document for filing without a certificate of service.

Authority: This investigation is being conducted under authority of the Tariff Act of 1930, title VII, as amended by the URAA. This notice is published pursuant to section 207.12 of the Commission's rules.

By order of the Commission.

Issued: October 4, 1995.

Donna R. Koehnke,

Secretary.

[FR Doc. 95–25042 Filed 10–6–95; 8:45 am]

BILLING CODE 7020–02–P

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32742]

RailTex, Inc.—Acquisition of Control Exemption—Dallas, Garland & Northeastern Railroad, Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission under 49 U.S.C. 10505 exempts from the prior approval requirements of 49 U.S.C. 11343, *et seq.,* the acquisition of control by RailTex, Inc. of Dallas, Garland & Northeastern Railroad, Inc. (DGNO) subject to standard labor protective conditions. RailTex presently controls 15 class III rail carriers located in 20 states. DRGO became a carrier in 1992 pursuant to exemptions in Finance Docket No. 32014 to lease and operate Missouri Pacific Railroad Company lines in Texas, and Finance Docket No. 32015 to operate via trackage rights over Dallas Area Rapid Transit lines. At that time, DGNO was placed into an independent voting trust, which RailTex seeks to dissolve by acquiring control of DGNO.

DATES: This exemption will be effective on November 9, 1995. Petitions to stay must be filed October 20, 1995. Petitions to reopen must be filed by October 30, 1995.

ADDRESSES: Send pleadings, referring to Finance Docket No. 32742 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue NW., Washington, D.C. 20423; and (2) Petitioner's representative: Patricia E. Dietrich, Slover & Loftus, 1224 17th Street NW., Washington, DC 20006.

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, D.C. 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services at (202) 927–5721.]

Decided: September 27, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95–25025 Filed 10–6–95; 8:45 am]

BILLING CODE 7035–01–P

[Finance Docket No. 32700]

JP Rail, Inc., d/b/a Southern Railroad Company of New Jersey—Notice of Exemption—Operation of Salem Branch Rail Line in Salem County, New Jersey

JP Rail, Inc., d/b/a Southern Railroad Company of New Jersey (JP Rail), has filed a notice of exemption to operate under contract the Salem Branch Rail Line, which is owned by the County of Salem, NJ. It is approximately 18.6 miles in length and includes: (a) the Salem Branch, between the connection with Consolidated Rail Corporation at approximately milepost 11.0 in Swedesboro, NJ, and approximately milepost 28.4 in the City of Salem, NJ; and (b) the Glass House Spur, between milepost 0.0 and milepost 1.2, in the City of Salem. The notice of exemption became effective on May 1, 1995.[1]

Any comments must be filed with the Commission and served on: John K. Fiorilla, 390 George Street, P.O. Box 1185, New Brunswick, NJ 08903.

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.

Decided: September 29, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95–25027 Filed 10–6–95; 8:45 am]

BILLING CODE 7035–01–P

[1] On May 5, 1995, West Jersey Railroad Co. (West Jersey), the line's previous operator, petitioned to reject or revoke the notice of exemption. On August 22, 1995, it requested permission to withdraw its petition because a settlement had been reached. Permission to withdraw will be granted. West Jersey had been authorized to operate this line in *Pioneer Railroad Company, Inc., West Jersey Railroad Division—Lease and Operation Exemption—West Jersey Shortline, Inc.,* Finance Docket No. 31334 (ICC served Oct. 14, 1988).

JP Rail has requested that the exemption be made effective on May 1, 1995, the date the notice of exemption was filed, and not 7 days later as provided under 49 CFR 1150.32(b). It has stated that immediate effectiveness was necessary because, absent JP Rail's service, shippers would have been left stranded with undelivered loaded cars. JP Rail's request will be granted; the effective date of the exemption will be May 1, 1995.

DEPARTMENT OF JUSTICE

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

Notice is hereby given that a proposed Consent Decree in *United States* v. *BASF Corporation of America, et al.*, Civil Action No. 95–2244, has been lodged with the United States District Court for the Central District of Illinois on September 29, 1995.

The Consent Decree resolves the claims alleged against BASF Corporation of America, and OXY USA Inc., under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.* The proposed Consent Decree provides for the payment by these settling parties of $142,228 of the United States' unrecovered response costs and estimated future oversight costs at the Cross Brothers Pail (Pembroke) Site (''Site''), in Pembroke Township, Kankakee County, Illinois. The proposed Consent Decree also provides for the payment by these settling parties of civil penalties of $144,000 for their alleged failure to perform response activities at the Site pursuant to an administrative order issued by the United States Environmental Protection Agency.

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 of the Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Washington, D.C. 20044, and should refer to *United States* v. *BASF Corporation of America, et al.*, D.J. Ref. 90–11–2–477A.

The proposed Consent Decree may be examined at the office of the United States Attorney for the Central District of Illinois, 201 S. Vine Street, Room 226, Urbana, Illinois 61801, at the Office of Regional Counsel, United States Environmental Protection Agency,