

**California
Federal Reserve**

**Monday
May 13, 1996**

Part LXIII

**Surface
Transportation Board**

Semiannual Regulatory Agenda

SURFACE TRANSPORTATION BOARD (STB)

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

49 CFR Ch. X

[STB Ex Parte No. 536]

Semiannual Regulatory Agenda

AGENCY: Surface Transportation Board, DOT.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Surface Transportation Board, in accordance with the requirements of the Regulatory Flexibility Act, is publishing a semiannual agenda of: (1) Current and projected rulemakings and (2) existing regulations being reviewed to determine whether to propose modifications through rulemaking. Listed below are the regulatory actions to be developed or reviewed during the next 12 months. Following each rule identified is a brief description of the rule including its purpose and legal basis.

FOR FURTHER INFORMATION CONTACT: A contact person is identified for each of the rules listed below.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* (RFA), sets forth a number of

requirements for agency rulemaking. Among other things, the RFA requires that, during the months of April and October of each year, each agency shall publish in the Federal Register a regulatory flexibility agenda which shall contain:

(1) A brief description of the subject area of any rule which the agency expects to propose or promulgate which is likely to have a significant economic impact on a substantial number of small entities;

(2) A summary of the nature of any such rule under consideration for each subject area listed in the agenda pursuant to paragraph (1), the objectives and legal basis for the issuance of the rule, and an approximate schedule for completing action on any rule for which the agency has issued a general notice of proposed rulemaking; and

(3) The name and telephone number of an agency official knowledgeable concerning the items listed in paragraph (1).

Accordingly, a list of proceedings appears below containing information about subject areas in which the Board is currently conducting rulemaking proceedings or may institute such proceedings in the near future. It also

contains information about existing regulations being reviewed to determine whether to propose modifications through rulemaking.

The agenda represents the Board's best estimate of rules which will be considered over the next 12 months. However, section 602(d) of the RFA, 5 U.S.C. 602(d), provides: "Nothing in [section 602] precludes an agency from considering or acting on any matter not included in a regulatory flexibility agenda or requires an agency to consider or act on any matter listed in such agenda."

The Board is publishing its April 1996 regulatory flexibility agenda as part of the Unified Agenda of Federal Regulations. The Unified Agenda of Federal Regulations is coordinated by the Office of Management and Budget pursuant to Executive Order 12866. Notwithstanding any limitations concerning our authority to conduct rulemakings, the Board is participating in the program voluntarily to assist OMB.

Decided: March 14, 1996.
By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.
Vernon A. Williams,
Secretary.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
4547	Expedited Procedures for Processing Rail Rate Reasonableness, Exemption, and Revocation Proceedings, STB Ex Parte No. 527	2140-AA08
4548	Disclosure and Notice of Change of Rates and Other Service Terms for Pipeline Common Carriage, STB Ex Parte No. 538	2140-AA18
4549	Railroad Contracts, STB Ex Parte No. 541	2140-AA19

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
4550	Disclosure, Publication, and Notice of Change of Rates and Other Service Terms for Rail Common Carriage, STB Ex Parte No. 528	2140-AA09
4551	Class Exemption for Acquisition or Operation of Rail Lines by Class III Rail Carriers Under 49 USC 10902, STB Ex Parte No. 529	2140-AA10
4552	Abandonment and Discontinuance of Rail Lines and Rail Transportation Under 49 USC 10903, STB Ex Parte No. 537	2140-AA17

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Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
4553	Exemption of Demurrage From Regulation, Ex Parte No. 462	2140-AA00
4554	Rate Guidelines—Noncoal Proceedings, Ex Parte No. 347 (Sub-No. 2)	2140-AA01
4555	Class Exemption for the Construction of Connecting Tracks Under 49 USC 10901, Ex Parte No. 392 (Sub-No. 2)	2140-AA02
4556	Railroad Consolidation Procedures: Class Exemption for Transactions Subject to the Statutory Consolidation Provision, Ex Parte No. 282 (Sub-No. 15)	2140-AA03
4557	Rail General Exemption Authority—Exemption of Paints, Enamels, Lacquers, Shellacs, Etc., Ex Parte No. 346 (Sub-No. 33)	2140-AA05
4558	Rail General Exemption Authority—Exemption of Non-Ferrous Recyclables and Railroad Rates on Recyclable Commodities, Ex Parte No. 346 (Sub-No. 36)	2140-AA06
4559	Petition for Rulemaking—Invoiceless Billing Transactions, Ex Parte No. 55 (Sub-No. 95)	2140-AA07

