

paragraph (a), by removing the word "authorization" from paragraph (a), and by adding paragraph (b) to read as follows:

§ 2920.2–2 Minimum impact permits.

* * * * *

(b) Permit decisions made under paragraph (a) of this section take effect immediately upon execution, and remain in effect during the period of time specified in the decision to issue the permit. Any person whose interest is adversely affected by a decision to grant or deny a permit under paragraph (a) of this section may appeal to the Board of Land Appeals under part 4 of this title. However, decisions and permits issued under paragraph (a) of this section will remain in effect until stayed.

[FR Doc. 96–15994 Filed 6–21–96; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Parts 27 and 28

Transportation for Individuals With Disabilities—Correction of Organizational References

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: The Department of Transportation proposes to amend its rules to reflect a statutory change in the name of the Department's transit agency from the Urban Mass Transportation Administration (UMTA) to the Federal Transit Administration (FTA).

EFFECTIVE DATE: This rule is effective July 24, 1996.

FOR FURTHER INFORMATION CONTACT:

Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 400 7th Street, S.W., Washington, D.C. 20590. (202) 366–9306 (voice); (202) 755–7687 (TDD).

SUPPLEMENTARY INFORMATION: In his Regulatory Reinvention Initiative Memorandum of March 4, 1995, President Clinton directed Federal agencies to conduct a page-by-page review of all their regulations and to "eliminate or revise those that are outdated or otherwise in need of reform." In response to that directive, the Department has undertaken a review of its regulations as contained in 49 CFR Parts 27 and 28. This rule is a result of those efforts. Pursuant to the name change mandated by Title III—Federal Transit Act Amendments of 1991, of the

Intermodal Surface Transportation Efficiency Act of 1991 (P.L. 102–240), the words "Urban Mass Transportation Administration" are changed to the words "Federal Transit Administration" in every instance in which those words appear; and the letters "UMTA" are changed to the letters "FTA" in every instance in which those letters appear.

Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979). Because this rule is editorial in nature, it involves no costs and no economic evaluation has been prepared.

In accordance with the Regulatory Flexibility Act, the Department has evaluated the effects of this action on small entities. Based upon this evaluation, the Department certifies that the amendment will not have a significant economic impact on a substantial number of small entities.

Executive Order 12612 (Federalism)

These amendments have been analyzed in accordance with the principles and criteria contained in Executive Order 12612. The Department has determined that the amendments do not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. The amendments will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

National Environmental Policy Act

The Department has also analyzed the amendments for the purpose of the National Environmental Policy Act. The amendments will not have any significant impact on the quality of the human environment.

Paperwork Reduction Act

There are no reporting or recordkeeping requirements associated with the amendments.

Notice and Opportunity for Public Comment Unnecessary

Under the Administrative Procedure Act (5 U.S.C. section 553), the Department determines that notice and

an opportunity for public comment are unnecessary and contrary to the public interest. The amendments made in this document are ministerial and will have no substantive impact.

List of Subjects

49 CFR Part 27

Administrative practice and procedure, Airports, Civil rights, Highways and roads, Individuals with disabilities, Mass transit, Railroads, Reports and recordkeeping requirements.

49 CFR Part 28

Administrative practice and procedure, Civil rights, Equal employment opportunity, Federal buildings and facilities, Individuals with disabilities, Mass transit, Railroads, Reports and recordkeeping requirements.

PART 27—[AMENDED]

1. The authority citation for Part 27 is revised to read as follows:

Authority: Sec. 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794); secs. 16(a) and 16(d) of the Federal Transit Laws (49 U.S.C. Chapter 5301 *et seq.*); sec. 165(b) of the Federal-aid Highway Act of 1973 (49 U.S.C. 142nt.); the Americans with Disabilities Act of 1990 (42 U.S.C. 12101–12213; and 49 U.S.C. 322).

§ 27.5 Definitions [Amended]

2. In the definition of "Head of Operating Administration" in § 27.5, remove the words "Urban Mass Transportation Administration," and in their place, add the words "Federal Transit Administration".

§ 27.19 Compliance with Americans with Disabilities Act requirements and FTA policy—[Amended]

3. The heading of § 27.19 is revised to read as set forth above.

4. In § 27.19(b), remove the word "UMTA," and add, in its place, the word "FTA"; remove the words "Urban Mass Transportation Administration," and add, in their place, the words "Federal Transit Administration."

PART 28—[AMENDED]

5. The authority citation for Part 28 continues to read as follows:

Authority: 29 U.S.C. 794.

§ 28.103 Definitions [Amended]

6. In § 28.103, paragraph (g) of the definition of "Departmental Element", remove the words "Urban Mass Transportation Administration (UMTA)," and in their place, add the words "Federal Transit Administration (FTA)."

Issued on Washington, DC, on May 31, 1996.
 Federico Peña,
Secretary of Transportation.
 [FR Doc. 96-14246 Filed 6-21-96; 8:45 am]
 BILLING CODE 4910-62-P

Surface Transportation Board

49 CFR Parts 1002 and 1150

[STB Ex Parte No. 529]

Class Exemption for Acquisition Or Operation Of Rail Lines By Class III Rail Carriers Under 49 U.S.C. 10902

AGENCY: Surface Transportation Board.

