

Issued in Washington, DC on April 1, 1998.

**Edward T. Mazzullo,**

*Director, Office of Hazardous Materials Standards.*

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BILLING CODE 4910-60-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33574]

#### The Burlington Northern and Santa Fe Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company

Union Pacific Railroad Company (UP) has agreed to grant limited overhead trackage rights to The Burlington Northern and Santa Fe Railway Company (BNSF) between the following points: (1) Shawnee Junction, WY, in the vicinity of UP's milepost 271.4 (North Platte Subdivision) and Northport, NE, in the vicinity of UP's milepost 117.3 (North Platte Subdivision), a distance of approximately 154 miles (Shawnee Junction segment); (2) Fish Lake, WA, in the vicinity of UP's milepost 354.7 (Spokane Subdivision) and Attalia, WA, in the vicinity of UP's milepost 215.7 (Spokane Subdivision), a distance of approximately 139 miles (Fish Lake segment); and (3)(a) Lewisville, AR, in the vicinity of UP's milepost 390.3 (Pine Bluff Subdivision) and Big Sandy, TX, in the vicinity of UP's milepost 525.0, on the Pine Bluff Subdivision (milepost 112.95 Dallas Subdivision), and (b) Longview, TX, in the vicinity of UP's milepost 89.6, on the Dallas Subdivision (milepost 0.0 Palestine Subdivision) and Dallas, TX, in the vicinity of UP's milepost 214.6 (Dallas Subdivision), a distance of approximately 260 miles (Lewisville/Longview segment).<sup>1</sup>

The transaction is scheduled to be consummated on April 1, 1998, for the Shawnee Junction segment, on July 1, 1998, for the Fish Lake segment, and on June 15, 1998, for the Lewisville/Longview segment.

The purpose of the trackage rights is to allow BNSF to operate over an

alternate line while BNSF's line is undergoing maintenance and repair.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33574, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Yolanda M. Grimes, Esq., The Burlington Northern and Santa Fe Railway Company, P.O. Box 961039, Fort Worth, TX 76161-0039.

Decided: March 30, 1998.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 98-8850 Filed 4-3-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-493 (Sub-No. 7X)]

#### Track Tech, Inc.—Abandonment Exemption—in Adair and Union Counties, IA

On March 17, 1998, Track Tech, Inc. (Track Tech), filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a line of railroad between milepost 1.45 near Creston, IA, and milepost 21.15 at the end of the line in or near Greenfield, IA, which traverses U.S. Postal Service ZIP Codes 50801, 50848, and 50849, a distance of 19.70 miles, in Adair and Union Counties, IA.<sup>1</sup> The line includes the stations of

<sup>1</sup> Petitioner acquired this line from The Burlington Northern and Santa Fe Railway Company (BNSF) in June 1997. *Track Tech, Inc.—Acquisition and Operation—The Burlington Northern and Santa Fe Railway Company*, STB Finance Docket No. 33434 (STB served Sept. 12, 1997). Petitioner also acquired six other lines from BNSF in November 1996 and filed petitions for

Creston, located at milepost 1.45, Orient, located at milepost 12.2, and Greenfield, located at milepost 21.15.

The line does not contain federally granted rights-of-way.<sup>2</sup> Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by July 2, 1998.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by the filing fee, which currently is set at \$1,000. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than April 27, 1998. Each trail use request must be accompanied by a \$150 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-493 (Sub-No. 7X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001; and (2) T. Scott Bannister, 1300 Des Moines Building, 405—Sixth Avenue, Des Moines, IA 50309.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1545. [TDD for the hearing impaired is available at (202) 565-1695.]

exemption to abandon these lines in STB Docket No. AB-493 (Sub-Nos. 1X, 2X, 3X, 4X, 5X, and 6X). The exemptions in Sub-Nos. 1X, 2X, and 5X were granted by decisions served on January 12, 1998. The exemptions in Sub-Nos. 3X, 4X, and 6X were granted by decisions served on February 24, 1998.

<sup>2</sup> Petitioner states that a title search in regard to land ownership is incomplete. Petitioner asserts that, based upon information in its possession, as well as in the possession of BNSF, it does not appear that the line contains any federally granted right-of-way.

<sup>1</sup> On March 24, 1998, BNSF and UP filed a petition for exemption in STB Finance Docket No. 33574 (Sub-No. 1), *The Burlington Northern and Santa Fe Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company*, wherein BNSF and UP request that the Board permit the overhead trackage rights arrangement described in the present proceeding to expire on July 15, 1998, for the Shawnee Junction segment, on September 1, 1998, for the Fish Lake segment, and on July 31, 1998, for the Lewisville/Longview segment. That petition will be addressed by the Board in a separate decision.