Completed Actions

Sequence Number	Title	Regulation Identifier Number
4560	Revision of Tariff Regulations—Indexes, Ex Parte No. MC-211	2140-AA04
4561	Removal of Obsolete Tariff Regulations, STB Ex Parte No. 530	2140-AA11
4562	Removal of Obsolete Recyclables Regulations, STB Ex Parte No. 531	2140-AA12
4563	Ex Parte No. 55 (Sub-No. 96), Passenger Operations by Mexican Motor Carriers—Implementation of North American Free Trade Agreement	2140-AA13
4564	Removal of Obsolete Regulations for Reasonably Expected Costs and Joint Rates Subject to Surcharge or Cancellation, STB Ex Parte No. 532	2140-AA14
4565	Removal of Obsolete Passenger Train or Ferry Discontinuance Regulations, STB Ex Parte No. 534	2140-AA15
4566	Removal of Obsolete Securities Regulations, STB Ex Parte No. 535	2140-AA16
4567	Removal of Obsolete Valuation Regulations, STB Ex Parte No. 539	2140-AA20

SURFACE TRANSPORTATION BOARD (STB)

Prerule Stage

4547. ● EXPEDITED PROCEDURES FOR PROCESSING RAIL RATE REASONABLENESS, EXEMPTION, AND REVOCATION PROCEEDINGS, STB EX PARTE NO. 527

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 10501; 49 USC 10502; 49 USC 10701; 49 USC 10704; 49 USC 701; 49 USC 721

CFR Citation: 49 CFR 1039; 49 CFR 1110 to 1149

Legal Deadline: Final, Statutory, October 1, 1996.

Abstract: The Board proposes to develop procedures to ensure expeditious handling of challenges to the reasonableness of railroad rates,

railroad exemption requests, and petitions to revoke existing exemptions.

Timetable:

Action	Date	FR Cite
ANPRM	03/22/96	61 FR 1179
ANPRM Comment	05/06/96	
Period End		
Comment Under Review	05/00/96	
Final Action	09/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Thomas J. Stilling, Attorney, Surface Transportation Board, 12th and Constitution Avenue NW., Washington, DC 20423
Phone: 202 927-7312
TDD: 202 927-5721

RIN: 2140-AA08

4548. ● DISCLOSURE AND NOTICE OF CHANGE OF RATES AND OTHER SERVICE TERMS FOR PIPELINE COMMON CARRIAGE, STB EX PARTE NO. 538

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 721(a); 49 USC 15701(e)

CFR Citation: 49 CFR 1305

Legal Deadline: Final, Statutory, June 29, 1996.

Abstract: The ICC Termination Act of 1995 (ICCTA) eliminated the tariff and tariff filing requirements formerly applicable to the transportation by pipeline of commodities other than oil, gas, or water. ICCTA imposed in lieu

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thereof certain obligations to disclose common carriage rates and service terms as well as a requirement for advance notice of an increase in such rates or change in service terms. The ICCTA requires the Board to promulgate regulations to administer these new obligations by June 29, 1996.

Timetable:

Action	Date	FR Cite
ANPRM	03/14/96	61 FR 10526
ANPRM Comment Period End	04/15/96	
Comment Under Review	04/16/96	
Final Action	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Beryl Gordon, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th and Constitution Avenue NW., Washington, DC 20423

Phone: 202 927-5610
TDD: 202 927-5721

RIN: 2140-AA18

4549. • RAILROAD CONTRACTS, STB EX PARTE NO. 541

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 721(a); 49 USC 10709

CFR Citation: 49 CFR 1313

Legal Deadline: None

Abstract: The ICC Termination Act of 1995 (ICCTA) revised the law respecting transportation contracts entered into by rail carriers to provide specified rail services under specific rates and conditions. New regulations

are needed for administering the regulatory provisions applicable to contracts for the transportation of agricultural products.

