

including the Vermillion River Bridge, at Hastings, in Dakota County, MN.

Soo has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic has been rerouted over other lines; (3) no formal complaint filed by a user of rail service on this line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), 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.¹

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on September 30, 1995, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking statements under 49 CFR 1152.29 must be filed by September 11, 1995.⁴ Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by September 20,

1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423-2191.

A copy of any petition filed with the Commission should be sent to applicant's representative: Larry D. Starns, 1000 Soo Line Building, 105 South 5th Street, Minneapolis, MN 55402.

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

Soo has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by September 5, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, 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 becomes available to the public.

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

Decided: August 23, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-21636 Filed 8-30-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-411 (Sub-No. 1X)]

**Union Railroad of Oregon;
Abandonment Exemption; Union
County, OR**

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10505, the Commission exempts from the regulatory requirements of 49 U.S.C. 10903-04 the abandonment by Union Railroad of Oregon of 2.4 miles of rail line between milepost 0.0 at Union Junction and milepost 2.4 at Union in Union County, OR.

DATES: The exemption will be effective September 30, 1995 unless stayed or a statement of intent to file an offer of financial assistance (OFA) is filed. Statements of intent to file an OFA under 49 CFR 1152.27(c)(2), requests for a notice of interim trail use/rail banking under 49 CFR 1152.29 and petitions to

stay must be filed by September 11, 1995, requests for a public use condition under 49 CFR 1152.28 and petitions to reopen must be filed by September 20, 1995.

ADDRESSES: Send pleadings referring to Docket No. AB-411 (Sub-No. 1X) to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue NW., Washington, D.C. 20423, and (2) Edward Immel, State Rail Planner, Statewide Mobility Unit, 325 13th St., NE, Room 501 Salem, OR 97310.

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 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.]

Decided: August 17, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-21637 Filed 8-30-95; 8:45 am]

BILLING CODE 7035-01-P

DEPARTMENT OF JUSTICE

**Notice of Lodging a Final Judgment by
Consent Pursuant to the Clean Air Act,
Clean Water Act, and Resource
Conservation and Recovery Act**

Notice is hereby given that on August 23, 1995, a proposed consent decree in *United States and Commonwealth of Pennsylvania v. Horsehead Industries, Inc., et al.*, Civ. A. No. 1: CV-92-0008, was lodged in the United States District Court for the Middle District of Pennsylvania. The complaint in this action seeks civil penalty and injunctive relief under the Clean Air Act (CAA), 42 U.S.C. 7401 *et seq.*, the Clean Water Act (CWA), 33 U.S.C. 1251 *et seq.*, and the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901 *et seq.*, for alleged violations of these Acts at defendants' Palmerton, Pennsylvania facility.

Under the proposed decree, Horsehead Industries, Inc. and Horsehead Resource Development Company (collectively, Horseheads),

¹ The Railway Labor Executives' Association (RLEA) filed comments opposing the proposed abandonment and requesting that we conduct an investigation, hold oral hearings, and modify the standard labor protective conditions we routinely impose in abandonment exemptions. Because the Commission does not normally consider comments prior to the publication of a notice of exemption under 49 CFR 1152.50(b), RLEA can file a petition to stay and/or a petition to reopen or revoke on or before the dates specified in this notice.

² The Commission will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Commission in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for stay should be filed as soon as possible so that the Commission may take appropriate action before the exemption's effective date.

³ See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

⁴ The Commission will accept a late-filed trail use request so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

recyclers of electric arc furnace dust, have agreed to pay the United States and the Commonwealth a civil penalty of \$5.6 million, and to invest in extensive capital improvements and operational changes at the Palmerton facility to minimize the release of contaminants such as lead, cadmium and zinc. Under the decree Horseheads will upgrade operations to limit dust and visible emissions from their processing equipment, and construct buildings to hold materials containing hazardous substances which are awaiting processing. Horseheads has also agreed to apply for a recycling permit from the Commonwealth to govern its hazardous waste recycling activities in Palmerton. Horseheads will also implement pollution reduction technologies designed to reduce the contact of waters that are discharged into Acquishicola Creek and Lehigh River from the facility with soils contaminated with metals. In return, upon payment of the penalty, Horseheads will receive a covenant not to sue for enforcement actions under RCRA, CWA and CAA seeking civil penalties and/or injunctive relief for the specific violations alleged in the Complaint occurring between January 1987 and the date of lodging of the Decree.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States and Commonwealth of Pennsylvania v. Horsehead Industries, Inc., et al.*, DOJ Reference No. 90-7-1-353.