ACTION: Final rule.

SUMMARY: Pursuant to the request by the Regional Railroads of America and The American Short Line Railroad Association, the Surface Transportation Board (Board) grants final approval for a class exemption for the acquisition or operation of additional rail lines by Class III rail carriers. Final regulations establishing the exemption for the acquisitions are set forth below.

EFFECTIVE DATE: July 24, 1996.

FOR FURTHER INFORMATION CONTACT: Joseph Dettmar, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: Pursuant to the request by the Regional Railroads of America and The American Short Line Railroad Association, the Board proposed a new class exemption to apply to transactions in which Class III rail carriers acquire or operate additional rail properties under 49 U.S.C. 10902. By notice of proposed rulemaking served and published in the Federal Register on March 22, 1996 (61 FR 11802-11804), the Board requested comments on the proposed exemption. Upon reviewing the comments, the Board is adopting the proposed class exemption, with minor editorial changes, because it meets the exemption criteria of 49 U.S.C. 10502. The class exemption will be similar to the Board's existing rules for noncarrier transactions under 49 U.S.C. 10901. Because section 10902 precludes the Board from imposing labor protection on Class III carriers receiving a certificate under the statute, the class exemption will not provide labor protection for affected rail employees. Additional information is contained in the Board's decision served on June 21, 1996. To purchase a copy of the decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, D.C. 20423.

[Assistance for the hearing impaired is available through TDD service (202) 927-5721.]

List of Subjects

49 CFR Part 1002

Administrative practice and procedure, Freedom of information, User fees.

49 CFR Part 1150

Administrative practice and procedure, Railroads.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen. Chairman Morgan commented with a separate expression. Commissioner Owen concurred in part and dissented in part with a separate expression.

Decided: June 14, 1996.

Vernon A. Williams,
Secretary.

For the reasons set forth in the preamble, the Board amends title 49, chapter X, parts 1002 and 1150 of the Code of Federal Regulations, as follows:

PART 1002—FEES

1. The authority citation for part 1002 is revised to read as follows:

Authority: 5 U.S.C. 552(a)(4)(A) and 553; 31 U.S.C. 9701; and 49 U.S.C. 721(a).

2. Section 1002.2 is amended by adding a new paragraph (f) (36) to read as follows:

§ 1002.2 Filing fees.

* * * * *

(f) * * *

Type of proceeding	Fee
* * * * *	*
(36) Notice of exemption under 49 CFR 1150.41-1150.45	\$950
* * * * *	*
* * * * *	*

PART 1150—CERTIFICATE TO CONSTRUCT, ACQUIRE, OR OPERATE RAILROAD LINES

3. The authority citation for part 1150 is revised to read as follows:

Authority: 5 U.S.C. 553 and 559; 49 U.S.C. 721(a), 10502, 10901, and 10902.

4. The heading for Subpart D is revised to read as follows:

Subpart D—Exempt Transactions Under 49 U.S.C. 10901

5. A new Subpart E, consisting of §§ 1150.41-1150.45, is added to read as follows:

Subpart E—Exempt Transactions Under 49 U.S.C. 10902 for Class III Rail Carriers

Sec.

1150.41 Scope of exemption.

1150.42 Procedures and relevant dates for small line acquisitions.

1150.43 Information to be contained in notice for small line acquisitions.

1150.44 Caption summary.

1150.45 Procedures and relevant dates—transactions under section 10902 that involve creation of Class I or Class II rail carriers.

Subpart E—Exempt Transactions Under 49 U.S.C. 10902 for Class III Rail Carriers

§ 1150.41 Scope of exemption.

Except as indicated in paragraphs (a) through (d) of this section, this exemption applies to acquisitions or operations by Class III rail carriers under section 10902. This exemption also includes:

(a) Acquisition by a Class III rail carrier of rail property that would be operated by a third party;

(b) Operation by a Class III carrier of rail property acquired by a third party;

(c) A change in operators on such a line; and

(d) Acquisition of incidental trackage rights. Incidental trackage rights include the grant of trackage rights by the seller, or the acquisition of trackage rights to operate over the line of a third party, that occurs at the time of the purchase.

§ 1150.42 Procedures and relevant dates for small line acquisitions.

(a) This exemption applies to the acquisition of rail lines with projected annual revenues which, together with the acquiring carrier's projected annual revenue, do not exceed the annual revenue of a Class III railroad. To qualify for this exemption, the Class III rail carrier applicant must file a verified notice providing details about the transaction, and a brief caption summary, conforming to the format in § 1150.44, for publication in the Federal Register. In addition to the written submission, the notice and summary must be submitted on a 3.5-inch diskette formatted for WordPerfect 5.1.

(b) The exemption will be effective 7 days after the notice is filed. The Board, through the Director of the Office of Proceedings, will publish a notice in the Federal Register within 30 days of the filing. A change in operators must follow the provisions at § 1150.44, and notice must be given to shippers.

(c) If the notice contains false or misleading information, the exemption is void *ab initio*. A petition to revoke