

p.m. to 10 p.m. and on Thursday, November 13, 1997, from 1 p.m. to 4 p.m. Written material must be received not later than November 20, 1997.

ADDRESSES: The November 12, 1997, meeting will be held in the Buras Auditorium, 111 Auditorium Drive, Buras, LA. The November 13, 1997, meeting will be held in the Basement Conference Room, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, LA. Written comments may be mailed to Commander (mov-1), Eighth Coast Guard District, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, LA 70130-3396, or may be delivered to room 1341 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments will become part of this docket and will be available for inspection or copying at room 1341, Eighth Coast Guard District office, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Monty Ledet, Commander, Eighth Coast Guard District (m), Room 1341, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, LA 70130-3396, telephone (504) 589-4686.

SUPPLEMENTARY INFORMATION: The Coast Guard initiated a port access route study because of safety concerns raised by the Associated Branch Pilots and the Coast Guard Marine Safety Office in New Orleans, LA. The study was announced in the **Federal Register** on August 21, 1997 (62 FR 44428). The notice of study explained in detail the various traffic management measures, i.e., traffic separation scheme, two-way route, precautionary area, that may be used to address any safety problems in the study area.

The study area encompasses the approaches to the Mississippi River, the Mississippi Gulf Outlet as well as the area offshore of southeast Louisiana used by commercial vessels transiting to and between these ports. The Coast Guard is trying to determine the scope of any safety problems associated with vessel transit in this area.

Attendance is open to the public. With advance notice, and as time permits, members of the public may make oral presentations during the meeting. Persons wishing to make oral presentations should notify the person listed above under **FOR FURTHER INFORMATION CONTACT** no later than the day before the meeting. The meetings will be workshops to identify and prioritize the impediments which interfere with mobility on the waterway. Written material may be submitted prior to, during, or after the meetings.

For information on facilities or services for individuals with disabilities or to request special assistance at the meetings, contact Mr. Monty Ledet at (504) 589-4686 as soon as possible.

Dated: October 10, 1997.

T.H. Gilmour,

Acting Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 97-27746 Filed 10-20-97; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[FRA Docket No. RSGC-7-SPO, Notice No. 11]

RIN 2130-AA

Temporary Cessation of Sounding of Locomotive Horn

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of interim final order and request for comments.

SUMMARY: FRA is issuing an Interim Final Order in which The Burlington Northern and Santa Fe Railway Company would be ordered to temporarily cease the sounding of locomotive horns at a specific crossing within Spokane County, Washington. As provided by statute, the Secretary of Transportation, in order to promote the quiet of communities affected by rail operations and the development of innovative safety measures at highway-rail crossings, may, in connection with demonstration of proposed new supplementary safety measures, order a railroad to temporarily cease the sounding of locomotive horns at such crossings.

DATES: Written comments must be received by November 20, 1997. Comments received after that date will be considered to the extent possible without incurring additional delay.

ADDRESSES: Written comments should be submitted to the Docket Clerk, Office of Chief Counsel, Mail Stop 10, FRA, 400 Seventh Street, S.W., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT: Bruce F. George, Staff Director, Highway Rail Crossing and Trespasser Programs, Office of Safety, FRA, 400 Seventh Street, S.W., Washington, D.C. 20590 (telephone: 202-632-3312); Grady C. Cothen, Jr., Deputy Associate Administrator for Safety Standards, FRA, 400 Seventh Street, S.W., Washington, D.C. 20590 (telephone: 202-632-3309; or Mark Tessler, Office

of Chief Counsel, FRA, 400 Seventh Street, S.W., Washington, D.C. 20590 (telephone 202-632-3171) (e-mail address: mtessler@fra.dot.gov).

SUPPLEMENTARY INFORMATION:

Background

Section 20153 of Title 49 of the United States Code authorizes DOT (and by delegation of the Secretary of Transportation, FRA) to prescribe regulations requiring that locomotive horns be sounded while each train is approaching and entering upon each public highway-rail grade crossing. The statute also permits the Secretary to exempt from the requirement to sound the locomotive horn any category of rail operations or categories of highway-rail grade crossings for which supplementary safety measures fully compensate for the absence of the warning provided by the horn. Section 20153(e)(1) states that "In order to promote the quiet of communities affected by rail operations and the development of innovative safety measures at highway-rail grade crossings, the Secretary may, in connection with demonstration of proposed new supplementary safety measures, order railroad carriers operating over one or more crossings to cease temporarily the sounding of locomotive horns at such crossings. Any such measures shall have been subject to testing and evaluation and deemed necessary by the Secretary prior to actual use in lieu of the locomotive horn."

FRA has been requested by representatives of Spokane County, Washington, the Washington Utilities and Transportation Commission, and the Burlington Northern Santa Fe Railroad Company to order the temporary cessation of sounding of locomotive horns at two crossings in Spokane County in order to demonstrate new and innovative engineering solutions to prevent motorists from entering onto highway-rail grade crossings equipped with fully functioning grade crossing warning devices. The crossings which are the subject of this Order are located at University Road within Spokane County, approximately five miles east of the City of Spokane. Two parallel BNSF tracks, each with a separate set of automatic grade crossing warning devices, cross University Road approximately 100 feet south of State Route 290 (Trent Avenue).

