

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration**

[Summary Notice No. PE-97-61]

Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before January 5, 1998.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. 29012, 800 Independence Avenue, SW., Washington, D.C. 20591.

Comments may also be sent electronically to the following internet address: 9-NPRM-CMNTS@faa.dot.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Angela Anderson (202) 267-9681 or Tawana Matthews (202) 267-9783, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on December 8, 1997.

Donald P. Byrne,*Assistant Chief Counsel for Regulations.***Petitions for Exemption***Docket No.: 29012.**Petitioner: Continental Airlines, Inc.**Sections of the FAR Affected: 14 CFR 212.434(c)(1)(ii).*

Description of Relief Sought: To permit Continental to substitute a qualified and authorized check airman for a Federal Aviation Administration inspector to observe a qualifying pilot in command (PIC) while that PIC is performing prescribed duties during at least one flight leg that includes a takeoff and landing when completing initial or upgrade training as specified in 14 CFR 121.424.

[FR Doc. 97-32577 Filed 12-11-97; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Environmental Impact Statement: Wapello and Mahaska Counties, Iowa****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Wapello and Mahaska Counties, Iowa.

FOR FURTHER INFORMATION CONTACT: Dean Majzoub, Transportation Engineer, Federal Highway Administration, 105 6th Street, Ames, Iowa 50010, Telephone: (515) 233-7300.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Iowa Department of Transportation, will prepare an environmental impact statement (EIS) on a proposal to improve U.S. Highway 63 (formerly Iowa 137) in Wapello and Mahaska Counties. The proposed improvement would involve the construction of a four-lane bypass of the town of Eddyville.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. Alternatives to be considered include (1) taking no action; (2) a near east bypass; (3) a far east bypass; and (4) a westerly bypass.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations

and citizens who have previously expressed or are known to have interest in this proposal. A public information meeting will be held in Eddyville on December 17, 1997. In addition, a public hearing will be held after the draft EIS is made available. Public notice will be given of the time and place of the hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program)

Issued on: December 2, 1997.

Robert L. Lee,*Division Administrator, Ames, Iowa.*

[FR Doc. 97-32481 Filed 12-11-97; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Finance Docket No. 33513]

CMC Railroad, Inc.—Operation Exemption—GWI Switching Services, L.P.

CMC Railroad, Inc. (CMC RR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to operate a railcar storage yard (the Yard) that has been operated by GWI Switching Services, L.P. (GWISS).¹

¹ The real estate on which the Yard is located is owned by CMC Railroad I Ltd. (CMC I), which leases all improvements thereto from NCC Charlie Company, an unrelated noncarrier.

GWISS has been operating the Yard and has been operating over incidental trackage rights pursuant to the class exemption at 49 CFR 1150.31. See *Genesee and Wyoming Industries, Inc.—Operation Exemption—Rail Lines of Southern Pacific Transportation Company*, Finance Docket No. 32481 (ICC served May 3, 1994). The continuance in control of GWISS by Genesee and Wyoming Industries, Inc., is also exempt under the class exemption. See *Genesee and Wyoming Industries, Inc.—Continuance in Control Exemption—GWI Switching Services, L.P.*, Finance Docket No. 32482 (ICC served May 3, 1997). The Brotherhood of Locomotive Engineers and the United Transportation Union filed petitions to revoke these exemptions, which are pending before the Board. The publication of this notice of exemption does not reflect any assessment of the merits of the petitions to revoke. Should the Board

Continued

GWISS is assigning to CMC RR the operating agreement that would permit CMC RR to operate the Yard. CMC RR will access the Yard at connections with the Baytown Branch of Union Pacific Railroad Company (which the verified notice describes as a former Southern Pacific Transportation Company (SP) line) in the vicinity of Dayton, TX, at SP mileposts 2.0 and 3.3. Under the assignment by GWISS, CMC RR will also operate 10 miles of incidental trackage rights (a) from Baytown Branch SP milepost 5.0 to SP milepost 0.0 (also known as Lafayette Main Line SP milepost 327.8), a distance of 5.0 miles; and (b) from Lafayette Main Line SP milepost 325.0 to SP milepost 330.0, a distance of 5.0 miles.

The transaction was expected to be consummated after November 27, 1997.

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 revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33513, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Esq., Gollatz, Griffin & Ewing, P.C., 213 West Miner Street, P.O. Box 796, West Chester, PA 19381-0796.

Decided: December 5, 1997.

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

Vernon A. Williams,
Secretary.

[FR Doc. 97-32564 Filed 12-11-97; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33521]

Norfolk Southern Railway Company— Trackage Rights Exemption—Pickens Railway Company

Pickens Railway Company (Pickens) has agreed to grant local access trackage rights to Norfolk Southern Railway Company (NSR) over approximately 1.2 miles of Pickens' tracks between former NSR milepost Z-9.0 and former NSR

milepost Z-10.2, the division of ownership between Pickens and NSR at Murray Street, in Anderson, SC.

The transaction is scheduled to be consummated after the closing date of the transaction in *Pickens Railway Company—Acquisition and Operation Exemption—Norfolk Southern Railway Company*, STB Finance Docket No. 33423 (STB served July 17, 1997), which is anticipated to be on or after December 11, 1997.

The purpose of the trackage rights is to permit NSR to provide service on a joint basis with Pickens to present and future rail patrons and to park occupied circus train cars in Anderson.

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 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. 33521, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on James R. Paschall, Esq., Norfolk Southern Railway Company, Three Commercial Place, Norfolk, VA 23510-9241.

Decided: December 4, 1997.

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

Vernon A. Williams,
Secretary.

[FR Doc. 97-32563 Filed 12-11-97; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-303 (Sub-No. 18X)]

Wisconsin Central Ltd.—Abandonment Exemption—in Polk County, WI

On November 24, 1997, Wisconsin Central Ltd. (WCL), filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon its line of railroad known as the Dresser-Amery

Line, extending between milepost 47.83 in Dresser and milepost 63.08 (the end of the line) in Amery, a distance of 15.25 miles, in Polk County, WI. The line traverses U.S. Postal Service Zip Codes 54001 and 54009, and includes the stations of Wanderoos at milepost 56.3 and Amery at milepost 62.9.

The line does not contain federally granted rights-of-way. Any documentation in WCL's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by March 13, 1998.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$900 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than January 2, 1998. Each trail use request must be accompanied by a \$150 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-303 (Sub-No. 18X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001; and (2) Michael J. Barron, Jr., General Attorney, Wisconsin Central Ltd., 6250 N. River Road, Suite 9000, Rosemont, IL 60018.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1545. [TDD for the hearing impaired is available at (202) 565-1695.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who

decide to revoke GWISS's exemption to operate the Yard and trackage rights, this exemption of the assignment of GWISS's operating agreement to CMC RR may also be revoked.