Timetable:

Action	Date	FR Cite
ANPRM	03/26/96	61 FR 13147
ANPRM Comment Period End	04/25/96	
Comments Under Review	05/02/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Beryl Gordon, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th & Constitution Avenue NW., Washington, DC 20423
Phone: 202 927-5610
TDD: 202 927-5721

RIN: 2140-AA19

SURFACE TRANSPORTATION BOARD (STB)

Proposed Rule Stage

4550. • DISCLOSURE, PUBLICATION, AND NOTICE OF CHANGE OF RATES AND OTHER SERVICE TERMS FOR RAIL COMMON CARRIAGE, STB EX PARTE NO. 528

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 721(a); 49 USC 11101(f)

CFR Citation: 49 CFR 1300

Legal Deadline: Final, Statutory, June 29, 1996.

Abstract: The ICC Termination Act of 1995 (ICCTA) eliminated the tariff and tariff filing requirements formerly applicable to rail carriers, but imposed in lieu thereof certain obligations to disclose common carriage rates and service terms as well as a requirement for advance notice of an increase in such rates or change in service terms. ICCTA requires the Board to promulgate regulations to administer these new obligations by June 29, 1996.

Timetable:

Action	Date	FR Cite
NPRM	03/08/96	61 FR 9413
NPRM Comment Period End	04/08/96	
Comments Under Review	04/00/96	
Final Action	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Beryl Gordon, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th & Constitution Avenue NW., Washington, DC 20423

Phone: 202 927-5610
TDD: 202 927-5721

RIN: 2140-AA09

4551. • CLASS EXEMPTION FOR ACQUISITION OR OPERATION OF RAIL LINES BY CLASS III RAIL CARRIERS UNDER 49 USC 10902, STB EX PARTE NO. 529

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 5 USC 553; 49 USC 721; 49 USC 10502; 49 USC 10902

CFR Citation: 49 CFR 1002.2(f)(36); 49 CFR 1150 subpart (D); 49 CFR 1150 subpart (E)

Legal Deadline: None

Abstract: The ICC Termination Act of 1995 (ICCTA) enacted a new provision, at 49 USC 10902, for Class II and Class III rail carrier acquisitions or operations of rail lines. Pursuant to the request by the Regional Railroads of America and The American Short Line Railroad Association, the Surface Transportation Board is proposing to institute a new class exemption procedure to apply to transactions in which Class III rail carriers seek to acquire additional rail properties.

Timetable:

Action	Date	FR Cite
NPRM	03/22/96	61 FR 11802
NPRM Comment Period End	04/22/96	
Comments Under Review	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

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Proposed Rule Stage

Agency Contact: Joseph H. Dettmar, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th and Constitution Avenue NW., Washington, DC 20423
 Phone: 202 927-7312
 TDD: 202 927-5721
RIN: 2140-AA10

duplication, or streamline requirements.

Legal Authority: 5 USC 553; 5 USC 559; 11 USC 704; 16 USC 470f; 16 USC 1247(d); 16 USC 1248; 16 USC 1451; 16 USC 701; 49 USC 721; 49 USC 10502; 49 USC 10903; 49 USC 10904; 49 USC 10905; 49 USC 11161

CFR Citation: 49 CFR 1105; 49 CFR 1152

Legal Deadline: None

Abstract: The Board is proposing to revise regulations for processing applications and exemption requests by rail carriers seeking to abandon or discontinue rail service, and to make related revisions to procedures for implementation to environmental laws.

Timetable:

Action	Date	FR Cite
NPRM	03/19/96	
NPRM Comment Period End	05/06/96	
Comments Under Review	05/07/96	
Final Action	09/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Joseph H. Dettmar, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th and Constitution Avenue NW., Washington, DC 20423
 Phone: 202 927-5660
 TDD: 202 927-5721

RIN: 2140-AA17

4552. • ABANDONMENT AND DISCONTINUANCE OF RAIL LINES AND RAIL TRANSPORTATION UNDER 49 USC 10903, STB EX PARTE NO. 537

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

SURFACE TRANSPORTATION BOARD (STB)

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4553. EXEMPTION OF DEMURRAGE FROM REGULATION, EX PARTE NO. 462

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 10505; 49 USC 10750; 49 USC 11121 to 11122; 5 USC 553

CFR Citation: 49 CFR 1033

Legal Deadline: None

Abstract: The Board is considering whether to exempt rail carriers' demurrage from all regulation except for jurisdiction over the first 24 hours for loading and the first 48 hours for unloading.

