Issued on: March 22, 1996.

Barry Felrice,

Associate Administrator, for Safety Performance Standards

[FR Doc. 96–7425 Filed 3–26–96; 8:45 am]

BILLING CODE 4910–59–P

Surface Transportation Board

Availability of Environmental Assessments

Pursuant to 42 U.S.C. 4332, the Surface Transportation Board has prepared and made available environmental assessments for the proceedings listed below. Dates environmental assessments are available are listed below for each individual proceeding.

To obtain copies of these environmental assessments contact Ms. Victoria Rutson or Ms. Judith Groves, Surface Transportation Board, Section of Environmental Analysis, Room 3219, Washington, DC 20423, (202) 927–6211 or (202) 927–6246. Comments on the following assessment are due 15 days after the date of availability:

AB No. 459 (Sub-No. 1X), Central Railroad Company of Indiana, Abandonment Exemption in Dearborn County, Indiana. EA available 3/15/96.

AB No. 406 (Sub-No. 5X), Central Kansas Railway, Limited Liability Company—Abandonment Exemption—in Clark and Comanche Counties, Kansas. EA available 3/15/96.

AB No. 406 (Sub-No. 6X), Central Kansas Railway, Limited Liability Company—Abandonment Exemption—in Marion and McPherson Counties, Kansas. EA available 3/15/96.

Vernon A. Williams,

Secretary.

[FR Doc. 96–7417 Filed 3–26–96; 8:45 am]

BILLING CODE 4915–00–P

Release of Waybill Data

The Commission has received a request from McKinsey & Company for permission to use certain data from the Board's 1994 Carload Waybill Sample. A copy of the request (WB495—3/15/96) may be obtained from the Office of Economic and Environmental Analysis.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to this request, they should file their objections with the Director of the Board's Office of Economic and Environmental Analysis within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.8.

Contact: James A. Nash, (202) 927–6196.

Vernon A. Williams,

Secretary.

[FR Doc. 96–7416 Filed 3–26–96; 8:45 am]

BILLING CODE 4915–00–P

[Finance Docket No. 32825] [1]

Dakota, Missouri Valley and Western Railroad, Inc.—Lease and Operation Exemption—Soo Line Railroad Company

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: The Board exempts from the prior approval requirements of 49 U.S.C. 11343–45 the lease and operation by Dakota, Missouri Valley and Western Railroad, Inc., of approximately 48.68 miles of rail line owned by the Soo Line Railroad Company between milepost 516.02 at Washburn, ND, and milepost 467.61 and milepost 467.06 on the legs of the wye at Max, ND. The exemption is subject to standard employee protective conditions.

DATES: This exemption is effective on April 16, 1996. Petitions to stay must be filed April 8, 1996. Petitions to reopen must be filed by April 11, 1996.

ADDRESSES: Send pleadings referring to Finance Docket No. 32825 to: (1) Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Petitioner's representative: Thomas J. Litwiler, Oppenheimer, Wolff & Donnelly, 1020 Nineteenth Street, N.W. Suite 400, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 927–5610. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News and Data, Inc., Room 2229, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD service (202) 927–5721].

Decided: March 20, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–7418 Filed 3–26–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of the legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute.

[STB Finance Docket No. 32870] [1,2]

David L. Durbano—Continuance in Control Exemption—Cimarron Valley Railroad, L.C.

David L. Durbano (Applicant), a noncarrier, has filed a verified notice under 49 CFR 1180.2(d)(2) to continue in control of Cimarron Valley Railroad, L.C. (CVR), upon CVR's becoming a Class III rail carrier. Consummation was expected to occur on or shortly after February 23, 1996.

CVR, a noncarrier, has concurrently filed a verified notice of exemption under 49 CFR 1150.31 in *Cimarron Valley Railroad, L.C.—Exemption to Acquire and Operate—Cimarron Valley and Manter Branches of The Atchison, Topeka and Santa Fe Railway Company,* STB Finance Docket No. 32869, in which CVR seeks to acquire and operate 151.04 miles of the Cimarron Valley Branch rail line and 103.83 miles of the Manter Branch rail line both of which are owned by The Atchison, Topeka and Santa Fe Railroad Company. CVR's acquisition of the rail lines was expected to have been

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323.

[2] A notice in this proceeding was previously served by the Board and published in the Federal Register on March 4, 1996. A corrected notice is being issued because the earlier notice imposed labor protective conditions that the Board may no longer impose under the Act for transactions such as this one that are the subject of notices of exemption filed after the January 1, 1996 effective date of the Act.

consummated on or shortly after February 23, 1996.

