

Systems & Occupant Protection on Transport Airplanes].

"The issue of plinths versus pallets was raised in the Aviation Rulemaking Advisory Committee seat test harmonization working group that helped develop the revised AC and was considered, at the time, to be of relatively minor importance. Thus, a simple procedure was included in lieu of a detailed discussion of the underlying rationale for the criteria in the AC. However it now appears that the frequency of plinth and pallet installations is increasing, and the simple criteria in the AC are not always sufficient to address the design variations that are being presented for certification. This memorandum is intended to provide further explanation of the guidance contained in the AC and promote greater standardization and equal treatment among applicants.

"In order to clarify the appropriate certification procedures for plinths and pallets, a brief review of the regulation is needed. Section 25.562(b)(2) requires that the seat be subjected to a prescribed 16g dynamic impulse, with the points of attachment (floor rails or fitting) misaligned with respect to each other. The misalignment is intended to address local distortion between the seat and airplane floor. A lack of tolerance to local distortion has been a primary cause of seat attachment failures, and a fundamental object of the regulation is to provide for improved retention of seats. Based on accident and research data, the interface between the seat and airplane has been identified as critical and the regulation requires that interface to be tested to the prescribed 16g dynamic impulse. The basic airplane follow structure beyond the interface (beams, intercostal etc.) is not required to be dynamically tested or demonstrated to tolerate misalignment. In the case of seats that do not attach directly to the airplane seat track (or equivalent), there is a need to establish the critical interface.

"The Advisory circular characterizes a plinth as an adapter used to attach a single seat to the floor, and gives an example of a pallet as an adapter used to attach multiple rows of seats. If the seat is essentially connected to the seat track via an adapter, the adapter is functionally part of the seat, and certification testing should take this into account. In that case, the seat and its adapter would be tested dynamically, with the misalignment required by the regulation imposed at the interface of the adapter and the floor.

"On the other hand, if seats were installed into the airplane with an adapter(s) such that the adapter(s) was effectively part of the airplane floor, then the critical interface would be between that seat and the adapter. In that case, the dynamic tests would include the seat and its attachment to the adapter, with the misalignment imposed on that interface.

"In order to give a simple characterization of the two situations, the AC refers to single seats and multiple row seats. The term 'single seat,' as used in the AC, was intended to refer to a seat assembly, which could be as large as five seat places. However, the rationale behind this characterization was that a single seat adapter would be considered a plinth, by virtue of its size and

purpose, and therefore a part of the seat. Conversely, a multiple row seat installation was considered sufficiently large that the adapter would have to be a pallet, and therefore part of the floor.

"Nonetheless, using the rationale discussed above, there exists the potential for large plinths and small pallets. The issue is whether the critical interface is between the seat and the adapter, or between the adapter and the airplane. Generally speaking adapters of the size that contain a single row of seats (whether they are individual seat places or a common assembly) and mount into seat tracks, should be treated as part of the seat for purposes of certification in accordance with § 25.562. Larger, or more integrally mounted, adapters should be assessed to determine whether they should be treated as part of the floor for purposes of certification in accordance with § 25.561."

Issued in Renton, Washington on July 14, 2000.

**Donald L. Riggins,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM-100.*

[FR Doc. 00-18994 Filed 7-26-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-567 and AB-568 (Sub-No. 1X)]

#### **Rutherford Railroad Development Corporation—Abandonment Exemption—in Rutherford County, NC and Southeast Shortlines, Inc., d/b/a Thermal Belt Railway—Discontinuance of Service Exemption—in Rutherford County, NC**

Rutherford Railroad Development Corporation (RRDC) and Southeast Shortlines, Inc., d/b/a Thermal Belt Railway (TBRY) have filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments and Discontinuances for RRDC to abandon and TBRY to discontinue service over a 7.87-mile line between milepost SB-180.47 in Spindale and milepost SB-188.34 near Gilkey in Rutherford County, NC.<sup>1</sup> The line traverses United States Postal Service Zip Codes 28160 and 28139.

<sup>1</sup> TBRY's lease and operation of the involved line was approved in *Southeast Shortlines, Inc., d/b/a Thermal Belt Railway—Lease, Operation and Acquisition Exemption—A Rail Line in Rutherford, NC*, Finance Docket No. 31484 (ICC served June 22, 1989).

The Bechtler Development Corporation (BDC) filed a request for a notice of interim trail use for the entire line pursuant to section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d). The Board will address BDC's trail use request and any others that may be filed in a subsequent decision.