Timetable:

Action	Date	FR Cite
ANPRM	12/18/85	50 FR 51565
ANPRM Comment Period End	01/17/86	
NPRM	04/22/92	57 FR 14689
Extension of Public Comment Period to 07/21/92	05/13/92	57 FR 20442
NPRM Comment Period End	05/22/92	57 FR 14689
Extension of Public Comment Period to 09/21/92	07/27/92	57 FR 33166
Next Action	Undetermined	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Statutory references to title 49 of the United States Code are prior to their

amendment by the ICC Termination Act of 1995, Pub. L. 104-88, 109 Stat. 803, which became effective on January 1, 1996.

Agency Contact: Joseph H. Dettmar, Deputy Director, Office of Proceedings, Surface Transportation Board, Room 2144, 12th & Constitution Avenue NW., Washington, DC 20423
 Phone: 202 927-5660

RIN: 2140-AA00

4554. RATE GUIDELINES—NONCOAL PROCEEDINGS, EX PARTE NO. 347 (SUB-NO. 2)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 10501; 49 USC 10701; 49 USC 10704; 49 USC 11701; 5 USC 553; 49 USC 721; 49 USC 701

CFR Citation: None

Legal Deadline: Final, Statutory, January 1, 1997.

Abstract: The Board proposes to adopt maximum rate reasonableness guidelines for captive noncoal commodities. Comments on alternative guidelines for small shippers including small coal shippers are under review.

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy Statement	05/22/86	51 FR 18811

Action	Date	FR Cite
Notice of Intent To Participate Due	06/02/86	
Comments Due	07/21/86	
NPRM	12/01/95	60 FR 62256
NPRM Comment Period End	03/19/96	
Comments Under Review	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Ellen D. Hanson, Deputy General Counsel, Surface Transportation Board, 12th & Constitution Avenue NW., Washington, DC 20423
 Phone: 202 927-7312

RIN: 2140-AA01

4555. CLASS EXEMPTION FOR THE CONSTRUCTION OF CONNECTING TRACKS UNDER 49 USC 10901, EX PARTE NO. 392 (SUB-NO. 2)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 553; 49 USC 10321; 49 USC 10901; 49 USC 10505

CFR Citation: 49 CFR 1150

Legal Deadline: None

Abstract: The Board is considering whether to exempt, from the prior approval requirements of 49 USC 10901, the construction of rail-connecting tracks, except those

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construction projects that would result in a major market extension as defined at 49 CFR 1180.3(c).

Timetable:

Action	Date	FR Cite
NPRM	07/24/86	51 FR 26563
NPRM Comment Period End	08/25/86	
NPRM	09/16/92	57 FR 42733
NPRM Comment Period End	10/16/92	
Internal Review of Comments	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Statutory references to title 49 of the United States Code are prior to their amendment by the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which became effective on January 1, 1996.

Agency Contact: Joseph H. Dettmar, Deputy Director, Office of Proceedings, Surface Transportation Board, Room 2144, 12th & Constitution Avenue NW., Washington, DC 20423
Phone: 202 927-5660

RIN: 2140-AA02

4556. RAILROAD CONSOLIDATION PROCEDURES: CLASS EXEMPTION FOR TRANSACTIONS SUBJECT TO THE STATUTORY CONSOLIDATION PROVISION, EX PARTE NO. 282 (SUB-NO. 15)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 10321; 49 USC 10505; 49 USC 11341; 49 USC 11343 to 11346; 11 USC 1172; 45 USC 904; 45 USC 915; 5 USC 553; 5 USC 559

CFR Citation: 49 CFR 1180

Legal Deadline: None

Abstract: The Board is considering whether to expand the "nonconnecting carrier" class exemption to embrace all transactions subject to the statutory consolidation provision, except (1) transactions involving the merger or control of at least two class I railroads; (2) transactions involving a reduction in the number of noncommonly controlled railroads serving any two points; (3) transactions involving a reduction from three to two in the number of noncommonly controlled railroads serving any interchange points.