In order to institute this demonstration project as soon as possible, FRA is issuing this order on an interim basis. Upon compliance with

the provisions contained in the order, BNSF will be required to cease sounding of the locomotive horn at the crossings under the terms of the order. FRA will revise the order, rescind it, or issue a final order without change, depending on information contained in any comments received.

FRA has evaluated the proposed actions in accordance with its procedures for ensuring full consideration of the environmental impact of FRA action, as required by the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), other environmental statutes, Executive Orders, and the DOT Order 5610.1c. It has been determined that the proposed actions will have a beneficial impact on the environment by the cessation of the sounding of locomotive horns.

This action has been evaluated in accordance with existing regulatory policies and procedures and is considered to be non-significant under DOT policies and procedures (44 FR 11304). This action will not have an impact on a substantial number of small entities.

Federalism Implications

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612. Inasmuch as implementation of this order is, by its own terms, dependent on the request of Spokane County that such order be issued, and the purpose of the order is to enable the county to comply with the purposes of a Washington State statute, there are insufficient Federalism implications to warrant the preparation of a Federalism Assessment.

Public Participation

Interested parties are invited to participate in this proceeding by submitting to the Docket Clerk written data, views, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify the FRA Docket Clerk at the above listed address, in writing, before the end of the comment period and specify the basis for their request.

Interim Final Order

Based on the above, FRA issues the following order:

Interim Final Order to Temporarily Cease Sounding of Locomotive Horns

I find that:

1. Spokane County, Washington, in conjunction with The Burlington

Northern and Santa Fe Railway Company (BNSF) and the Washington Utilities and Transportation Commission, and in consultation with the Federal Railroad Administration (FRA), has instituted a demonstration of new and innovative engineering solutions to prevent motorists from entering the public highway-rail grade crossing at University Road in Spokane County.

2. As part of the demonstration, and preliminary to the temporary cessation of the sounding of locomotive horns at the crossing, Spokane County has tested various configurations of non-mountable median curbs. As configured for the principal phases of the demonstration, these curbs are of different dimensions in height and length than arrangements previously evaluated and provide additional security for rail operations over the two-track highway-rail crossing. Roadway geometry in the area is challenging. The maintainability of curbs, roadways, and highly visible delineators during winter conditions also pose issues of interest for policy development.

3. As an integral part of this demonstration, Spokane County gathered data concerning base line safety risk and the impact on risk of installing these proposed new supplementary safety measures. Data concerning responses to the automated warning system by motor vehicle drivers was gathered by means of video monitoring of driver behavior. FRA has evaluated this and other data and finds pursuant to 49 U.S.C. 20153 that the proposed new supplementary safety measures will fully compensate for the loss of the train horn as a warning device at this crossing.

4. All engineering improvements comprising the demonstration have been tested and evaluated and are deemed necessary in lieu of the locomotive horn.

5. Spokane County officials have expressed a strong interest in establishing a quiet zone at this crossing, which is placed within a segment of railroad exceeding one-half mile in length, making establishment of a quiet zone clearly practicable.

6. Issuance of this order will assist the FRA in gathering information and data useful to development of final rules under 49 U.S.C. § 20153.

7. At the request of Spokane County and the FRA, the BNSF has fully cooperated in the exploration of options for safety improvements at the University Road crossing but considers that the company is not able to unilaterally cease use of the train horn at University Road due to requirements

of state law, absent issuance of this order.

Accordingly, pursuant to 49 U.S.C. 20153(e)(1), and in order to promote the quiet of Spokane County and to promote the development of innovative safety measures at highway-rail crossings, *I hereby order* the BNSF, during the term of this order and in accordance with its provisions, to cease sounding of locomotive horns on approach to and at the above highway-rail crossing for a period of four months, beginning October 15, 1977 (or such later date as Spokane County may request), subject to the following conditions:

(a) Non-mountable median curbs with delineators as approved by the WUTC, shall remain installed and shall be maintained at the crossing by Spokane County;

(b) All highway-rail grade crossing warning devices installed at the crossing are operating properly in accordance with the provisions of 49 CFR part 234. In the event of a warning system malfunction as defined in 49 CFR 234.5, an engineer operating a train through the crossing is not responsible for sounding the locomotive horn until he or she has been informed of the warning system malfunction.

(c) Advance warning signs, as approved by the WUTC shall be posted and maintained by Spokane County advising motorists that locomotive horns will not be sounded;

(d) Spokane County, through an authorized officer, requests in writing that the sounding of the locomotive horn cease pursuant to the terms of this order and serves such request on the BNSF and the Associate Administrator for Safety, FRA, at least 14 days prior to the date on which cessation is requested;

(e) Spokane County, in consultation with the FRA Regional Administrator, Region 8, provides for further data collection to determine the long-term effect on motorist behavior of the new engineering improvements at this highway-rail crossing without use of a train-borne audible warning.

