

the disposition of the line, including the adjudication of various claims of ownership or other rights and obligations, are then left to state or local authorities; *Kansas City Pub. Ser. Frgt. Operation—Exempt.—Aban.*, 7 I.C.C. 2d 216 (1990). It should be noted that, whenever the Board or its predecessor, the Interstate Commerce Commission, has granted abandonment or discontinuance authority, whether by application of a third party or otherwise, the agency finds that the public convenience and necessity supports the abandonment or discontinuance of a specific line by a specified carrier.

The parties may address this issue further in their comments and the replies thereto.

GTW correctly notes that requests for waivers are typically filed before the application drawn in reliance on those waivers is filed. But in filing its application contemporaneously with the waivers, NW has merely run the risk that the waivers will be denied in whole or part and it will have wasted time and effort in filing an application based on them. Grants of petitions for waiver of the filing of the materials required in typical abandonment applications in applications filed by third parties are customary. The regulations require information intended to help the Board decide whether a particular line or service is losing money. That is typically not the issue in third party applications. It is not the issue here, where no service has been provided in recent years. We have denied NW's requests to shorten the procedural schedule or to "waive" the statutorily mandated OFA procedures.

The procedure NW chose in filing its waiver requests is no reason to reject its application. Nor is GTW's catchall assertion that the application is defective.

The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it. The applicant's entire case in chief for abandonment and discontinuance of service was filed with the application.

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

The line has not appeared on the system diagram maps (SDM) or been included in the narrative in category 1. The Interstate Commerce Commission (ICC) has found that the SDM requirement, while imposed by statute, is not necessary in the context of an adverse abandonment, where the line

has been out of service for many years. See *Tri-County Metropolitan Transportation District of Oregon—Abandonment—A line of Burlington Northern Railroad Company in Washington County, OR*, ICC Docket No. AB-6 (Sub-No. 348) (ICC served Mar. 4, 1993).

Any interested person may file with the Board written comments concerning the proposed adverse discontinuance or protests (including the protestant's entire opposition case), by March 10, 1998. Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use requests are not appropriate. Such requests will be considered in the abandonment proceeding referenced in footnote 2. Likewise, no environmental or historical documents are required here under 49 CFR 1105.6(c)(6).

Persons opposing the proposed adverse discontinuance who wish to participate actively and fully in the process should file a protest by March 10, 1998. Persons who may oppose the discontinuance but who do not wish to participate fully in the process by submitting verified statements of witnesses containing detailed evidence should file comments by March 10, 1998. Parties seeking information concerning the filing of protests should refer to § 1152.25. The due date for applicant's reply is March 25, 1998.

All filings in response to this notice must refer to STB Docket No. AB-31 (Sub-No. 30) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001; and (2) James R. Paschall, Norfolk and Western Railway Company, Three Commercial Place, Norfolk, VA 23510-2191; Robert P. vom Eigen, Hopkins & Sutter, 888 16th Street, NW., Washington, DC 10006; Mr. S. A. Cantin, Q.C., System General Counsel, Canadian National, 935 de La Gauchetiere St. West, Montreal, QC H3B 2M9; and Karl Morrell, Ball Janik, LLP, 1455 F Street, NW., Washington, DC 20004. The original and 10 copies of all comments or protests shall be filed with the Board with a certificate of service. Except as otherwise set forth in part 1152, every document filed with the Board must be served on all parties to the adverse discontinuance proceeding. 49 CFR 1104.12(a).

Persons seeking further information concerning the abandonment/discontinuance 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.

A copy of the application will be available for public inspection at NW's agency station at 1400 Gest Street, Cincinnati, OH 45203 ((513) 977-3284). The carrier shall furnish a copy of the application to any interested person proposing to file a protest or comment, upon request.

Decided: February 6, 1998.

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

Vernon A. Williams,
Secretary.

[FR Doc. 98-3621 Filed 2-11-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-290 (Sub-No. 184X)]

Norfolk and Western Railway Co.— Abandonment Exemption—In Cincinnati, Hamilton County, OH

On January 23, 1998, Norfolk and Western Railway Company (NW) 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 segment of a line of railroad known as the Riverfront Running Track, between Oasis and Plum Street, a distance of approximately 1.5 miles, in Cincinnati, Hamilton County, OH.² The line traverses U.S. Postal Service Zip Codes 45202 and 45203. There are no stations on the line.

The line does not contain federally granted rights-of-way. Any documentation in the railroad'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).

¹ NW seeks exemptions from the offer of financial assistance (OFA) provisions of 49 U.S.C. 10904 and the public use provisions of 49 U.S.C. 10905. Exemptions from 49 U.S.C. 10904-05 have been granted from time to time, but only when the right-of-way is needed for a valid public purpose and there is no overriding public need for continued rail service.