Timetable:

Action	Date	FR Cite
NPRM	07/14/92	57 FR 31165
NPRM Comment Period End	08/30/92	
Internal Review of Comments	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Statutory references to title 49 of the United States Code are prior to their amendment by the ICC Termination Act of 1995, Pub. L. 104-88, 109 Stat. 803, which became effective on January 1, 1996.

Agency Contact: Joseph H. Dettmar, Deputy Director, Office of Proceedings, Surface Transportation Board, Room 2144, 12th & Constitution Avenue NW., Washington, DC 20423
Phone: 202 927-5660

RIN: 2140-AA03

4557. RAIL GENERAL EXEMPTION AUTHORITY—EXEMPTION OF PAINTS, ENAMELS, LACQUERS, SHELLACS, ETC., EX PARTE NO. 346 (SUB-NO. 33)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 10321; 49 USC 10505; 49 USC 10708; 49 USC 10762; 49 USC 11105; 5 USC 553

CFR Citation: 49 CFR 1039

Legal Deadline: None

Abstract: The Board is investigating whether to exempt from regulation the rail transportation of paints, enamels, lacquers, shellacs, and other commodities included within Standard Transportation Commodity Code (STCC) No. 285.

Timetable:

Action	Date	FR Cite
NPRM	10/21/93	58 FR 54318
NPRM Comment Period End	11/22/93	
Internal Review of Comments	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Statutory references to title 49 of the United States Code are prior to their amendment by the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which became effective on January 1, 1996.

Agency Contact: Joseph H. Dettmar, Deputy Director, Office of Proceedings, Surface Transportation Board, Room 2144, 12th & Constitution Avenue NW., Washington, DC 20423
Phone: 202 927-5660

RIN: 2140-AA05

4558. RAIL GENERAL EXEMPTION AUTHORITY—EXEMPTION OF NON-FERROUS RECYCLABLES AND RAILROAD RATES ON RECYCLABLE COMMODITIES, EX PARTE NO. 346 (SUB-NO. 36)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 10321; 49 USC 10505; 49 USC 10731; 49 USC 10707a; 5 USC 553

CFR Citation: 49 CFR 1039; 49 CFR 1145

Legal Deadline: None

Abstract: The Board is considering whether to exempt from regulation the rail transportation of non-ferrous recyclables subject to exemptions.

Timetable:

Action	Date	FR Cite
NPRM	08/24/94	59 FR 43529
Comment Period Extended to 10/24/94	09/15/94	59 FR 47292
NPRM Comment Period End	09/23/94	59 FR 43529
Comment Period Extended to 11/07/94	10/26/94	59 FR 53775
Internal Review of Comments	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Statutory references to title 49 of the United States Code are prior to their amendment by the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which became effective on January 1, 1996.

Agency Contact: Beryl Gordon, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th & Constitution Avenue NW., Washington, DC 20423
Phone: 202 927-5610

RIN: 2140-AA06

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4559. PETITION FOR RULEMAKING—INVOICELESS BILLING TRANSACTIONS, EX PARTE NO. 55 (SUB-NO. 95)**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 10321; 49 USC 11144; 5 USC 553**CFR Citation:** 49 CFR 1051; 49 CFR 1220**Legal Deadline:** None**Abstract:** The Board is examining whether restrictions against invoiceless bills between shippers and carriers should be removed or modified. In this context, invoiceless billing means a system in which payments are made with no paper or electronic freight bill being issued by the carrier.**Timetable:**

Action	Date	FR Cite
ANPRM	08/09/95	60 FR 40548
ANPRM Comment Period End	10/10/95	
Comments Under Review	00/00/00	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** Statutory references to title 49 of the United States Code are prior to their amendment by the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which became effective on January 1, 1996.**Agency Contact:** Beryl Gordon, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th and Constitution Avenue NW., Washington, DC 20423

