

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Index of Administrator's Decisions and Orders in Civil Penalty Actions; Publication

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of publication.

SUMMARY: This notice constitutes the required quarterly publication of an index of the Administrator's decisions and orders in civil penalty cases. The FAA is publishing an index by order number, an index by subject matter, and case digests that contain identifying information about the final decisions and orders issued by the Administrator. Publication of these indexes and digests is intended to increase the public's awareness of the Administrator's decisions and orders. Also, the publication of these indexes and digests should assist litigants and practitioners in their research and review of decisions and orders that may have precedential value in a particular civil penalty action. Publication of the index by order number, as supplemented by the index by subject matter, ensures that the agency is in compliance with statutory indexing requirements.

FOR FURTHER INFORMATION CONTACT: James S. Dillman, Assistant Chief Counsel for Litigation (AGC-400), Federal Aviation Administration, 400 7th Street, SW., Suite PL200-A, Washington, DC 20590; telephone (202) 366-4118.

SUPPLEMENTARY INFORMATION: The Administrative Procedure Act requires Federal agencies to maintain and make available for public inspection and copying current indexes containing identifying information regarding materials required to be made available or published. 5 U.S.C. 552(a)(2). In a notice issued on July 11, 1990, and published in the Federal Register (55 FR 29148; July 17, 1990), the FAA announced the public availability of several indexes and summaries that provide identifying information about the decisions and orders issued by the Administrator under the FAA's civil penalty assessment authority and the rules of practice governing hearings and appeals of civil penalty actions. 14 CFR Part 13, Subpart G.

The FAA maintains an index of the Administrator's decisions and orders in civil penalty actions organized by order number and containing identifying information about each decision or order. The FAA also maintains a

subject-matter index, and digests organized by order number.

In a notice issued on October 26, 1990, the FAA published these indexes and digests for all decisions and orders issued by the Administrator through September 30, 1990. 55 FR 45984; October 31, 1990. The FAA announced in that notice that it would publish supplements to these indexes and digests on a quarterly basis (*i.e.*, in January, April, July, and October of each year). The FAA announced further in that notice that only the subject-matter index would be published cumulatively, and that both the order number index and the digests would be non-cumulative. Since that first index was issued on October 26, 1990, the FAA has issued supplementary notices containing the quarterly indexes of the Administrator's civil penalty decisions.

The indexes of the Administrator's decisions and orders have been published as follows:

Dates of quarter	FEDERAL REGISTER publication
11/1/89-9/30/90	55 FR 45984; 10/31/90
10/1/90-12/31/90	56 FR 44886; 2/6/91
1/1/91-3/31/91	56 FR 20250; 5/2/91
4/1/91-6/30/91	56 FR 31984; 7/12/91
7/1/91-9/30/91	56 FR 51735; 10/15/91
10/1/91-12/31/91	57 FR 2299; 1/21/92
1/1/92-3/31/92	57 FR 12359; 4/9/92
4/1/92-6/30/92	57 FR 32825; 7/23/92
7/1/92-9/30/92	57 FR 48255; 10/22/92
10/1/92-12/31/92	58 FR 5044; 1/19/93
1/1/93-3/31/93	58 FR 21199; 4/19/93
4/1/93-6/30/93	58 FR 42120; 8/6/93
7/1/93-9/30/93	58 FR 58218; 10/29/93
10/1/93-12/31/93	59 FR 5466; 2/4/94
1/1/94-3/31/94	59 FR 22196; 4/29/94
4/1/94-6/30/94	59 FR 39618; 8/3/94
7/1/94-12/31/94	60 FR 4454; 1/23/95
1/1/95-3/31/95	60 FR 19318; 4/17/95
4/1/95-6/30/95	60 FR 36854; 7/18/95
7/1/95-9/30/95	60 FR 53228; 10/12/95
10/1/95-12/31/95	61 FR 1972; 1/24/96
1/1/96-3/31/96	61 FR 16955; 4/18/96
4/1/96-6/30/96	61 FR 37526; 7/18/96
7/1/96-9/30/96	61 FR 54833; 10/22/96

In the notice published on January 19, 1993, the Administrator announced that for the convenience of the users of these indexes, the order number index published at the end of the year would reflect all of the civil penalty decisions for that year. 58 FR 5044; 1/19/93. The order number indexes for the first, second, and third quarters would be non-cumulative.

