

following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945).

2. All minerals shall be reserved to the United States, together with the right to prospect for, mine, and remove such deposits from the same under application law and such regulations as the Secretary may prescribe.

Detailed information concerning this action is available for review at the Bureau of Land Management, Elko Field Office, 3900 E. Idaho Street, Elko, Nevada. Upon publication of this Notice in the **Federal Register**, the above described land will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for lease or conveyance under the R&PP Act, and leasing under the mineral leasing laws. The segregative effect will terminate upon issuance of a patent or as specified in an opening order to be published in the **Federal Register**, whichever comes first.

For a period of 45 days from the date of this publication in the **Federal Register**, interested persons may submit comments regarding the proposed classification or conveyance of the land to the District Manager, Elko Field Office, 3900 E. Idaho St., Elko, Nevada, 89801. The land would not be offered for conveyance for at least 60 days after the date of publication of this Notice in the **Federal Register**.

#### Classification Comments

Interested parties may submit comments involving the suitability of the land for a cemetery. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with State and Federal programs.

#### Application Comments

Interested parties may submit comments regarding the specific use proposed in the application and plan of development, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the land for a cemetery. Any adverse comments will be evaluated by the State Director, who may sustain, vacate or modify this realty action. In the absence of any adverse comments, the classification of the lands described in this Notice will

become effective 60 days from the date of publication in the **Federal Register**.

Dated: April 2, 1998.

**Helen Hankins,**

*District Manager.*

[FR Doc. 98-10061 Filed 4-15-98; 8:45 am]

BILLING CODE 4310-HC-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NV-930-1430-01; N-60557]

#### Notice of Realty Action; Noncompetitive Sale; NV

**AGENCY:** Bureau of Land Management, DOI.

**ACTION:** Notice.

**SUMMARY:** The following land in Eureka County, Nevada has been examined and identified as suitable for disposal by noncompetitive sale, under Section 203 and Section 209 of the Federal Land Policy and Management Act (FLPMA) of October 21, 1976 (43 U.S.C. 1713 and 1719), at no less than fair market value as determined by an appraisal:

#### Mount Diablo Meridian, Nevada

T. 29 N., R. 48 E.,

Section 4, Lots 14, 15, 18, 19.

Comprising 9.10 acres, more or less.

The above described land is being offered as a direct sale to the Eureka County Board of Commissioners. The land will not be offered for sale until at least 60 days after the date of publication of this Notice in the **Federal Register**.

Detailed information concerning this action is available for review at the Bureau of Land Management, Elko Field Office, 3900 E. Idaho Street, Elko, Nevada.

**SUPPLEMENTARY INFORMATION:** The land has been identified as suitable for disposal by the Elko Resource Management Plan. The land is not needed for any resource program and is not suitable for management by the Bureau or another Federal department or agency. The mineral estate will be conveyed simultaneously with the sale of the surface estate. Acceptance of the sale offer will constitute an application to acquire the mineral estate. A nonrefundable administrative fee of \$50.00 will be required to be submitted with the purchase money. Failure to submit the purchase money and the nonrefundable administrative fee within the time frame specified by the authorized officer will result in cancellation of the sale. Upon publication of this Notice in the **Federal**

**Register**, the lands will be segregated from all forms of appropriation under the public land laws, including the mining laws, but not the mineral leasing laws or disposals pursuant to Sections 203 and 209 of FLPMA. The segregation shall terminate upon issuance of a patent or other document of conveyance, upon publication in the **Federal Register** of a Notice of Termination of Segregation, or 270 days from date of this publication, whichever occurs first. The patent, when issued, will contain the following reservation to the United States: A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890, (43 U.S.C. 945).

And will be subject to: Those rights for powerline purposes which have been granted to Sierra Pacific Power Co., its successors or assignees, by right-of-way grant N-5578 under the authority of the Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761). The land will not be conveyed until that portion of airport lease N-56882 affecting the described sale land is relinquished by Eureka County.

For a period of 45 days from the date of publication in the **Federal Register**, interested parties may submit comments to the Bureau of Land Management, Elko Field Office, 3900 E. Idaho Street, Elko, Nevada 89801. Any adverse comments will be evaluated by the State Director, who may sustain, vacate or modify this realty action and issue a final determination. In the absence of timely filed objections, this realty action will become a final determination of the Department of the Interior.

Dated: April 2, 1998.

**Helen Hankins,**

*District Manager.*

[FR Doc. 98-10062 Filed 4-15-98; 8:45 am]

BILLING CODE 4310-HC-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-926-08-1420-00]

#### Montana: Filing of Plat of Survey

**AGENCY:** Bureau of Land Management, Montana State Office, Interior.

**ACTION:** Notice.

**SUMMARY:** The plat of survey of the following described land is scheduled to be officially filed in the Montana State Office, Billings, Montana, thirty (30) days from the date of this publication.