Phone: 202 927-5610

TDD: 202 927-5721

Fax: 202 927-6419

RIN: 2140-AA07

SURFACE TRANSPORTATION BOARD (STB)

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4560. REVISION OF TARIFF REGULATIONS—INDEXES, EX PARTE NO. MC-211**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 10761(a); 49 USC 10762; 49 USC 10321; 5 USC 553**CFR Citation:** 49 CFR 1312**Legal Deadline:** None**Abstract:** The proceeding involved a proposed rule to require tariffs to contain indexes, unless the information in the tariff is arranged in a pattern readily discernible to tariff users. After the Trucking Industry Regulatory Reform Act of 1994, most motor carriers were no longer required to file such tariffs. Because the tariffs that precipitated the proposal for indexing are no longer filed, the Board terminated the proceeding.**Timetable:**

Action	Date	FR Cite
ANPRM	01/05/93	58 FR 3529
ANPRM Comment Period End	03/08/93	
NPRM	08/05/93	58 FR 42277
NPRM Comment Period End	09/08/93	
Withdrawn	03/08/96	61 FR 9419

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** Statutory references to title 49 of the United States Code are prior to their amendment by the ICC Termination Act of 1995, Pub. L. 104-88, 109 Stat. 803,

which became effective on January 1, 1996.

Agency Contact: Michael L. Martin, Office of General Counsel, Surface Transportation Board, 12th & Constitution Avenue NW., Washington, DC 20423

Phone: 202 927-5160

RIN: 2140-AA04**4561. • REMOVAL OF OBSOLETE TARIFF REGULATIONS, STB EX PARTE NO. 530****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** PL 104-88, sec 204**CFR Citation:** 49 CFR 1134**Legal Deadline:** Final, Statutory. Pursuant to PL 104-88, section 204, the Board shall promptly rescind all regulations based on provisions of law repealed and not substantively reenacted. Final, Statutory.**Abstract:** The Surface Transportation Board is removing obsolete rail tariff regulations from the Code of Federal Regulations.**Timetable:**

Action	Date	FR Cite
Final Action Effective	01/01/96	
Final Action	02/28/96	61 FR 7428

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Beryl Gordon, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th and Constitution Avenue NW., Washington, DC 20423

Phone: 202 927-5610

TDD: 202 927-5721

RIN: 2140-AA11**4562. • REMOVAL OF OBSOLETE RECYCLABLES REGULATIONS, STB EX PARTE NO. 531****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** PL 104-88, sec 204**CFR Citation:** 49 CFR 1039; 49 CFR 1134; 49 CFR 1135; 49 CFR 1145**Legal Deadline:** Final, Statutory. Pursuant to PL 104-88, section 204, the Board shall promptly rescind all regulations based on provisions of law repealed and not substantively reenacted. Final, Statutory.**Abstract:** The Surface Transportation Board is removing obsolete recyclable commodities regulations from the Code of Federal Regulations.**Timetable:**

Action	Date	FR Cite
Final Action Effective	01/01/96	
Final Action	02/28/96	61 FR 7426

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Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Beryl Gordon, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th and Constitution Avenue NW., Washington, DC 20423

Phone: 202 297-5610

TDD: 202 297-5721

RIN: 2140-AA12

4563. • EX PARTE NO. 55 (SUB-NO. 96), PASSENGER OPERATIONS BY MEXICAN MOTOR CARRIERS—IMPLEMENTATION OF NORTH AMERICAN FREE TRADE AGREEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 10922; 49 USC 10923; 49 USC 10927

CFR Citation: 49 CFR 1043.1; 49 CFR 1160.1(h); 49 CFR 1160.3(a); 49 CFR 1160.4; 49 CFR 1160.5(a)(6)

Legal Deadline: Final, Statutory, December 18, 1995.

Abstract: The Interstate Commerce Commission amended its regulations relating to motor carrier operating authority and insurance, in order to implement the second phase of the North American Free Trade Agreement (NAFTA) relating to land transportation. The amendments established procedures under which Mexican motor carriers could apply for operating authority to provide service across the United States-Mexican international boundary line to and from points in California, Arizona, New Mexico, and Texas. They also established procedures under which persons of Mexico who establish enterprises in the United States to distribute international cargo in this country could apply for operating authority.

