

This notice of receipt of applications for new exemptions is published in accordance with Part 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on December 17, 1997.

J. Suzanne Hedgepeth,

Director, Office of Hazardous Materials Exemptions and Approvals.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Office of Hazardous Materials Safety; Notice of Applications for Modification of Exemption

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applications for modification of exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Material Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the applications described herein. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Requests for modifications of exemptions (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) are described in footnotes to the

application number. Application numbers with the suffix "M" denote a modification request. These applications have been separated from the new applications for exemptions to facilitate processing.

DATES: Comments must be received on or before January 7, 1998.

ADDRESS COMMENTS TO: Dockets Unit, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption number.

FOR FURTHER INFORMATION CONTACT:

Copies of the applications are available for inspection in the Dockets Unit, Room 8426, Nassif Building, 400 7th Street SW, Washington, DC.

Application No.	Docket No.	Applicant	Modification of exemption
10798-M	Olin Corporation, Norwalk, CT ¹	10798
11458-M	Reckitt & Colman, Montvale, NJ ²	11458
11962-M	RSPA-97-3061	Bayer Corp., Pittsburgh, PA ³	11962
12007-M	RSPA-97-3225	SCC Products, Hollister, CA ⁴	12007
12009-M	RSPA-97-3226	U.S. Department of Justice, Washington, DC ⁵	12009

¹ To modify the exemption to provide for Class 9 as an additional class of material contained in tanks cars which remain standing with unloading connections attached when no product is being transferred.

² To modify the exemption to provide for cargo vessel as an additional mode.

³ To reissue the exemption originally issued on an emergency basis to authorize the transportation in commerce of sodium, Division 4.3 in accumulators.

⁴ To reissue the exemption originally issued on an emergency basis to authorize the transportation in commerce of chloropicrin, Division 6.1, in reusable DOT4BA260 cylinders equipped with alternative plug.

⁵ To reissue exemption originally issued on an emergency basis to authorize the transportation in commerce of anhydrous ammonia in non-specification cylinders.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 552X);
STB Docket No. AB-290 (Sub-No. 201X)]

CSX Transportation, Inc.— Abandonment Exemption—in Raleigh County, WV; Norfolk and Western Railway Company—Discontinuance of Trackage Rights Exemption—in Raleigh County, WV

On December 3, 1997, CSX Transportation, Inc. (CSXT), and Norfolk and Western Railway Company (N&W) ¹ filed with the Surface Transportation Board (Board) a petition

¹ N&W is a wholly owned subsidiary of Norfolk Southern Railway Company.

under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 for CSXT to abandon and N&W to discontinue trackage rights over approximately 6.24 miles of line between milepost CAR-0.58 at Beckley Junction, WV, and milepost CAR-6.82 at the end of the track at Cranberry, WV, which traverses U.S. Postal Service ZIP Codes 25801, 25813, 25827, 25832, 25919, and 25920, in Raleigh County, WV. The line includes the stations of Beckley, located at milepost CAR-1, Sprague, located at milepost CAR-4, Skelton, located at milepost CAR-5, and Cranberry, located at milepost CAR-6.

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

The interest of railroad employees will be protected by *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 23, 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 the filing fee, which currently is set at \$900. 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 12, 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 Nos. AB-55 (Sub-No. 552X) and AB-290 (Sub-No. 201X) 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) Charles M. Rosenberger, CSX Transportation, Inc., 500 Water Street—J150, Jacksonville, FL 32202; and James R. Paschall, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510-2191.

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 commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Decided: December 12, 1997.

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

Vernon A. Williams,
Secretary.

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