The Administrator's final decisions and orders, indexes, and digests are

available for public inspection and copying at all FAA legal offices. (The addresses of the FAA legal offices are listed at the end of this notice.)

Also, the Administrator's decisions and orders have been published by commercial publishers and are available on computer databases. (Information about these commercial publications and computer databases is provided at the end of this notice.)

Civil Penalty Actions—Orders Issued by the Administrator, Order Number Index

(This index includes all decisions and orders issued by the Administrator from January 1, 1996, to December 31, 1996.)

- 96-1—[Airport Operator]
- 1/4/96—CP94**0089
- 96-2—Skydiving Center of D.C.
- 1/5/96—CP94EA0261
- 96-3—America West Airlines
- 2/13/96—CP93WP0172, CP93WP0173, CP93WP0174
- 96-4—South Aero
- 2/13/96—CP94SW0023
- 96-5—Alphin Aircraft, Inc.
- 2/13/96—CP93EA0334
- 96-6—Evgeniy V. Ignatov
- 2/13/96—CP94GL0076
- 96-7—Delta Air Lines, Inc.
- 2/15/96—CP94SO0003
- 96-8—Empire Airlines, Inc.
- 2/29/96—CP95NM0034
- 96-9—[Airport Operator]
- 3/5/96—CP94**0089
- 96-10—USAir, Inc.
- 3/11/96—CP95EA0100
- 96-11—USAir, Inc.
- 3/19/96—CP94GL0190
- 96-12—USAir, Inc.
- 3/19/96—CP94EA0126
- 96-13—Kennelm H. Winslow
- 4/19/96—CP94SO0153
- 96-14—Midtown Neon Sign Corp.
- 4/19/96—CP94EA0057
- 96-15—Valley Air Services, Inc.
- 5/3/96—CP94NE0095/94EAJANE0017
- 96-16—WestAir Commuter Airlines, Inc.
- 5/3/96—CP94WP0019
- 96-17—Ramon C. Fenner
- 5/3/96—CP93SO0414
- 96-18—Thomas Kilrain
- 5/3/96—CP94NE0268
- 96-19—[Air Carrier]
- 6/4/96—CP94**0140
- 96-20—Donald M. Missilrian
- 7/31/96—CP95WP0282
- 96-21—Matthew Houseal
- 8/2/96—CP95EA0302
- 96-22—Mary Woodhouse
- 8/13/96—CP94WP0184, 94EAJAWP0017
- 96-23—Thomas Kilrain
- 8/13/96—CP94NE0268
- 96-24—Horizon Air Industries
- 8/13/96—CP94NM0228

96-25—USAir, Inc.
8/13/96—CP94EA0045
96-26—Midtown Neon Sign Corp.
8/13/96—CP94EA0057

**Civil Penalty Actions—Orders Issued
by the Administrator Subject Matter
Index**

(Current as of December 31, 1996)

Note: No new decisions were issued during the fourth quarter of 1996. Therefore, the subject matter index published at 61 FR 54833, 54834, on October 22, 1996, remains current, and should be referred to for information about the Administrator's decisions and orders.

**Civil Penalty Actions—Orders Issued
by the Administrator Digests**

Note: No new decisions and orders were issued during the fourth quarter of 1996. Therefore, there are no case digests to report for this period.

**Commercial Reporting Services of the
Administrator's Civil Penalty Decisions
and Orders**

1. *Commercial Publications:* The Administrator's decisions and orders in civil penalty cases are now available in the following commercial publications:

Civil Penalty Cases Digest Service, published by Hawkins Publishing Company, Inc., P.O. Box 480, Mayo, MD, 21106, (410) 798-1677;
Federal Aviation Decisions, Clark Boardman Callaghan, a subsidiary of West Information Publishing Company, 50 Broad Street East, Rochester, NY 14694, 1-800-221-9428.

2. *CD-ROM.* The Administrator's orders and decisions are available on CD-ROM through Aeroflight Publications, P.O. Box 854, 433 Main Street, Gruver, TX 79040, (806) 733-2483.

3. *On-Line Services.* The Administrator's decisions and orders in civil penalty cases are available on CompuServe, FedWorld, and Westlaw. The Database ID for Westlaw is FTRAN-FAA.