The Associate Administrator for Safety is delegated the authority to extend the period of this order, as appropriate, until the effective date of a final rule issued pursuant to 49 U.S.C. 20153, if the Associate Administrator for Safety determines that data developed during the initial demonstration period confirms the effectiveness of the subject engineering improvements and periodic monitoring continues to confirm this effectiveness.

Nothing in this order is intended to prohibit an engineer from sounding the locomotive horn to provide a warning to

vehicle operators, pedestrians, trespassers or crews on other trains in an emergency situation if, in the engineer's sole judgment, such action is appropriate in order to prevent imminent injury, death or property damage. This order does not require that such warnings be provided nor does it impose a legal duty to sound the locomotive horn in such situations.

Nothing in this order excuses compliance with sections 214.339, 234.105, 234.106, and 234.107 of title 49, Code of Federal Regulations, concerning use of the locomotive horn under circumstances therein described. Nothing in this order is intended to prohibit an engineer from sounding the locomotive horn or whistle to provide necessary communication with other trains and train crew members if other means of communication are unavailable.

Issued in Washington, D.C. on October 15, 1997.

Jolene M. Molitoris,
Administrator.

[FR Doc. 97-27800 Filed 10-20-97; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33488]

Norfolk and Western Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company

Union Pacific Railroad Company has agreed to grant local and overhead trackage rights to Norfolk and Western Railway Company (NW) over approximately 50.2 miles of rail line located in Illinois as follows: (1) Local access trackage rights over approximately 4.7 miles of line between Monterey Lead milepost 4.4 at Monterey Mine No. 1 (near Carlinville) and Monterey Lead milepost 0.0 at Monterey Junction, and both legs of the wye track and related trackage between milepost 104.5 and milepost 104.8 at Monterey Junction; (2) local access trackage rights over approximately 15.0 miles of line between milepost 104.8 at Monterey Junction, and milepost 119.8 at DeCamp; (3) overhead trackage rights over approximately 15.4 miles of line between milepost 119.8 at DeCamp and milepost 135.2 at Edwardsville; and (4) overhead trackage rights over approximately 15.1 miles of line between milepost 135.2 at Edwardsville and milepost 150.3 at Madison. The transaction is expected to be

consummated on or soon after October 15, 1997, the effective date of the exemption.

The purpose of the proposed trackage rights is to permit the movement of coal traffic directly between Monterey Mine No. 1 and Madison, IL, and on to Coffeen, IL, entirely via NW; and to eliminate costly delays in handling and interchanges.

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 the notice 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. 33488, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001 and served on: James R. Paschall, General Attorney, Norfolk and Western Railway Company, Three Commercial Place, Norfolk, VA 23510-2191.

Decided: October 14, 1997.

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

Vernon A. Williams,
Secretary.

[FR Doc. 97-27859 Filed 10-21-97; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

October 10, 1997.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Pub. L. 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

Bureau of Alcohol, Tobacco and Firearms (BATF)

OMB Number: 1512-0024.

Form Number: ATF F 1 (5320.1).

Type of Review: Extension.

Title: Application to Make and Register Firearm.

Description: This form is used by the public when applying to make a firearm that falls within the purview of the National Firearms Act (NFA). The information supplied by the applicant on the form helps to establish the applicant's eligibility for approval of the request.

Respondents: Individuals or households, Business or other for-profit.

Estimated Number of Respondents: 1,271.

Estimated Burden Hours Per

Respondent: 4 hours.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 5,084 hours.

OMB Number: 1512-0129.

Form Number: ATF F 4473 (5300.9)

Part I.

Type of Review: Extension.

Title: Firearms Transaction Record, Part I Over the Counter.

Description: This form is used to determine the eligibility of a person to receive a firearm from a Federal Firearms Licensee. It is also used to establish the identity of the buyer. The form is also used in law enforcement in investigations/inspections to trace firearms to confirm criminal activity. Implementing regulations are prescribed in 27 CFR 78.124.

Respondents: Individuals or households, Business or other for-profit.

Estimated Number of Recordkeepers: 6,000,000.

Estimated Burden Hours Per

Recordkeeper: 1,026,000.

Frequency of Response: On occasion.

Estimated Total Recordkeeping Burden: 1,026,000 hours.

OMB Number: 1512-0387.

Recordkeeping Requirement ID

Number: ATF REC 5130/5.

Type of Review: Extension.

Title: Principal Place of Business on Beer Labels.

Description: ATF regulations permit domestic brewers who operate more than one brewery to show as their address on labels and kegs of beer, their "principal place of business" address. This label option may be used in lieu of showing the actual place of production on the label or of listing all of the brewer's locations on the label.

Respondents: Business or other for-profit.

Estimated Number of Recordkeepers: 172,250.