

## WITHDRAWAL EXEMPTIONS—Continued

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
10443-R	Accuracy Systems, Inc., Phoenix, AZ.	49 CFR 172.411 .....	To authorize transportation of a Class A explosive to be shipped as a Class C explosive when packaged in specially designed non-DOT Specification containers consisting of a 20" x 3" x 3/16" steel tubes placed in heat sealed poly bags overpacked in a DOT Specification fiberboard box. (Modes 1, 2, 4.)
10592-N	MG Industries, Valley Forge, PA.	49 CFR 173.301(a)(1), 173.301(h)(i)(j), 173.304(a), 173.305 (a) and (c), 173.34, 178.47.	To authorize the manufacture, marking and sell of non-DOT specification cylinders comparable to DOT specification 4DS cylinders for transportation of compressed gases. (modes 1, 2, 3.)
10875-N	Morton International, Inc., Ogden, UT.	49 CFR 173.300(a), 178.65-3	To authorize an exemption from the third party inspection requirement for DOT Specification 39 cylinders used as a component part of airbags. (modes 1, 4, 5.)
10946-N	Airco Gases of The BOC Group Inc., Murray Hill, NJ.	49 CFR 173.301(f), 173.302(a)(1).	To authorize the transportation of compressed gas, flammable, n.o.s., Division 2.1, in DOT Specification 4L cylinders with a service pressure of 212 psig or greater. (mode 1.)
11021-N	Union Pacific System, Omaha, NE.	49 CFR 173.318 .....	Authorizes the transportation of bulk shipments of methane, refrigerated liquid, in DOT Specification 113C120W tank cars. (mode 2.)
11391-N	DHE (Fabrication & Machining), Vereeniging, Republic of So. Africa.	49 CFR 178.245-1(b) .....	To authorize the transportation of non-DOT specification portable tanks similar to DOT Specification 51, except they are equipped with openings in various locations on the same end for use in transporting various hazardous materials classed as Division 2.1, 2.2 and 2.3 (modes 1, 2, 3.)
11391-N	DHE (Fabrication & Machining) Vereeniging, Republic of So. Africa.	49 CFR 178.245-1(b) .....	To authorize the transportation of non-DOT specification portable tanks similar to DOT Specification 51, except they are equipped with openings in various locations on the same end for use in transporting various hazardous materials classed as Division 2.1, 2.2 and 2.3 (modes 1, 2, 3.)

## Denials

- 11165-N—Request by Oxford Container Co. New Oxford, PA to authorize the manufacture, mark and sale of corrugated fiberboard, slotted boxes constructed to DOT-12B-65 specification equipped with two hinged handholes for use as overpack for shipment of various classes of hazardous material denied August 29, 1995.
- 11301-N—Request by ICI Explosives USA Inc. Dallas, TX to authorize the transportation of unclassified explosive material consisting of articles and solid substances classed in Division 1.1, waste substances (or articles); explosives, n.o.s. overpacked in packaging group II containers transported by EPA licensed hazardous waste haulers denied August 30, 1995.
- 11330-N—Request by Autoransportes Ideal, S.A. de C.V. Gas Ideal de Reynosa, S.A., Mexico to authorize the manufacture, marking and sale of non-DOT specification cargo tanks comparable to MC-331 cargo vehicles for use in transporting LPG, Division 2.3 denied August 2, 1995.
- 11394-N—Request by Amtrol West Warwick, RI to authorize the manufacture, mark and sale of non-DOT specification cylinders of stainless steel comparable to a DOT Specification 4BA denied July 7, 1995.
- 11477-N—Request by MTI Analytical Instruments Inc. Fremont, CA to authorize the transportation in commerce of analytical equipment which contain a cylinder equipped with a pressure

regulator for use in transporting helium, Division 2.2 denied July 11, 1995.

Issued in Washington, DC, on January 5, 1996.

J. Suzanne Hedgepeth,  
Chief, Exemption Programs, Office of  
Hazardous Materials Exemptions and  
Approvals.

[FR Doc. 96-957 Filed 1-23-96; 8:45 am]

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Surface Transportation Board<sup>1</sup>

[Docket Nos. AB-450 (Sub-No. 1X) and AB-290 (Sub-No. 141X)]

**Ogeechee Railway Company;  
Discontinuance of Service  
Exemption—Between Cochran and  
Hawkinsville, GA; Norfolk Southern  
Railway Company; Abandonment  
Exemption—Between Cochran and  
Hawkinsville, GA**

Ogeechee Railway Company  
(Ogeechee) and Norfolk Southern

<sup>1</sup> 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

Railway Company (NS) have filed a notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments and Discontinuances* for Ogeechee to discontinue service over and NS to abandon 9.53 miles of rail line between milepost L-0.0 at Cochran and milepost L-9.53 at Hawkinsville, in Bleckley and Pulaski Counties, GA.

Ogeechee and NS certify that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic can be rerouted over other lines; (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 the 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

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 section 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former section of the statute, unless otherwise indicated.

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/discontinuance 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 revocation under 49 U.S.C. 10502(d) [formerly 10505(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 February 23, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29<sup>4</sup> must be filed by February 5, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by February 13, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, Washington, DC 20423.

A copy of any pleading filed with the Board should be sent to applicants' representatives: John M. Robinson, for Ogeechee, 9616 Old Spring Road, Kensington, MD 20895; and James R. Paschall, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510.

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

Applicants have filed an environmental report which addresses the effects of the abandonment/discontinuance, if any, on the environmental and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by January 29, 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 is 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: January 17, 1996.

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

[FR Doc. 96-826 Filed 1-23-96; 8:45 am]

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

[Docket No. AB-290 (Sub-No. 178X)]

### Georgia Southern and Florida Railway Company; Abandonment Exemption in Mitchell and Worth Counties, GA

Georgia Southern and Florida Railway Company (GS&F) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments* to abandon an 18-mile rail line extending between milepost GS-75.0 at Bridgeboro and milepost GS-93.0 at Camilla, in Mitchell and Worth Counties, GA.

GS&F has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on this line (or 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 any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 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 revocation under 49 U.S.C. 10502(d) [formerly 10505(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 February 23, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking statements under 49 CFR 1152.29 must be filed by February 5, 1996.<sup>4</sup> Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by February 13, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, NW, Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: James R. Paschall, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510.

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

GS&F 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 January 29, 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 other trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: January 18, 1996.

<sup>2</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board 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 stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>3</sup> See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

<sup>4</sup> The Board will accept a late-filed trail use request so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

<sup>2</sup> A stay will be issued routinely by the Board in those proceedings where 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 prior to the effective date of the notice of exemption. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any entity seeking a stay on environmental concerns is encouraged to file its request as soon as possible in order to permit the Board to review and act on the request before the effective date of this exemption.

<sup>3</sup> See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

<sup>4</sup> The Board will accept a late-filed trail use request as long as it retains jurisdiction to do so.

<sup>1</sup> 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 section 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.