

service by CNRR and the approval by the Board of both the transfer of the easement and the assumption of carrier responsibility by NCRA.

In addition, CNRR currently operates over the segment between NWP MP 26.96 and NWP MP 25.57 pursuant to a freight easement which was retained by SP in a transaction involving GGBHT.⁴ At the closing of the transaction in Finance Docket No. 32910, SP's freight easement will be quitclaimed to GGBHTD, which will then grant to NWPRA the rights to operate over the easement area. According to NWPRA, NCRA will obtain an easement from NWPRA to provide freight service over the segment between NWP MP 26.96 and NWP MP 25.57, at the same time that it acquires the easement mentioned earlier, by which it would take over operations after CNRR ceases its operations.

NWPRA states that the future transfer of these easements will imbue NCRA with all carrier rights and responsibilities and that NWPRA will remain a noncarrier holder of the underlying real estate. NWPRA thus states that it intends in the near future to file either a Motion to Dismiss this Notice or a Petition for a Declaratory Order requesting that it be designated as a noncarrier.

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 reopen will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32910, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue NW., Washington, DC 20423. In addition, a copy of each pleading must be served on David J. Miller, Esq., Hanson, Bridgett, Marcus, Vlahos & Rudy, 333 Market Street, Suite 2300, San Francisco, CA 94105.

Decided: May 9, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-12455 Filed 5-16-96; 8:45 am]

BILLING CODE 4915-00-P

⁴ See *Golden Gate Bridge, Highway & Transportation District—Acquisition Exemption—Northwestern Pacific Railroad Company and Southern Pacific Transportation Company*, Finance Docket No. 31689 (ICC served July 5, 1990).

Surface Transportation Board¹

[STB Finance Docket No. 32907]

Ormet Railroad Corporation; Acquisition and Operation Exemption; Consolidated Rail Corporation

Ormet Railroad Corporation of Wheeling, WV (ORC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Consolidated Rail Corporation's Omal Secondary Track from milepost 60.5 at Powhatten Point, to the end of the line, milepost 72.7 at Omal, a distance of 12.2 miles in Monroe County, OH.

ORC will assume the common carrier obligation associated with the line, holding itself out to render common carrier service by railroad. Consolidated Rail Corporation will perform the operations on the line, solely pursuant to a private contractual arrangement, on behalf of and for the account of ORC.

Consummation was to be on or after April 30, 1996. 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 reopen will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32907, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue NW., Washington, DC 20423. In addition, a copy of each pleading must be served on Fritz R. Kahn, Esq., Suite 750 West, 1100 New York Avenue NW., Washington, DC 20005-3934.

Decided: May 10, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-12456 Filed 5-16-96; 8:45 am]

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¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901.

Surface Transportation Board¹

[STB Finance Docket No. 32899]²

Owensville Terminal Company, Inc.; Acquisition and Operation Exemption—Poseyville & Owensville Railroad Company, Inc.

Owensville Terminal Company, Inc. (OTC), a noncarrier, filed a notice of exemption to acquire from Poseyville & Owensville Railroad Company, Inc. (P&O), and operate approximately 11.2 miles of rail branch line in Gibson and Posey Counties, IN, between milepost 271.0 in Poseyville and milepost 282.2 in Owensville.³ The transaction was to be consummated on or after April 19, 1996.⁴

This notice is filed under 49 CFR 1150.31. If the 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) [formerly section 10505(d)] may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction. An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32899, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue NW., Washington, DC 20423. In addition, a copy of each pleading must be served on Robert P. vom Eigen, Esq., Hopkins & Sutter, 888 16th Street NW., Washington, DC 20006.

Decided: April 29, 1996.

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901.

² This notice corrects the notice previously served and published in the Federal Register on May 7, 1996. The prior notice erroneously stated that Owensville Terminal Company, Inc., is a subsidiary of RailAmerica, Inc.

³ P&O owns the line and operates it as a branch line, using equipment and labor supplied under contract by Garden Spot & Ohio Railroad (GS&O). The line connects with GS&O at Poseyville.

⁴ P&O was placed into receivership by the Gibson County Superior Court, Gibson County, IN, in Cause No. 26001-9303-CP-0010. On March 19, 1993, the court appointed Robert W. Musgrave (Musgrave) receiver for P&O. Pursuant to a March 26, 1996 court order, Musgrave agreed to sell the line (real estate, leases and licenses, track, ties, and other track materials) to RailAmerica, Inc. (Rail America), a Delaware corporation. RailAmerica, in turn, will assign its rights and interests in the line to OTC, and Huron and Eastern Railway Company, Inc. (Huron), will supply the labor and equipment, as needed, for OTC to operate the line. OTC and Huron are Michigan corporations, and Huron is a RailAmerica subsidiary.

By the Board, David M. Konschnik,
Director, Office of Proceedings.
Vernon A. Williams,
Secretary.
[FR Doc. 96-12457 Filed 5-16-96; 8:45 am]
BILLING CODE 4915-00-P

Surface Transportation Board¹

[STB Docket No. AB-55 (Sub-No. 526X)]

CSX Transportation, Inc.; Abandonment Exemption; in Berkeley County, WV

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Part Subpart F—*Exempt Abandonments* to abandon 1.29 miles of its line of railroad from milepost BBQ-1.64 to milepost BBQ-2.93 near Berkeley, in Berkeley County, WV.

CSXT has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (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 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 use of this exemption, any employee adversely affected by the abandonment 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, this exemption will be effective on June 16, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,²

¹ The ICC Termination Act of 1995, Pub. L. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903.

² 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

formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking requests under 49 CFR 1152.29⁴ must be filed by May 28, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 6, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Charles M. Rosenberger, Senior Counsel, 500 Water Street, J150, Jacksonville, FL 32202.

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

CSXT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by May 22, 1996. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Surface Transportation Board, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. 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.

Decided: May 13, 1996.

By the Board, David M. Konschnik,
Director, Office of Proceedings.
Vernon A. Williams,
Secretary.
[FR Doc. 96-12458 Filed 5-16-96; 8:45 am]
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DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

May 10, 1996.

The Department of Treasury has submitted the following public information collection requirement(s) to

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.

³ See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

⁴ The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

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.

Bureau of Alcohol, Tobacco and
Firearms (BATF)

OMB Number: 1512-0163.

Form Number: ATF F 5210.5 (3068).

Type of Review: Extension.

Title: Manufacture of Tobacco
Products Monthly Report.

Description: ATF F 5210.5 (3068)

documents a tobacco products manufacturer's accounting of cigars and cigarettes. The form describes the tobacco products manufactured, articles produced, received, disposed of and statistical classes of large cigars. ATF examines and verifies entries on these reports so as to identify unusual activities, errors and omissions.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 101.

Estimated Burden Hours Per
Respondent: 1 hour.

Frequency of Response: Monthly.

Estimated Total Reporting Burden:
1,212 hours.

OMB Number: 1512-0200.

Form Number: ATF F 5110.31.

Type of Review: Extension.

Title: Application and Permit to Ship
Puerto Rican Spirits to the United States
Without Payment of Tax.

Description: ATF F 5110.31 is used to allow a person to ship spirits in bulk into the U.S. The form identifies the person in Puerto Rico from where shipments are to be made, the person in the United States receiving the spirits, amounts of spirits to be shipped, and the bond of the U.S. person to cover taxes on such spirits.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 20.

Estimated Burden Hours Per
Respondent: 45 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden:
450 hours.

OMB Number: 1512-0372.

Recordkeeping Requirement ID
Number: ATF REC 5400/2.

Type of Review: Extension.

Title: Records and Supporting Data:
Daily Summaries, Records and