

Clambake Club of Newport, 353 Tuckerman Ave., Middletown, 95001267

Washington County

Black Farm, Bounded by the Rockville—Alton Rd. (RI 112) and the Wood R., Hopkinton, 95001268

Westerly Downtown Historic District (Boundary Increase), Union St., Westerly, 95001288

TENNESSEE

Hamilton County

Missionary Ridge Historic District, N. and S. Crest Rd. from DeLong Reservation to 700 S. Crest Rd., Chattanooga, 95001257

Wilson County

Cedars of Lebanon State Park Historic District, (State Parks in Tennessee Built by the CCC and WPA, 1934–1942 TR), Cedar Forest Rd., Cedars of Lebanon State Park, Lebanon vicinity, 95001274

Turner, Ida New and William Madison, Farm, (Historic Family Farms in Middle Tennessee MPS), 3964 Old Murfreesboro Rd., Lebanon vicinity, 95001275

TEXAS

Hidalgo County

Louisiana—Rio Grande Canal Company Irrigation System, S. 2nd St. at River Levee, Hidalgo vicinity, 95001284

UTAH

San Juan County

Bluff Historic District, Roughly bounded by Main St., US 191, 2nd E. St., and the bluffs, Bluff, 95001273

VERMONT

Addison County

Salisbury Town Hall, W of the jct. of Maple and Prospect Sts., Salisbury, 95001262

Chittenden County

Buell Street—Bradley Street Historic District, 2–71 Bradley St., 24–125 Buell St., 16–75 Orchard Terr., 9–96 S. Union St., 11–87 Hungerford Terr., Burlington, 95001260

Windham County

Rice Farm Road Bridge, (Metal Truss, Masonry, and Concrete Bridges of Vermont MPS), Town Hwy. 62, off VT 30, Dummerston, 95001259

Windsor County

Johnson, Wales N., House, 37 US 4, Woodstock, 95001258

VIRGINIA

Alleghany County

Old Friends Archeological Site, Restricted Address, Jamestown, 95001269

[FR Doc. 95–25727 Filed 10–16–95; 8:45 am]

BILLING CODE 4310–70–P

INTERSTATE COMMERCE COMMISSION

[Docket No. AB–55 (Sub-No. 513X)]

CSX Transportation, Inc.—Abandonment Exemption—in Ben Hill County, GA

CSX Transportation, Inc. (CSXT), has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon approximately 0.48 miles of its line of railroad between milepost ANK–770.73 and milepost ANK–770.25 at the end of track, in Fitzgerald, Ben Hill County, GA.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is 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.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on November 12, 1995, 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

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 before 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 on 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 before the effective date of this exemption.

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

requests under 49 CFR 1152.29³ must be filed by October 23, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 2, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Ave., NW., Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: Charles M. Rosenberger, 500 Water St. J150, Jacksonville, FL 32202.

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

CXST 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 October 18, 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 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: October 11, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95–25683 Filed 10–16–95; 8:45 am]

BILLING CODE 7035–01–M

[Docket No. AB–443 (Sub-No. 2X)]

Danbury Terminal Railroad Company—Discontinuance Exemption—Westchester and Putnam Counties, NY

Danbury Terminal Railroad Company (DTRR) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances* to discontinue freight service over approximately 11.8 miles of the Harlem Line, between milepost 43.4 (Golden's Bridge) and milepost 55.2 (Dykemans), in Westchester and Putnam Counties, NY. The Harlem line is owned by American Premier Underwriters, Inc., and, after the proposed discontinuance, will continue to be used for rail passenger service by Metro North

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

Commuter Railroad Company, a subsidiary of the Metropolitan Transit Authority, the line's lessee.

DTRR has certified that: (1) No traffic has moved over the line for at least 2 years; (2) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or with any U.S. District Court or has been decided in favor of the complainant with the 2-year period; and (3) the requirements at 49 CFR 1105.11 (transmittal letter) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee affected by the discontinuance 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 November 16, 1995, unless stayed pending reconsideration.¹ Petitions to stay and formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² must be filed by October 27, 1995. Petitions to reopen must be filed by November 6, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423

A copy of any pleading filed with the Commission should be sent to applicant's representative: Robert A. Wimbish, Suite 420, 1920 N Street NW., Washington, DC 20036.

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

Decided: October 6, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95-25682 Filed 10-16-95; 8:45 am]

BILLING CODE 7035-01-M

¹ Because this is a discontinuance, and not an abandonment, and the right-of-way will continue to be used for passenger service, trail use/railbanking and public use conditions are not appropriate. Likewise no environmental or historical documentation is required. 49 CFR 1105.6(b)(3).

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

Release of Waybill Data

The Commission has received a request from Hopkins & Sutter, for permission to use certain data from the Commission's 1994 I.C.C. Waybill Sample. A copy of the request (WB486—9/28/95) may be obtained from the I.C.C. Office of Economic and Environmental Analysis.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to this request, they should file their objections with the Director of the Commission's Office of Economic and Environmental Analysis within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.8.

Contact: James A. Nash, (202) 927-6196.

Vernon A. Williams,

Secretary.

[FR Doc. 95-25681 Filed 10-16-95; 8:45 am]

BILLING CODE 7035-01-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Stipulations Pursuant to the Clean Water Act, 33 U.S.C. 1251 et seq.

In accordance with Departmental policy, 28 CFR § 50.7, notice is hereby given that proposed stipulations in *United States v. City of Brook Park*, Civil Action No. 1:91CV1727, *United States v. City of Middleburg Heights*, Civil Action No. 1:91CV1722, *United States v. City of Berea*, Civil Action No. 1:91CV1726, and *United States v. City of Strongsville*, Civil Action No. 1:91CV1725 were lodged on September 28, 1995 with the United States District Court for the Northern District of Ohio. The stipulations settle actions brought concurrently under the Clean Water Act, 33 U.S.C. 1251, et seq., (the "Act") to address the defendants' violations of the pollutant discharge limits set forth in the defendant cities' respective permits issued pursuant to Section 1342 of the Act. Each of the defendant cities is a suburb of Cleveland, Ohio, and located within the Rocky River Basin, which drains into Lake Erie. Since the complaints were filed on August 30, 1991, each of the defendant cities has ceased discharging their municipal wastewaters into navigable waterways of the United States by directing those wastewaters to a regional wastewater treatment plant owned and operated by the Northeast Ohio Regional Sewer District. Accordingly, the defendants are in compliance with the pollutant discharge limits of their respective

permits. Each stipulation requires the defendants in that case to pay a civil penalty of \$10,000.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed stipulations. 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. City of Brook Park*, DOJ Ref. #90-5-1-1-3776; *United States v. City of*

Middleburg Heights, DOJ Ref. #90-5-1-1-3775; *United States v. City of Berea*, DOJ Ref. #90-5-1-1-3731; and *United States v. City of Strongsville* DOJ Ref. #90-5-1-1-3729.

The proposed stipulations may be examined at the office of the United States Attorney, 1800 Bank One Center, 600 Superior Avenue East, Cleveland, Ohio; the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard Chicago, IL 60604; 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 stipulations may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$3.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

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

[FR Doc. 95-25708 Filed 10-16-95; 8:45 am]

BILLING CODE 4410-01-M

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed *de minimis* consent decree in *United States v. Buffalo Air Handling et al.*, Civil Action No. 95-0053-L, was lodged on September 29, 1995 with the United States District Court for the Western District of Virginia. The proposed consent decree resolves claims under Section 107 of CERCLA, 42 § 9607, against certain *de minimis* waste contributors for reimbursement of response costs incurred and to be incurred by the United States at the