The FAA has stated previously that publication of the subject-matter index and the digests may be discontinued once a commercial reporting service publishes similar information in a timely and accurate manner. No decision has been made yet on this matter, and for the time being, the FAA will continue to prepare and publish the subject-matter index and digests.

FAA Offices

The Administrator's decisions and orders, indexes, and digests are available for public inspection and copying at the following location in

FAA headquarters: FAA Hearing Docket, Federal Aviation Administration, 800 Independence Avenue, SW., Room 924A, Washington, DC 20591; (202) 267-3641.

These materials are also available at all FAA regional and center legal offices at the following locations:

Office of the Assistant Chief Counsel for the Aeronautical Center (AMC-7), Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73125; (405) 954-3296.

Office of the Assistant Chief Counsel for the Alaskan Region (AAL-7), Alaskan Region Headquarters, 222 West 7th Avenue, Anchorage, AL 99513; (907) 271-5269.

Office of the Assistant Chief Counsel for the Central Region (ACE-7), Central Region Headquarters, 601 East 12th Street, Federal Building, Kansas City, MO 64106; (816) 426-5446.

Office of the Assistant Chief Counsel for the Eastern Region (AEA-7), Eastern Region Headquarters, JFK International Airport, Federal Building, Jamaica, NY 11430; (718) 553-3285.

Office of the Assistant Chief Counsel for the Great Lakes Region (AGL-7), 2300 East Devon Avenue, Suite 419, Des Plaines, IL 60018; (708) 294-7108.

Office of the Assistant Chief Counsel for the New England Region (ANE-7), New England Region Headquarters, 12 New England Executive Park, Room 401, Burlington, MA 01803-5299; (617) 238-7050.

Office of the Assistant Chief Counsel for the Northwest Mountain Region (ANM-7), Northwest Mountain Region Headquarters, 1601 Lind Avenue, SW, Renton, WA 98055-4056; (206) 227-2007.

Office of the Assistant Chief Counsel for the Southern Region (ASO-7), Southern Region Headquarters, 1701 Columbia Avenue, College Park, GA 30337; (404) 305-5200.

Office of the Assistant Chief Counsel for the Southwest Region (ASW-7), Southwest Region Headquarters, 2601 Meacham Blvd, Fort Worth, TX 76137-4298; (817) 222-5087.

Office of the Assistant Chief Counsel for the Technical Center (ACT-7), Federal Aviation Administration Technical Center, Atlantic City International Airport, Atlantic City, NJ 08405; (609) 485-7087.

Office of the Assistant Chief Counsel for the Western-Pacific Region (AWP-7), Western-Pacific Region Headquarters, 15000 Aviation Boulevard, Lawndale, CA 90261; (310) 725-7100.

Issued in Washington, DC on January 9, 1997.

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Assistant Chief Counsel for Litigation.

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Surface Transportation Board

[Finance Docket No. 32760]

**Union Pacific Railroad Company—
Control and Merger—Southern Pacific
Transportation Company: Reno
Mitigation Study**

AGENCY: Surface Transportation Board.

ACTION: Public information meeting.

SUMMARY: The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) will hold a public meeting concerning its Reno Mitigation Study. In its decision of August 12, 1996, the Board directed SEA to conduct this study in order to develop further mitigation to address the merger-related environmental impacts of increased railroad traffic on the existing Union Pacific (formerly Southern Pacific) right-of-way that runs through Reno, NV. The study will include publication of a draft mitigation plan to submit to the public for review and comment and issuance of a final mitigation plan.

The public information meeting will provide an opportunity for the public to meet members of the study team and to ask questions about and comment on the study process to date. In order to accommodate various Reno citizen scheduling needs, the meeting will be held twice on February 13 at Reno City Hall, Room 211, 490 S. Center St., Reno, NV. An informal open house will be held from 1:30 P.M. to 2:30 P.M. and then again from 6:00 P.M. to 7:00 P.M. during which times the public may review maps and graphics illustrating the study area and the mitigation options under consideration by SEA at this time. The open houses will be followed by public meetings from 2:30 P.M. to 4:30 P.M. and then again from 7:00 P.M. to 9:00 P.M. at which the SEA team will make a brief presentation.

FOR FURTHER INFORMATION CONTACT:

Harold McNulty, Section of Environmental Analysis, Rm. 3219, Surface Transportation Board, 12th & Constitution Ave., Washington, DC 20423; Phone Number (202) 927-6217; TDD for the hearing impaired (202) 927-5721.