Timetable:

Action	Date	FR Cite
Final Action	12/13/95	60 FR 63981

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, abolished the Interstate Commerce Commission and transferred the functions that were the subject of this rulemaking proceeding to the Federal Highway Administration.

Statutory references to title 49 of the United States Code are prior to their amendment by the ICC Termination Act.

Agency Contact: Stanley M. Braverman, Attorney, Department of Transportation, Federal Highway Administration, 12th and Constitution Avenue NW., Washington, DC 20423
Phone: 202 927-5519

RIN: 2140-AA13

4564. • REMOVAL OF OBSOLETE REGULATIONS FOR REASONABLY EXPECTED COSTS AND JOINT RATES SUBJECT TO SURCHARGE OR CANCELLATION, STB EX PARTE NO. 532

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: PL 104-88, sec 204; 49 USC 10705a(p)

CFR Citation: 49 CFR 1039; 49 CFR 1138; 49 CFR 1140

Legal Deadline: Final, Statutory. For 1138 and 1140, final action. Pursuant to PL 104-88, section 204, the Board shall promptly rescind all regulations based on provisions of law repealed and not substantively reenacted.

Final, Statutory, For 1039, 18, removal was required by 10705a(p).

Abstract: The Surface Transportation Board is removing obsolete reasonably expected costs and joint rate surcharges and cancellation regulations from the Code of Federal Regulations. For 103.18, removal was required by 10705a(p).

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/96	
Final Action	02/28/96	61 FR 7427

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Beryl Gordon, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th and Constitution Avenue NW., Washington, DC 20423

Phone: 202 927-5610

TDD: 202 927-5721

RIN: 2140-AA14

4565. • REMOVAL OF OBSOLETE PASSENGER TRAIN OR FERRY DISCONTINUANCE REGULATIONS, STB EX PARTE NO. 534

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: PL 104-88, sec 204

CFR Citation: 49 CFR 1153

Legal Deadline: Final, Statutory. Pursuant to PL 104-88, section 204, the Board shall promptly rescind all regulations based on provisions of law repealed and not substantively reenacted.

Final, Statutory.

Abstract: The Surface Transportation Board is removing obsolete regulations concerning passenger train and ferry discontinuances.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/96	
Final Action	02/28/96	61 FR 7427

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Beryl Gordon, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th and Constitution Avenue NW., Washington, DC 20423

Phone: 202 927-5610

TDD: 202 927-5721

RIN: 2140-AA15

4566. • REMOVAL OF OBSOLETE SECURITIES REGULATIONS, STB EX PARTE NO. 535

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: PL 104-88, sec 204

CFR Citation: 49 CFR 1175

Legal Deadline: Final, Statutory. Pursuant to PL 104-88, section 204, the Board shall promptly rescind all regulations based on provisions of law repealed and not substantively reenacted.

Final, Statutory.

Abstract: The Surface Transportation Board is removing obsolete securities

STB**Completed Actions**

regulations from the Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/96	
Final Action	02/28/96	61 FR 7428

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Beryl Gordon, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th and Constitution Avenue NW., Washington, DC 20423

Phone: 202 927-5610

TDD: 202 927-5721

RIN: 2140-AA16

4567. • REMOVAL OF OBSOLETE VALUATION REGULATIONS, STB EX PARTE NO. 539

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 104-88 sec 204

CFR Citation: 49 CFR 1201; 49 CFR 1262

Legal Deadline: Final, Statutory. Pursuant to PL 104-88, section 204, the Board shall promptly rescind all regulations based on provisions of law repealed and not substantively reenacted.

Abstract: The Surface Transportation Board is removing obsolete regulations

concerning rail valuation from the Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/96	
Final Action	03/07/96	61 FR 9112

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Beryl Gordon, Deputy Director, Office of Proceedings, Surface Transportation Board, 12th and Constitution Avenue NW., Washington, DC 20423

Phone: 202 927-5610

TDD: 202 927-5721

RIN: 2140-AA20

[FR Doc. 96-6958 Filed 05-10-96; 8:45 am]

BILLING CODE 4915-00-F