that date. The temporary land uses which may be permitted during this segregative period include licenses, permits, rights-of-way, and disposal of vegetative resources other than under the mining laws.

Dated: May 15, 2001.

**Robert D. DeViney, Jr.,**

Chief, Branch of Realty and Records Services.  
[FR Doc. 01-12768 Filed 5-21-01; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby

given that a Consent Decree in *United States v. Applied Science Laboratories, Inc., et al.* (E.D. Va.) Civil Action No. 99CV834, was lodged on May 12, 2001, with the United States District Court for the Eastern District of Virginia. The Consent Decree resolves the claims of the United States under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), for reimbursement of the United States' past response costs incurred in responding to contamination at the Applied Science Laboratories Superfund Site located in Richmond, Virginia. The Consent Decree obligates the estates of John F. Neves and Mattie R. Neves to sell the real property at 2216 Hull Street, Richmond, Virginia, and pay the first \$50,000 of the proceeds from the sale to the United States in reimbursement of the past response costs incurred by EPA; the heirs will keep the next \$10,000 and any balance above that will be divided evenly between the United States and the heirs.

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 Environmental and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Applied Science Laboratories, Inc.*, DOJ Ref. #90-11-3-07015.

The Consent Decree may be examined at the Region III Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania 19103; and by mail from the Consent Decree Library, Department of Justice, PO Box 7611, Washington, DC 20044-7611. In requesting a copy from the Consent Decree Library, please refer to the referenced case and enclose a check in the amount of \$5.00, payable to the U.S. Treasury.

**Robert Brook,**

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

[FR Doc. 01-12856 Filed 5-21-01; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act

Consistent with 28 CFR § 50.7, notice is hereby given that on April 17, 2001, a proposed consent decree ("Consent Decree") in *United States v. Black Mesa Pipeline, Inc.*, Civil Action No. CIV-01-

0681-PCT-EHC, was lodged with the United States District Court for the District of Arizona.

The Consent Decree resolves claims that the United States asserted against Black Mesa in a civil complaint filed concurrently with the lodging of the Consent Decree. The complaint alleges violations of the Clean Water Act at the company's coal slurry pipeline that runs from Peabody Western Coal Co.'s Black Mesa Mine near Kayenta, Arizona to the Southern California Edison Co.'s Mohave Generating Station in Laughlin, Nevada. Specifically, the complaint alleges that there were seven discharges of coal slurry from the pipeline between 1997 and 1999, which discharges reached waters of the United States. The State of Arizona is a co-plaintiff.

The Consent Decree requires defendant to pay a civil penalty of \$128,000, plus interest. The payment will be split, with \$79,000 being paid to the United States and \$49,000 being paid to the State. The Consent Decree also requires defendant to implement a Preventative Measures Plan to prevent further spills and to continue to implement a Protocol for addressing spills should any occur.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Black Mesa Pipeline, Inc.*, Civil Action No. CIV-01-0681-PCT-EHC, and D.J. Ref. 90-5-1-1-06803.

The Consent Decree may be examined at the Office of the United States Attorney, 4000 U.S. Courthouse, 230 North First Street, Phoenix, Arizona or at EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105. A copy of the Consent Decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$8.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Ellen M. Mahan,**

Assistant Section Chief, Environmental Enforcement Section.

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