

CFR 1152.29⁵ must be filed by April 22, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by April 30, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Sarah J. Whitley, General Attorney, Burlington Northern Railroad Company, 3800 Continental Plaza, 777 Main Street, Fort Worth, TX 76102-5384.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

BN has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by April 15, 1996. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Surface Transportation Board, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: April 2, 1996.

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

[FR Doc. 96-8695 Filed 4-9-96; 8:45 am]

BILLING CODE 4915-00-P

Surface Transportation Board¹

[STB Docket No. AB-6 (Sub-No. 372X)]

Burlington Northern Railroad Company—Abandonment Exemption—in Ramsey and Towner Counties, ND

Burlington Northern Railroad Company (BN) filed a notice of exemption under 49 CFR 1152 Subpart

F—*Exempt Abandonments* to abandon 65.70 miles of its line of railroad between milepost 0.90 near Devils Lake and milepost 66.60 near Hansboro, including the stations of Webster at milepost 11.8, Garske at milepost 17.0, Starkweather at milepost 23.4, St. Joe at milepost 28.7, Olmstead at MP-39.4, Crocus at MP-46.0, Rock Lake at milepost 53.0 and Hansboro at milepost 66.0, in Ramsey and Towner Counties, ND.²

BN has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic to be rerouted from the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial

²BN has proposed a consummation date for the abandonment that is four months from the date of filing of its verified notice. This proposed consummation date is based on BN's reading of 49 U.S.C. 10904. The first sentence of 10904(c) provides, "Within 4 months after an application is filed under section 10903, any person may offer to subsidize or purchase the railroad line that is the subject of such application."

The Board recently addressed this provision in proposing revised abandonment regulations to implement 49 U.S.C. 10903-04, as established by the ICC Termination Act. In *Abandonment and Discontinuance of Rail Lines and Rail Transportation Under 49 U.S.C. 10903*, STB Ex Parte No. 537 (STB served Mar. 15, 1996) slip op. at 10 [61 FR 11174, 11176 (Mar. 19, 1996)], the Board said "We see the 4-month statutory deadline as an outer limit, which does not require us to delay resolution of proceedings where the entire time is not needed."

Based on the Board's statement, the exemption in this proceeding will be scheduled to become effective on May 10, 1996, or 50 days after BN's filing of its verified notice of exemption. This is consistent with the existing rules at 49 CFR 1152.50. Offers of financial assistance will be due according to deadlines established in this notice. Potential offerors will not have until 4 months after the notice was filed by BN with the Board to make an offer of financial assistance.

While the exemption is scheduled to take effect on May 10, 1996, BN may of course delay consummation until a later date.

revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 10, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,³ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),⁴ and trail use/rail banking requests under 49 CFR 1152.29⁵ must be filed by April 22, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by April 30, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Sarah J. Whitley, General Attorney, Burlington Northern Railroad Company, 3800 Continental Plaza, 777 Main Street, Fort Worth, TX 76102-5384.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

BN has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by April 15, 1996. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Surface Transportation Board, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: April 2, 1996.

³The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

⁴See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

⁵The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

⁵The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

¹The 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.

By the Board, David M. Konschnik,
Director, Office of Proceedings.
Vernon A. Williams,
Secretary.
[FR Doc. 96-8696 Filed 4-9-96; 8:45 am]
BILLING CODE 4915-00-P

Surface Transportation Board¹

[Docket No. AB-290 (Sub-No. 170X)]

Central of Georgia Railway Company— Abandonment Exemption—in Atkinson, Berrien and Coffee Counties, GA

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: The Board, pursuant to 49 U.S.C. 10505, exempts Central of Georgia Railway Company from the prior approval requirements of 49 U.S.C. 10903-04 to abandon service over 35.8 miles of rail line known as the Nashville-Douglas Branch Line, extending between milepost GF-57.2 at or near Nashville, GA, and milepost GF-93.0 at or near Douglas, GA, in Atkinson, Berrien and Coffee Counties, GA. The exemption is subject to environmental, public use, trail use, and standard labor protective conditions. **DATES:** Provided no formal expression of intent to file a financial assistance offer has been received, this exemption will be effective on April 10, 1996. Formal expressions of intent to file financial assistance offers² under 49 CFR

1152.27(c)(2) must be filed by April 22, 1996. Petitions to stay must be filed by April 25, 1996. Petitions to reopen must be filed by May 6, 1996.

ADDRESSES: An original and 10 copies of all pleadings, referring to Docket No. AB-290 (Sub-No. 170X), must be filed with: (1) the Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) petitioner's representative: Robert J. Cooney, Senior General Attorney, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510-2191.

FOR FURTHER INFORMATION CONTACT:

Joseph H. Dettmar, (202) 927-5660.
[TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: March 22, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,
Secretary.

[FR Doc. 96-8694 Filed 4-9-96; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Nonconventional Source Fuel Credit; Publication of Inflation Adjustment Factor, Nonconventional Source Fuel Credit, and Reference Price for Calendar Year 1995

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Publication of inflation adjustment factor, nonconventional

source fuel credit, and reference price for calendar year 1995 as required by section 29 of the Internal Revenue Code (26 U.S.C. section 29).

SUMMARY: The inflation adjustment factor, nonconventional source fuel credit, and reference price are used in determining the tax credit allowable on the production of fuel from nonconventional sources under section 29.

DATES: The 1995 inflation adjustment factor, nonconventional source fuel credit, and reference price apply to qualified fuels sold during calendar year 1995.

INFLATION FACTOR: The inflation adjustment factor for calendar year 1995 is 1.9439.

CREDIT: The nonconventional source fuel credit for calendar year 1995 is \$5.83 per barrel-of-oil equivalent of qualified fuels.

PRICE: The reference price for calendar year 1995 is \$14.62. (This is a republication of the reference price previously reported in 61 FR 13919 on March 28, 1996.) Because this reference price does not exceed \$23.50 multiplied by the inflation adjustment factor, the phaseout of credit provided for in section 29(b)(1) does not occur for any qualified fuel sold in calendar year 1995.

FOR FURTHER INFORMATION CONTACT:

For the inflation factor and credit—
Thomas Thompson, CP:R:R:AR:E,
Internal Revenue Service, 1111
Constitution Ave., NW., Washington,
DC 20224, Telephone Number (202)
874-0585 (not a toll-free number).

For the reference price—David
McMunn, CC:DOM:P&SI:6, Internal
Revenue Service, 1111 Constitution
Ave., NW., Washington, DC 20224,
Telephone Number (202) 622-3110
(not a toll-free number).

Daniel J. Wiles,
Acting Associate Chief Counsel (Domestic).
[FR Doc. 96-8935 Filed 4-9-96; 8:45 am]

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¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

² See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).