² Concurrent filings were made in: STB Docket No. AB-532X, *The Cincinnati Terminal Railway Company (Indiana & Ohio Railway Company, Successor)—Discontinuance of Service Exemption—In Cincinnati, Hamilton County, OH*; and STB Docket No. AB-167 (Sub-No. 1180X), *Consolidated Rail Corporation—Discontinuance of Trackage Rights Exemption—in Cincinnati, Hamilton County, OH*; and STB Docket No. AB-31 (Sub-No. 30), *Grand Trunk Western Railroad Incorporated—Adverse Discontinuance of Trackage Rights Application—A Line of Norfolk and Western Railway Company in Cincinnati, Hamilton County, OH*.

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 May 13, 1998.

Unless an exemption is granted, as sought, from the OFA provisions of 49 U.S.C. 10904, any 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. Unless an exemption is granted, as sought, from the public use provisions of 49 U.S.C. 10905, 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 March 4, 1998.³ 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. 290 (Sub-No. 184X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001, and (2) James R. Paschall, Norfolk and Western Railway Company, 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 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: February 6, 1998.

³NW states that, since it has already agreed to transfer the line to the City of Cincinnati, NW will not negotiate with any party for transfer of the line for trail use.

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

Vernon A. Williams,

Secretary.

[FR Doc. 98-3618 Filed 2-11-98; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS

Privacy Act of 1974; Amendment of Systems of Records

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: As required by the Privacy Act of 1974, 5 U.S.C. 552a(e), notice is hereby given that the Department of Veterans Affairs (VA) is amending three systems of records notices to update the "Access/Safeguards" statements.

DATES: These amendments are effective on February 12, 1998.

FOR FURTHER INFORMATION CONTACT: Bill Lanson, Legal Consultant, Compensation & Pension Service, Veterans Benefits Administration, (202) 273-7267; Celia Winter, Privacy Act Officer, Veterans Health Administration, (202) 273-6274.

SUPPLEMENTARY INFORMATION: The Department of Veterans Affairs (VA) has decided, as a matter of policy, to provide direct, on-line, remote access to its automated medical treatment and benefits records to certain employees of the Veterans Health Administration (VHA) and the Veterans Benefits Administration (VBA) who need to have access to the information contained in the records in order for them to make decisions about veterans' benefits (medical care and other benefits) in a more timely and efficient manner.

VHA is responsible for the medical treatment of veterans and claimants, and maintains individually identified and retrieved records, both paper and electronic, reflecting the care and treatment rendered. VBA is responsible for determining entitlement to compensation and pension benefits for veterans and claimants under title 38, United States Code. VBA also maintains individually identified and retrieved paper and electronic records of this claims administration activity.

The status of a veteran's compensation, pension, retirement, and other benefits may be affected while the veteran is receiving hospitalization, domiciliary care, nursing home care, or other medical services. Information maintained by the VA medical centers often is relevant to determinations by VBA about these benefits. Similarly,

there may be some change in a veteran's eligibility to receive medical care and treatment without charge. Information maintained by VBA often is pertinent to the ability of a VA medical center to make a determination on this matter.

In both situations, VBA and VHA personnel need timely access to the appropriate records in order to ensure that veterans receive the medical care or other title 38 benefits that they are entitled to receive as expeditiously as possible.

Historically, VBA and VHA exchanged necessary information to make these determinations by the appropriate, authorized employees at the VA medical center treating the veteran or at the VBA regional office administering the delivery of benefits to the veteran, by submitting a paper form to the other for the necessary records. The relevant portions of the medical treatment records or claims records were photocopied (and in the case of electronic medical records, printed out) and mailed back and forth between the medical center and the regional office.

VA replaced the use of paper forms for VBA to request copies of records with the AMIE (Automated Medical Information Exchange) software package. The use of AMIE allows regional offices to electronically request copies of the relevant veterans' medical records from the medical centers, particularly hospital admission and discharge reports, outpatient treatment reports and other patient care records. The medical center then provides either paper copies of the records or electronic reports if available. The use of AMIE greatly reduced the time it takes to exchange patient information between the medical centers and the regional offices, reduced the number of paper forms exchanged, provided better monitoring of the examination process, and, most importantly, allowed the veterans to receive benefits due them in a more timely and efficient manner.

VA medical centers currently maintain significant portions of their clinical records in electronic format on the computer system known as VISTA/DHCP (Veterans Information Systems Technology Architecture/Decentralized Hospital Computer Programs). Other clinical records are maintained in a variety of hardcopy forms, e.g., paper and X-ray film. VHA is eventually migrating all of its clinical records to an electronic environment. The electronic clinical records can be accessed within a medical center and downloaded or printed out by authorized VHA