Applicant controls four other Class III rail carriers: Wyoming and Colorado Railroad Company, Inc. (WYCO); Oregon Eastern Railroad Company, Inc. (OER); Arizona Central Railroad, Inc. (AZCR); and Southwestern Railroad Company, Inc. (SWR).

The transaction is exempt from the prior approval requirements of 49 U.S.C. 11323 [formerly section 11343] because Applicant states that: (1) CVR, WYCO, OER, AZCR, and SWR will not connect with each other; (2) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other; and (3) the transaction does not involve a Class I carrier.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the verified notice contains false or misleading information, the exemption is void *ab initio.* Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) [formerly section 10505(d)] may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction. An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32870, must be filed with the Office of the Secretary, Surface Transportation Board, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Walter T. Merrill, Durbano & Associates, 3340 Harrison Boulevard, Suite 200, Ogden, UT 84403.

Decided: February 27, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96–7422 Filed 3–26–96; 8:45 am]

BILLING CODE 4915–00–P

[STB Finance Docket No. 32863] [1,2]

Genesee & Wyoming, Inc.—Continuance in Control Exemption—Illinois & Midland Railroad, Inc.

Genesee & Wyoming, Inc. (GWI), a noncarrier, has filed a verified notice under 49 CFR 1180.2(d)(2) to continue in control of Illinois & Midland Railroad, Inc. (IMR), upon IMR's becoming a Class III rail carrier. IMR, a noncarrier, has concurrently filed a notice of exemption in *Illinois & Midland Railroad, Inc.—Acquisition and Operation Exemption—Chicago & Illinois Midland Railway Company,* STB Finance Docket No. 32862, in which IMR seeks to acquire and operate 98 miles of rail lines of Chicago & Illinois Midland Railway Company (CIMR), in the State of Illinois. IMR also seeks to acquire the interest of CIMR in 25.4 miles of overhead trackage rights in the State of Illinois. The transaction was to have been consummated on or about February 8, 1996.

GWI also controls through stock ownership 9 other nonconnecting Class III rail carriers: Genesee & Wyoming Railroad Company; Dansville and Mount Morris Railroad Company; Rochester & Southern Railroad, Inc.; Louisiana & Delta Railroad, Inc.; Buffalo & Pittsburgh Railroad, Inc.; Bradford Industrial Rail, Inc.; Allegheny & Eastern Railroad, Inc.; Willamette & Pacific Railroad, Inc.; and GWI Switching Services.[3]

The transaction is exempt from the prior approval requirements of 49 U.S.C. 11323 [formerly section 11343] because: (1) the railroads will not connect with each other or with any railroad in their corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or with any railroad in their corporate family; and (3) the transaction does not involve a Class I carrier.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the verified notice contains false or misleading information, the exemption is void *ab initio.* Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) [formerly section 10505(d)] may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction. An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32863, must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Ave., N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Eric M. Hocky, Esq., Gollatz, Griffin & Ewing, P.O. Box 796, 213 West Miner St., West Chester, PA 19381–0796.

Decided: February 22, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96–7421 Filed 3–26–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323.

[2] A notice in this proceeding was previously served by the Board and published in the Federal Register on March 1, 1996. A corrected notice is being issued because the earlier notice imposed labor protective conditions that the Board may no longer impose under the Act for transactions such as this one that are the subject of notices of exemption filed after the January 1, 1996 effective date of the Act.

[3] Also, GWI has in *Genesee & Wyoming Industries, Inc.—Continuance in Control Exemption—Portland & Western Railroad,* Finance Docket No. 32759, a pending petition for exemption to continue in control of a connecting Class III railroad.

[STB Finance Docket No. 32876 (Sub-No. 1)] [1]

Notre Capital Ventures II, LLC, and Coach USA, Inc.—Control Exemption—Arrow Stage Lines, Inc.; Cape Transit Corp.; Community Coach, Inc.; Community Transit Lines, Inc.; Grosvenor Bus Lines, Inc.; H.A.M.L. Corp.; Leisure Time Tours; Suburban Management Corp.; Suburban Trails, Inc.; and Suburban Transit Corp.

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice of Filing of Petition for Exemption.

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to an exemption of a motor passenger carrier acquisition of control transaction that is subject to Board jurisdiction under 49 U.S.C. 13541 and 14303.