

Federal programs and activities apply to this program)

Issued on: September 25, 1996.

John R. Baxter,

Assistant Division Administrator, Salt Lake City, Utah.

[FR Doc. 96-25081 Filed 9-30-96; 8:45 am]

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## Research and Special Programs Administration

[Notice No. 96-19]

### Information Collection Activities

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, RSPA invites comments on certain information collections pertaining to hazardous materials safety for which RSPA intends to request approval from the Office of Management and Budget (OMB).

This notice also announces OMB approval of Information Collection Requests (ICRs), published in the Federal Register on March 5, 1996 [61 FR 8706] with a 60-day comment period and forwarded to OMB in a Federal Register dated May 30, 1996 [61 FR 27126] for review and approval.

**DATES:** Interested persons are invited to submit comments on or before December 2, 1996.

**ADDRESSES:** Please address written comments to Dockets Unit (DHM-30), Room 8421, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590-0001. Comments may also be faxed to (202) 366-3753. Comments should identify this Notice number (96-19) and the appropriate Office of Management and Budget (OMB) Control Number(s). Persons wishing to receive confirmation of receipt of their comments should include a self-addressed stamped postcard showing the notice number. Public information may be reviewed between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday, except holidays.

Requests for a copy of an information collection should be directed to Deborah Boothe, Office of Hazardous Materials Standards (DHM-10), Research and Special Programs Administration, Room 8102, 400 Seventh Street, SW., Washington, DC 20590-0001, Telephone (202) 366-8553.

**FOR FURTHER INFORMATION CONTACT:** Deborah Boothe, Office of Hazardous

Materials Standards (DHM-10), Research and Special Programs Administration, Room 8102, 400 Seventh Street, SW., Washington, DC 20590-0001, Telephone (202) 366-8553.

**SUPPLEMENTARY INFORMATION:** Section 1320.8(d), Title 5, Code of Federal Regulations requires that RSPA provide interested members of the public and affected agencies an opportunity to comment on information collection and recordkeeping requests. This notice identifies information collections that RSPA is submitting to OMB for extension. These collections are contained in the Hazardous Materials Regulations (HMR; 49 CFR 171-180). RSPA has revised burden estimates, where appropriate, to reflect current reporting levels or adjustments based on changes in proposed or final rules published since the information collections were last approved. The following information is provided for each information collection: (1) Title of the information collection, including former title if a change is being made; (2) OMB control number, (3) summary of the information collection activity, (4) description of affected public, (5) estimate of total annual reporting and recordkeeping burden; and (6) frequency of collection. RSPA will request a three-year term of approval for each information collection activity and, when approved by OMB, publish notice of the approval in the Federal Register.

#### I. RSPA Requests Comments on the Following ICRs

**Title:** Crashworthiness Protection Requirements for Tank Cars [Former title: Rail Carrier and Tank Car Tank Requirements].

**OMB Control Number:** 2137-0559.

**Summary:** This information collection consolidates provisions for detection and repair of cracks, pits, corrosion, lining flaws, thermal protection flaws and other defects of tank car tanks under various provisions in parts 173, 179 and 180 of the HMR. The HMR require facilities that build, repair and ensure the structural integrity of tank cars to develop and implement a quality assurance program; allow the use of non-destructive testing techniques, in lieu of currently prescribed periodic hydrostatic pressure tests, for fusion welded tank cars; require thickness measurements of tank cars; allow the continued use of tank cars, with limited reduced shell thicknesses, for certain hazardous materials; increase the frequency for inspection and testing of tank cars; and other provisions to ensure crashworthiness protection for tank cars.

**Affected Public:** Manufacturers, owners and rail carriers of tank cars.  
**Annual Reporting and Recordkeeping:**  
**Number of Respondents:** 1,091.  
**Total Annual Responses:** 3,674.  
**Total Annual Burden Hours:** 2,659.  
**Frequency of collection:** Annually.  
**Title:** Requirements for Cargo Tanks.  
**OMB Control Number:** 2137-0014.

**Summary:** This information collection consolidates provisions for manufacture, qualification, maintenance and use of all specification cargo tank motor vehicles. This information collection clarifies certain commodity sections in part 173, reorganizes the cargo tank specifications in part 178 and provides for vacuum-loaded cargo tanks. It includes part 180 requirements governing the maintenance, use, inspection, repair, retest and requalification of cargo tanks used to transport hazardous materials and certain registration requirements in part 107 for persons who are engaged in manufacture, repair or certification of any DOT specification cargo tank or any cargo tank manufactured under exemption to transport hazardous materials.

**Affected Public:** Manufacturers and owners of cargo tanks.

**Annual Reporting and Recordkeeping Burden:**

**Number of Respondents:** 41,366.

**Total Annual Responses:** 132,000.

**Total Annual Burden Hours:** 106,262.

**Frequency of collection:** Periodically.

**Title:** Rulemaking Procedures and Exemption Requirements [Former title: Rulemaking and Exemption Requirements]

**Summary:** Rulemaking procedures enable RSPA to determine if a rule change is necessary; be consistent with public interest; and maintain a level of safety equal to or superior to that of current regulations. Exemption procedures provide the information required for analytical purposes for approval or denial of requests for exemptions.