#### Principal Meridian, Montana

T. 14 N., R. 3 W.

The plat, in two sheets, representing the dependent resurvey of a portion of the subdivision of section 34, Township 14 North, Range 3 West, Principal Meridian, Montana, was accepted March 30, 1998.

This survey was executed at the request of the Bureau of Land Management, Headwaters Resource Area and was necessary to identify and establish property lines to help resolve present and potential trespasses and to help clear clouds of title.

A copy of the preceding described plat will be immediately placed in the open files and will be available to the public as a matter of information.

If a protest against this survey, as shown on this plat, is received prior to the date of the official filing, the filing will be stayed pending consideration of the protest. This particular plat will not be officially filed until the day after all protests have been accepted or dismissed and become final or appeals from the dismissal affirmed.

**FOR FURTHER INFORMATION CONTACT:**  
Bureau of Land Management, 222 North 32nd Street, P.O. Box 36800, Billings, Montana 59107-6800.

Dated: April 3, 1998.

**Daniel T. Mates,**

Chief Cadastral Surveyor, Division of Resources.

[FR Doc. 98-10126 Filed 4-15-98; 8:45 am]

BILLING CODE 4310-DN-P

## DEPARTMENT OF JUSTICE

### Notice of Consent Decree Pursuant to the Resource Conservation and Recovery Act; the Comprehensive Environmental Response, Compensation, and Liability Act; and the Clean Air Act

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Borden Chemicals and Plastics Operating Limited Partnership, et al.*, Civ. Action Nos. 94-440-A-2 and 94-2592-A-M2, was lodged in the United States District Court for the Middle District of Louisiana on April 9, 1998. The proposed Consent Decree resolves the United States' claims in Civil Action No. 94-2592-A-M2 for injunctive relief and civil penalties against defendants Borden Chemicals and Plastics Operating Limited Partnership and Borden Chemicals and Plastics Management, Inc. (hereafter referred to as "Borden"), brought pursuant to the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6901 *et seq.*, the Comprehensive

Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, and the Clean Air Act ("CAA"), 42 U.S.C. 7401 *et seq.* The proposed Consent Decree also resolves Borden's Complaint in Civil Act No. 94-440-A-2 against the United States seeking declaratory judgment. The United States' claims arose from the release of hazardous wastes and constituents into soil and groundwater at Borden's Geismar, Louisiana facility and involved RCRA permitting requirements, as well as violations under the CAA for failing to limit urea emissions and failing to immediately report releases of hazardous substances under CERCLA.

Under the terms of the Consent Decree, Borden will: (1) Pay a civil penalty in the sum of \$3.6 million; (2) perform a facility wide corrective action under RCRA; (3) commence interim measures of investigation and remediation, if necessary, in the Norco Aquifer, the shallow groundwater zones, the "S" zone and eight other soil and groundwater areas of the facility; (4) apply for a RCRA permit for Borden's VCR Unit and any other RCRA-regulated Unit; (5) decommission the underground injection wells at the facility; and (6) set aside \$400,000 to fund community based programs consisting of equipment donations to local emergency response units and funding for a technical center for the dissemination of information related to environmental decision making and citizen participation.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written comments relating to the proposed Consent Decree. 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. Borden Chemicals and Plastics Operating Limited Partnership, et al.*, Civ. Action Nos. 94-440-A-2 and 94-2592-A-M2, DOJ # 90-11-2-875.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Middle District of Louisiana, Russell B. Long Federal Building, 777 Florida Street, Suite 208, Baton Rouge, Louisiana 70801; at the Region VI Office of the U.S. Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. Copies of the Consent Decree 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 enclose a check in the amount of \$29.25 (25 cents per page reproduction costs) payable to the Consent Decree Library.

**Bruce S. Gelber,**

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

[FR Doc. 98-10110 Filed 4-15-98; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

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

In accordance with Department of Justice policy, notice is hereby given that on March 20, 1998, a proposed Consent Decree in *United States v. Madison Metropolitan Sewerage District ("MMSD")*, Case Number 98-C-0197-S, was lodged in the United States District Court for the Western District of Wisconsin. The Complaint filed by the United States sought to require MMSD to perform a remedial action selected by U.S. EPA for the Site, and to pay U.S. EPA's future oversight costs as well as all of the United States' unreimbursed past response costs incurred by the United States pursuant to CERCLA, 42 U.S.C. 9601 *et seq.* The Consent Decree requires Defendant MMSD to reimburse the United States in the amount of \$33,565.23.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments concerning the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States v. Madison Metropolitan Sewerage District*, D.J. Ref. No. 90-11-2-1316.

The proposed Consent Decree may be examined at any of the following offices: (1) the United States Attorney for the Western District of Wisconsin, Suite 200, 600 West Washington Ave., P.O. Box 1585, Madison, WI 53701-1585 (contact Assistant United States Attorney Mark Cameli); (2) the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Assistant Regional Counsel Thomas Krueger); and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, 202-624-0892.