RRDC and TBRY have certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line 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 Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of 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 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to these exemptions, any employee adversely affected by the abandonment or 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) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, the exemptions will be effective on August 26, 2000, 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 must be filed by August 7, 2000. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by August 16, 2000, with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Fritz R. Kahn, P.C., 1920 N Street, NW., Washington, DC 20036-1601.

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

<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's Section of Environmental Analysis 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 a 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> Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$1000. See 49 CFR 1002.2(f)(25).

RRDC and TBRY have filed an environmental report which addresses the effects of the abandonment and discontinuance, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by August 1, 2000. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423) or by calling SEA, at (202) 565-1545. 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 trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), RRDC shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by RRDC's filing of a notice of consummation by July 27, 2001, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: July 19, 2000.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 00-18801 Filed 7-26-00; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

July 20, 2000.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before August 28, 2000, to be assured of consideration.

### U.S. Customs Service (CUS)

*OMB Number:* New.

*Form Number:* Customs Form 6043.

*Type of Review:* New collection.

*Title:* Delivery Ticket.

*Description:* This information collection ensures that Customs uniform, national procedures for approving and operating warehouses receiving and controlling general order merchandise are followed.

*Respondents:* Individuals or households, Business or other for-profit, Not-for-profit institutions.

*Estimated Number of Respondents:* 200.

*Estimated Burden Hours Per*

*Respondent:* 20 minutes.

*Frequency of Response:* On occasion.

*Estimated Total Reporting Burden:* 6,600 hours.

*Clearance Officer:* J. Edgar Nichols (202) 927-1426, U.S. Customs Service, Information Services Branch, Ronald Reagan Building, 1300 Pennsylvania Avenue, NW., Room 3.2.C, Washington, DC 20229.

*OMB Reviewer:* Alexander T. Hunt (202) 395-7860, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503.

**Lois K. Holland,**

*Departmental Reports Management Officer.*

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## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

July 20, 2000.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before August 28, 2000, to be assured of consideration.

### Internal Revenue Service (IRS)

*OMB Number:* 1545-0144.

*Form Number:* IRS Form 2438.

*Type of Review:* Extension.

*Title:* Undistributed Capital Gains Tax Return.

*Description:* Form 2438 is used by regulated investment companies to figure capital gains tax on undistributed capital gains designated under Internal Revenue Code (IRC) section 852(b)(3)(D). IRS uses this information to determine the correct tax.

*Respondents:* Business or other for-profit.

*Estimated Number of Respondents/Recordkeepers:* 100.

*Estimated Burden Hours Per*

*Respondent/Recordkeeper:*

Recordkeeping—7 hr., 39 min.

Learning about the law or the form—24 min.

Preparing and sending the form to the IRS—32 min.

*Frequency of Response:* Annually.

*Estimated Total Reporting/*

*Recordkeeping Burden:* 859 hours.

*OMB Number:* 1545-0228.

*Form Number:* IRS Form 6252.

*Type of Review:* Extension.

*Title:* Installment Sale Income.

*Description:* Information is needed to figure and report an installment sale for a casual or incidental sale of personal property, and a sale of real property by someone not in the business of selling real estate. Data is used to determine whether the installment sale has been properly reported and the correct amount of profit is included in income on the taxpayer's return.

*Respondents:* Business or other for-profit, Individuals or households, Not-for-profit institutions, Farms.

*Estimated Number of Respondents/Recordkeepers:* 782,848.

*Estimated Burden Hours Per*

*Respondent/Recordkeeper:*

Recordkeeping—1 hr., 18 min.

Learning about the law or the form—24 min.

Preparing the form—1 hr., 0 min.

Copying, assembling, and sending the form to the IRS—20 min.

*Frequency of Response:* Annually.

*Estimated Total Reporting/*

*Recordkeeping Burden:* 2,395,515 hours.

*OMB Number:* 1545-0940.

*Regulation Project Number:* LR-185-84 Final.

*Type of Review:* Extension.

*Title:* Election of \$10 Million

Limitation on Exempt Small Issues of Industrial Development Bonds; Supplemental Capital Expenditure Statements.

*Description:* The regulation liberalizes the procedure by which the state or local government issuer of an exempt small issue of tax-exempt bonds elects the \$10 million limitation upon the size of such issue and deletes the requirement to file certain supplemental capital expenditure statements.