**Affected Public:** Shippers, carriers, packaging manufacturers, and other affected entities.

**Total Reporting and Recordkeeping Burden:**

**Number of Respondents:** 3,305.

**Total Annual Responses:** 4,295.

**Total Annual Burden Hours:** 4,279.

**Frequency of Collection:** Periodically.

#### II. ICRs Approved by OMB

In accordance with the Paperwork Reduction Act of 1995, OMB has approved the following ICRs:

**Title:** Inspection and Testing of Portable Tanks and Intermediate Bulk Containers.

OMB Control Number: 2137-0018.  
 Title: Testing, Inspection, and Marking Requirements for Cylinders.  
 OMB Control Number: 2137-0557.  
 Title: Hazardous Materials Incident Reports.  
 OMB Control Number: 2137-0039.  
 Title: Flammable Cryogenic Liquids.  
 OMB Control Number: 2137-0542.  
 Title: Approvals for Hazardous Materials.  
 OMB Control No: 2137-0557.  
 Title: Testing Requirements for Packaging.  
 OMB Control Number: 2137-0572.  
 Title: Container Certification.  
 OMB Control Number: 2137-0582.  
 Title: Hazardous Materials Public Section Planning and Training Grants.  
 OMB Control Number: 2137-0586.  
 Title: Response Plans for Shipments of Oil.  
 OMB Control Number: 2137-0591.

Issued in Washington, DC on September 20, 1996.  
 Edward T. Mazzullo,  
 Director, Office of Hazardous Materials Standards.  
 [FR Doc. 96-24713 Filed 9-30-96; 8:45 am]  
 BILLING CODE 4910-60-P

#### Surface Transportation Board <sup>1</sup>

[STB Finance Docket No. 33117]

#### Fox Valley & Western Ltd.—Trackage Rights Exemption—Union Pacific Railroad Company

Union Pacific Railroad Company (UP), a Class I railroad, has agreed to grant non-exclusive trackage rights, subject to certain routing restrictions, to Fox Valley & Western Ltd. (FVW), a Class II railroad, over its trackage between milepost 4.00 at Duck Creek, WI, and milepost 5.70, at Howard, Brown County, WI.

The transaction is scheduled to be consummated on September 26, 1996.

The trackage rights will enable FVW to move loaded and empty cars for the purpose of serving industries at Howard, WI.

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).

<sup>1</sup> 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 functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323-24.

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. 33117, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Janet H. Gilbert, Esq., Fox Valley & Western Ltd., 6250 N. River Road, Suite No. 9000, Rosemont, IL 60018.

Decided: September 24, 1996.

By the Board, David M. Konschnik,  
 Director, Office of Proceedings.  
 Vernon A. Williams,  
 Secretary.

[FR Doc. 96-25095 Filed 9-30-96; 8:45 am]  
 BILLING CODE 4915-00-P

#### Surface Transportation Board <sup>1</sup>

[STB Finance Docket No. 33124]

#### Norfolk Southern Railway Company—Corporate Family Transaction Exemption—The Georgia Midland Railway Company and Elberton Southern Railway Company

Norfolk Southern Railway Company (NSR), a Class I railroad, The Georgia Midland Railway Company (GM), and Elberton Southern Railway Company (Elberton), Class III railroads that own property located entirely in the State of Georgia, have jointly filed a verified notice of exemption. The exempt transaction is a merger of GM and Elberton with and into NSR.<sup>2</sup>

The transaction is expected to be consummated on or soon after October 1, 1996.

<sup>1</sup> 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 functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323-24.

<sup>2</sup> NSR is controlled through stock ownership by Norfolk Southern Corporation, a noncarrier holding company. GM and Elberton are wholly owned, direct subsidiaries of NSR. GM owns approximately 4 miles of road which are and have been leased by NSR since 1896. Elberton owns approximately 2 miles of road which are and have been operated by NSR since approximately 1909. The proposed agreement and plan of merger states that any outstanding shares of GM's and Elberton's capital stock will be canceled and retired, and no consideration will be paid in respect of such shares.

The proposed merger will eliminate GM and Elberton as separate corporate entities, thereby simplifying the corporate structure of NSR and the NSR system, and eliminating costs associated with separate accounting, tax, bookkeeping and reporting functions.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties state that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family.

As a condition to this exemption, any employees adversely affected by the transaction will be protected by the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

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) 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. 33124, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on James A. Squires, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510-2191.

Decided: September 24, 1996.

By the Board, David M. Konschnik,  
 Director, Office of Proceedings.  
 Vernon A. Williams,  
 Secretary.

[FR Doc. 96-25096 Filed 9-30-96; 8:45 am]  
 BILLING CODE 4915-00-P

#### Surface Transportation Board <sup>1</sup>

[STB Docket No. AB-337 (Sub-No. 4X)]

#### Dakota, Minnesota & Eastern Railroad Corporation—Abandonment Exemption—in Brown County, SD

Dakota, Minnesota & Eastern Railroad Corporation (DM&E) has filed a notice of exemption under 49 CFR 1152 Subpart

<sup>1</sup> 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 functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903.