

DEPARTMENT OF THE INTERIOR**Bureau of Land Management****[CO-200-1220-PA]****Special Rule Regarding Operation of Motorized Vehicles****AGENCY:** Bureau of Land Management, Interior.**ACTION:** Implementation of a special rule regarding the operation of motorized vehicles within the Texas Creek, Penrose, Grand Canyon Hills, and Sand Gulch OHV "Open" areas on public lands administered by the Royal Gorge Field Office, Colorado.

SUMMARY: Off-highway vehicle (OHV) use in the Texas Creek, Penrose, Grand Canyon Hills, and Sand Gulch OHV "Open" areas has resulted in unacceptable impacts to the public lands, with the potential for more in the future. As a result, the Royal Gorge Field Office is implementing the special rule provision of 43 CFR 8341.2 to address this situation. The Special Rule affects the following sites, all found in Fremont County: 9,720 acres in Texas Creek, located north of Texas Creek; 3,174 acres in Penrose; 2,012 acres in Grand Canyon Hills, located west of Canon City; and 1,449 acres in Sand Gulch, located north of Howard. The use of the Special Rule changes the OHV designation of these four areas to "limited to existing roads and trails". Future interdisciplinary planning will determine the appropriate designated travel routes in these areas.

EFFECTIVE DATE: The implementation of the Special Rule goes into effect with the publication of this notice and shall remain in effect for one year. At the end of each year period it may be reviewed and extended.

ADDRESSES: If you wish to comment or request additional information, you may do so by any of several methods. You may mail or hand deliver your comments or requests to: Field Office Manager, Bureau of Land Management, Royal Gorge Field Office, 3170 East Main Street, Canon City, CO 81212. You may also comment via email to: RGFOWEB@blm.gov. Please submit comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include your name and address in your email message. Comments, including names and addresses of respondents, will be available for public review at the Bureau of Land Management, Royal Gorge Field Office, 3170 East Main Street, Canon City, CO during regular business hours. Individual respondents may request

confidentially. If you wish to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. We will not, however, consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials or organizations or businesses, are available for public inspection in their entirety.

FOR FURTHER INFORMATION CONTACT: Levi D. Deike, Field Office Manager or Diana Kossnar, Outdoor Recreation Planner, at the address listed above, 719-269-8500, or John Nahomenuk, Outdoor Recreation Planner, 307 W. Sackett Ave., Salida, CO 81201, 719-539-7289.

SUPPLEMENTARY INFORMATION: The Special Rule provision of 43 CFR 8341.2 allows the authorized officer to close certain areas to specific types of OHV use. In the case of the Texas Creek, Penrose, Grand Canyon Hills, and Sand Gulch OHV "Open" areas, the authorized officer determines that the areas are closed to all forms of OHV use that goes off of existing travel routes. This then effectively changes the OHV designation for the areas to "limited to existing roads and trails", the same designation that is found on the surrounding public lands. The Special Rule is being implemented to preclude current and potential impacts to soils, vegetation, wildlife, and wildlife habitat.

The Royal Gorge Field Office will follow the implementation of this Special Rule with amendments to the Royal Gorge Resource Management Plan. The plan amendment will be completed with full public involvement and the other requirements of 43 CFR 1610.5-5.

This Special Rule does not apply to emergency, law enforcement, and federal or other government vehicles while being used for official or emergency purposes, or to any vehicle whose use is expressly authorized or otherwise officially approved by BLM. Violation of this order is punishable by fines and/or imprisonment as defined in 18 U.S.C. 3571. Notice of this Special Rule and detailed maps of the four areas affected will be posted at the Royal Gorge Field Office in Canon City and

the Arkansas Headwaters Recreation Area Office in Salida.

Levi D. Deike,*Field Office Manager.*

[FR Doc. 01-12800 Filed 5-21-01; 8:45 am]

BILLING CODE 4310-JB-M**DEPARTMENT OF THE INTERIOR****Bureau of Land Management****[OR-958-6333-ET; HAG-01-0178; WAOR-56583]****Proposed Withdrawal and Opportunity for Public Meeting; Oregon****AGENCY:** Bureau of Land Management (BLM), Interior.**ACTION:** Notice.

SUMMARY: The Corps Of Engineers (COE), Department of the Army, proposes to withdraw 400.27 acres of Public Lands, to protect the investment of federal funds and the existing hydroelectric generating units constructed at the Chief Joseph Dam. This notice closes the lands for up to 2 years from settlement, sale, location and entry under the general land laws, including the mining laws. The public lands have been and will remain open to mineral leasing.

EFFECTIVE DATE: Comments and requests for a public meeting must be received by August 21, 2001.

ADDRESSES: Comments and meetings requests should be sent to the Oregon/Washington State Director, BLM, PO Box 2965, Portland, Oregon 97208-2965.

FOR FURTHER INFORMATION CONTACT: Cindy Luciano, COE Seattle District, 206-764-3747, or, Charles R. Roy, BLM Oregon/Washington State Office, 503-952-6189.

SUPPLEMENTARY INFORMATION: On March 29, 2001, the COE filed an application to withdraw the following described public lands from settlement, sale, location and entry under the general land laws, including the mining laws (30 U.S.C. Ch. 2 (1994)), but not the mineral leasing laws, subject to valid existing rights:

Willamette Meridian

T. 29 N., R. 26 E.,

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

Sec. 30, Lot 2.

T. 30 N., R. 26 E.,

Sec. 25, NW $\frac{1}{4}$ NE $\frac{1}{4}$;Sec. 35, SW $\frac{1}{4}$ SE $\frac{1}{4}$;

T. 30 N., R. 27 E.,

Sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$;Sec. 29, NE $\frac{1}{4}$ NW $\frac{1}{4}$;Sec. 34, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 30 N., R. 28 E.,

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.
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BILLING CODE 4310-33-P

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.

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BILLING CODE 4410-15-M

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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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

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-