The proposed consent decree may be examined at the Office of the United States Attorney for the Middle District of Pennsylvania, Federal Building, 228 Walnut Street, Suite 1152, Harrisburg, Pa. 17154; Region III Office of the Environmental Protection Agency, 841 Chestnut Street, Philadelphia, Pa.; and at the Consent Decree Library, 1120 "G" Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed decree may be obtained in person or by mail from the Consent Decree Library at the address listed above. In requesting a copy, please refer to the referenced case and number, and enclose a check in the amount of \$41.00 (\$82.00 with appendices) (25 cents per

page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

Acting Chief, Environmental Enforcement Section.

[FR Doc. 95-21645 Filed 8-30-95; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF LABOR

Labor Advisory Committee for Trade Negotiations and Trade Policy; Meeting Notice

Pursuant to the provisions of the Federal Advisory Committee Act (P.L. 92-463 as amended), notice is hereby given of a meeting of the Labor Advisory Committee for Trade Negotiations and Trade Policy.

Date, Time and Place: September 20, 1995, 10 am-12 noon, U.S. Department of Labor, Room S-1011, 200 Constitution Ave., NW, Washington, D.C. 20210.

Purpose: The meeting will include a review and discussion of current issues which influence U.S. trade policy. Potential U.S. negotiating objectives and bargaining positions in current and anticipated trade negotiations will be discussed. Pursuant to section 9(B) of the Government in the Sunshine Act, 5 U.S.C. 552b(c)(9)(B), it has been determined that the meeting will be concerned with matters the disclosure of which would seriously compromise the Government's negotiating objectives or bargaining positions. Accordingly, the meeting will be closed to the public.

For Further Information Contact: Fernand Lavallee, Director, Trade Advisory Group, Phone: (202) 219-4752.

Signed at Washington, D.C. this 25th day of August, 1995.

Andrew Samet,

Associate Deputy Under Secretary, International Affairs.

[FR Doc. 95-21635 Filed 8-30-95; 8:45 am]

BILLING CODE 4510-28-M

Employment and Training Administration

[TA-W-31,256]

Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance

In the matter of EIS Brake Part Division, Berlin, Connecticut.

In accordance with section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on August 8, 1995, applicable to all workers at EIS Brake Parts Division located in Berlin, Connecticut. The

notice will soon be published in the **Federal Register**.

The State agency and the company requested that the Department review its certification for workers of the subject firm. Information supplied by the company shows that only the workers involved in the production of brake wheel cylinders were adversely affected by increased imports. Accordingly, the Department is limiting its certification to only those workers at EIS Brake Parts Division engaged in employment related to the production of brake wheel cylinders, and revoking the certification for all workers.

The intent of the Department's certification is to include only those workers of EIS Brake Parts Division who were adversely affected by imports.

The amended notice applicable to TA-W-31,256 is hereby issued as follows:

"All workers of EIS Brake Parts Division, Berlin, Connecticut engaged in employment related to the production of brake wheel cylinders who became totally or partially separated from employment on or after June 27, 1994 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974."

Signed at Washington, D.C. this 23rd day of August 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 95-21630 Filed 8-30-95; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-31,037]

Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance

In the matter of Fioretti Incorporated, A/K/A Fioretti, USA Ltd., Pittston, Pennsylvania.

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on May 5, 1995, applicable to all workers of Fioretti, Incorporated located in Pittston, Pennsylvania. The notice was published in the **Federal Register** on July 7, 1995 (60 FR 35435).

New information received from the petitioners shows that some of the workers at Fioretti had their unemployment insurance (UI) taxes paid to Fioretti, USA Ltd. Accordingly, the Department is amending the certification to properly reflect this matter.

The intent of the Department's certification is to include all workers of