

had been retested when they had not been retested.

Failure to properly conduct hydrostatic retests can result in unsafe cylinders being returned to service. Serious personal injury, death, and property damage could result from the rupture of a cylinder. Cylinders that have not been retested in accordance with the Hazardous Materials Regulations (HMR) may not be charged or filled with a hazardous material for transportation in commerce.

FOR FURTHER INFORMATION CONTACT: N. Stewart Skeggs, Hazardous Materials Enforcement Specialist, Central Region, telephone (847) 294-8580, Fax (847) 294-8590, Office of Hazardous Materials Enforcement, Research and Special Programs Administration, Department of Transportation, 2350 East Devon Avenue, Suite 136, Des Plaines, IL 60018.

SUPPLEMENTARY INFORMATION: During an inspection at Fire Protection Service (FPS), 1022 Dueber Avenue, S.W., Canton, Ohio, RSPA determined that FPS had marked an undetermined number of cylinders as having been properly retested in accordance with the HMR without retesting the cylinders as required. RSPA also determined that FPS had marked cylinders as tested in accordance with the HMR without holding a Retester Identification Number (RIN) issued by RSPA as required by the HMR.

Failure to properly conduct hydrostatic retests can result in cylinders that should be condemned being returned to service. Serious personal injury, death, and property damage could result from rupture of a cylinder. Cylinders that have not been retested in accordance with the HMR may not be charged or filled with a hazardous material.

RSPA has determined that FPS had been servicing cylinders without holding a RIN since at least 1993. In addition, the condition of the retest equipment at FPS indicated to the inspectors that FPS had not been capable of hydrostatically retesting cylinders for quite some time. Because FPS failed to keep accurate retest and reinspection records, it is impossible to determine the number of cylinders that FPS has marked without retesting, or has retested without possessing a valid RIN.

Some cylinders serviced by FPS may be marked on their shoulders with the month and year of alleged hydrostatic retest dates (for example, 3-98). Any person who has a cylinder that was last serviced by FPS should not charge or fill the cylinder without first having it

inspected and retested by a DOT-authorized retest facility. Filled cylinders (if filled with an atmospheric gas) described in this safety advisory should be vented or otherwise properly and safely evacuated and purged, and taken to a DOT-authorized cylinder retest facility for visual reinspection and retest to determine if they qualify for continued use in accordance with the HMR.

Under no circumstances should a cylinder described in this safety advisory be filled, refilled or used to contain a hazardous material until it has been requalified by a DOT-authorized retest facility. It is further recommended that persons finding or possessing cylinders described in this safety notice contact Mr. Skeggs for further information.

Issued in Washington, DC, on December 22, 1998.

Alan I. Roberts,

Associate Administrator for Hazardous Materials Safety.

[FR Doc. 98-34405 Filed 12-28-98; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Ex Parte No. 558 (Sub-No. 2)]

Railroad Cost of Capital—1998

AGENCY: Surface Transportation Board.

ACTION: Notice of decision instituting a proceeding to determine the railroads' 1997 cost of capital.

SUMMARY: The Board is instituting a proceeding to determine the railroad industry's cost of capital for 1998. The decision solicits comments on: (1) the railroads' 1998 cost of debt capital; (2) the railroads' 1998 current cost of preferred stock equity capital; (3) the railroads' 1998 cost of common stock equity capital; and (4) the 1998 capital structure mix of the railroad industry on a market value basis.

DATES: Notices of intent to participate are due no later than January 11, 1999. A service list will then be prepared and issued by January 25, 1999. Statements of the railroads are due by March 26, 1999. Statements of other interested persons are due by April 16, 1999. Rebuttal statements by the railroads are due by April 30, 1999.

ADDRESSES: Send an original and 10 copies of statements and a copy of the statement on a 3.5 inch disk in WordPerfect 6.1, and an original and 1 copy of the notice of intent to participate to: Surface Transportation

Board, Office of the Secretary, Case Control Branch, 1925 K Street, N.W., Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Leonard J. Blistein, (202) 565-1529. [TDD for the hearing impaired: (202) 565-1695.]

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision. To obtain a copy of the full decision, write to, call, or pick up in person from: Office of the Secretary, Surface Transportation Board, 1925 K Street, N.W., Room 700, Washington, DC 20423. Telephone: (202) 565-1650. [Assistance for the hearing impaired is available through TDD services (202) 565-1695.] A copy of the decision can also be obtained from the Board's internet site (www.stb.dot.gov).

We preliminarily conclude that the proposed action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Authority: 49 U.S.C. 10704(a).

Decided: December 18, 1998.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,
Secretary.

[FR Doc. 98-34444 Filed 12-28-98; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-402 (Sub-No. 6X)]

Fox Valley & Western Ltd.— Abandonment Exemption—in Waupaca County, WI

On December 10, 1998, Fox Valley & Western Ltd. (FVW), 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. 10903-10905¹ to abandon a 10.7-mile line of railroad known as the Manawa-Scandinavia Line, extending from milepost 50.3 near Manawa to the end of the line at milepost 61.0 in Scandinavia, in Waupaca County, WI. The line traverses U.S. Postal Service Zip Codes 54949, 54962, and 54977, and includes the station of Scandinavia at milepost 61.0.

The line does not contain federally granted rights-of-way. Any documentation in FVW's possession

¹ In addition to an exemption from 49 U.S.C. 10903, FVW seeks exemption from 49 U.S.C. 10904 (offer of financial assistance procedures) and 49 U.S.C. 10905 (public use conditions). These requests will be addressed in the final decision.

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 30, 1999.

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 offer must be accompanied by a \$1,000 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 19, 1999. 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-402 (Sub-No. 6X) 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., 6250 N. River Rd., Suite 9000, Rosemont, IL 60018. Replies to the FVW petition are due on or before January 19, 1999.

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.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: December 21, 1998.

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

Vernon A. Williams,

Secretary.

[FR Doc. 98-34446 Filed 12-28-98; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 130X)]

Union Pacific Railroad Company— Abandonment Exemption—in Pocahontas, Buena Vista and Clay Counties, IA (Royal Branch)

On December 9, 1998, Union Pacific Railroad Company (UP) 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 25.25 miles of a line of railroad known as the Royal Branch, extending between milepost 477.10 near Laurens to the end of the line at milepost 502.35 near Royal, in Pocahontas, Buena Vista and Clay Counties, IA. The line traverses U.S. Postal Service Zip Codes 50554 (near Laurens) and 51357 (Rossie and Royal) and includes the non-agency rail stations of Rossie at milepost 495.70 and Royal at milepost 501.80.

The line does not contain federally granted rights-of-way. Any documentation in UP'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 29, 1999.

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 offer must be accompanied by a \$1,000 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 19, 1999. 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-33 (Sub-No. 130X) 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) Joseph D. Anthofer, Union Pacific Railroad Company, 1416 Dodge Street, Room 830, Omaha, NE 68179-0830. Replies to the UP petition are due on or before January 19, 1999.

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.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: December 21, 1998.

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

Vernon A. Williams,

Secretary.

[FR Doc. 98-34445 Filed 12-28-98; 8:45 am]

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