

requests under 49 CFR 1152.29<sup>3</sup> must be filed by October 30, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 9, 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: Charles M. Rosenberger, Senior Counsel, CSX Transportation, Inc., 500 Water Street, J150, Jacksonville, FL 32202.

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

CSXT 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 25, 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 12, 1995.

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

Vernon A. Williams,  
Secretary.

[FR Doc. 95-26165 Filed 10-19-95; 8:45 am]

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**[Finance Docket No. 32781]**

**Gulf Coast Rail Service, Inc. d/b/a Orange Port Terminal Railway—Acquisition and Operation Exemption—Lines of Southern Pacific Transportation Company**

Gulf Coast Rail Service, Inc. d/b/a Orange Port Terminal Railway (OPTR), a noncarrier, has filed a notice of exemption to acquire and operate approximately 1.834 miles of rail line owned by Southern Pacific Transportation Company, known as the Old City Lead Track at Orange, TX, consisting of the Front Street Lead from milepost 0.076+/- to milepost 1.17+/- and the Market Street Lead between milepost 0.0+/- to milepost 0.74+/- . The

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

proposed acquisition and operation transactions were expected to be consummated on or after September 29, 1995.

This proceeding is related to Finance Docket No. 32782, *Russell A. Peterson—Continuance in Control Exemption—Gulf Coast Rail Service, Inc. d/b/a Orange Port Terminal Railway*, wherein Russell A. Peterson has concurrently filed a notice of exemption to continue in control of OPTR when OPTR becomes a rail carrier upon consummation of the transaction described in this notice.

Any comments must be filed with the Commission and served on: Keith G. O'Brien, 1920 N Street, NW, Suite 420, Washington, DC 20036.

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Decided: October 10, 1995.

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

Vernon A. Williams,  
Secretary.

[FR Doc. 95-26163 Filed 10-19-95; 8:45 am]

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**[Finance Docket No. 32782]**

**Russell A. Peterson—Continuance in Control Exemption—Gulf Coast Rail Service, Inc., d/b/a Orange Port Terminal Railway**

Russell A. Peterson (Peterson) has filed a notice of exemption to continue in control of Gulf Coast Rail Service, Inc. d/b/a Orange Port Terminal Railway (OPTR), upon OPTR becoming a rail carrier.

OPTR has concurrently filed a notice of exemption in Finance Docket No. 32782, *Gulf Coast Rail Service, Inc., d/b/a Orange Port Terminal Railway*, to acquire and operate approximately 1.834 miles of line from Southern Pacific Transportation Company, known as the Old City Lead Track in Orange County, TX.

Peterson also controls through stock ownership, two nonconnecting class III rail carriers: Southwest Pennsylvania Railroad Company and Camp Chase Industrial Railroad Corporation. Peterson indicates that: the properties operated by these carriers do not connect with each other; (2) the continuance in control is not a part of a series of anticipated transactions that would connect the railroads with each

other or any other railroad in their corporate family; and (3) the transaction does not involve a class I carrier. The transaction therefore is exempt from the prior approval requirements of 49 U.S.C. 11343. See 49 CFR 1180.2(d)(2).

As a condition to use of this exemption, any employees affected by the transaction will be protected by the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction. Pleadings must be filed with the Commission and served on: Keith G. O'Brien, 1920 N Street, NW, Suite 420, Washington DC 20036.

Decided: October 10, 1995.

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

Vernon A. Williams,  
Secretary.

[FR Doc. 95-26164 Filed 10-19-95; 8:45 am]

BILLING CODE 7035-01-P

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of De Minimis Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act and the Resource Conservation and Recovery Act**

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Supplemental Early *De Minimis* Consent Decree in *United States and State of Connecticut v. Able Marine, Inc., et al.*, Civil Action Nos. 3:95 CV 2107 and 3:95 2108 was lodged on September 29, 1995 with the United States District Court for the District of Connecticut. The complaint in this action seeks (1) to recover, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, response costs incurred and to be incurred by EPA at the Solvents Recovery Service of New England, Inc. Superfund Site located in the Town of Southington, Connecticut ("Site"); and (2) injunctive relief under section 106 of CERCLA, 42 U.S.C. 9606, and section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 9673.

The proposed Supplemental Early *De Minimis* Consent Decree embodies an agreement with 46 potentially responsible parties ("PRPs") at the Site pursuant to section 122(g) of CERCLA, 42 U.S.C. 9622(g) to reimburse EPA and