

**FOR FURTHER INFORMATION CONTACT:**

Mr. John P. Milligan, Supervisor Standards Section, Airports Division, P.O. Box 92007, WPC, Los Angeles, CA 90009, Telephone: (310) 725-3621. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose only, impose and use, and use the revenue from a PFC at the Inyokern Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990, Pub. L. 101-508 as recodified by Title 49 U.S.C. 40117 [C(3)]) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). On June 24, 1997, the FAA determined that the application to impose only, impose and use, and use the revenue from a PFC submitted by the Indian Wells Valley Airport District was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than September 26, 1997.

The following is a brief overview of the application No. AWP-97-03-C-00-IYK:

*Level of the Proposed PFC:* \$3.00.

*Proposed Charge Effective Date:* October 1, 1997.

*Proposed Charge Expiration Date:* December 30, 2002.

*Total Estimated PFC Revenue:* \$253,000 for impose or impose and use, and \$140,000 for use only.

*Brief description of the proposed projects:*

*Impose only:* Widen Runway 2-20 from 75' to 100'—Total \$153,000.

*Impose and Use:* Construct Fire Station—Total \$100,000.

*Use only:* Rehabilitate Taxiways—Total \$140,000. This project was previously approved as impose only within an overall PFC application which was approved on February 11, 1995, in the total estimated amount of \$215,000.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Small certificated air taxi carriers not providing scheduled service.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application, in person at the Inyokern Airport Administration Office.

Issued in Hawthorne, California, on June 24, 1997.

**Ellsworth L. Chan,**

*Acting Manager, Airports Division, Western-Pacific Region.*

[FR Doc. 97-18261 Filed 7-10-97; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration**

**Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Lebanon Municipal Airport, Lebanon, New Hampshire**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a Passenger Facility Charge at Lebanon Municipal Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

**DATES:** Comments must be received on or before August 11, 1997.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, 12 New England Executive Park, Burlington, Massachusetts 01803.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Timothy J. Edwards, at the following address: Airport Manager, 5 Airpark Road, West Lebanon, New Hampshire 03784.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Lebanon under § 158.23 of Part 158 of the Federal Aviation Regulations.

**FOR FURTHER INFORMATION CONTACT:**

Priscilla A. Scott, PFC Program Manager, Federal Aviation Administration, Airports Division, 12 New England Executive Park, Burlington, Massachusetts 01803, (617) 238-7614. The application may be reviewed in person at 16 New England Executive Park, Burlington, Massachusetts.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a Passenger

Facility Charge (PFC) at Lebanon Municipal Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On May 2, 1997, the FAA determined that the application to impose and use the revenue from a PFC submitted by the City of Lebanon was substantially complete within the requirements of § 158.25 of Part 158 of the Federal Aviation Regulations. The FAA will approve or disapprove the application, in whole or in part, no later than August 20, 1997.

The following is a brief overview of the impose and use application.

*PFC Project #:* 97-02-C-00-LEB.

*Level of the proposed PFC:* \$3.00.

*Proposed charge effective date:* October 1, 1999.

*Proposed estimated charge expiration date:* December 1, 1999.

*Estimated total net PFC revenue:* \$22,350.

*Brief description of project:* Installation of Airport Security Fencing.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Lebanon Municipal Airport, 5 Airpark Road, West Lebanon, New Hampshire.

Issued in Burlington, Massachusetts on July 2, 1997.

**Vincent A. Scarano,**

*Manager, Airports Division, New England Region.*

[FR Doc. 97-18152 Filed 7-10-96; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration****Petition for a Waiver of Compliance**

In accordance with Title 49 Code of Federal Regulations (49 CFR) §§ 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance with certain requirements of Federal railroad safety regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested and the petitioner's arguments in favor of relief.

**Nevada Northern Railway Museum (NNRX)**

[FRA Waiver Petition Docket No. RSEQ-95-1]

The NNRX seeks a waiver of compliance with 49 CFR, Part 240, "Qualifications for Locomotive Engineers." NNRX is a seasonal tourist operation with both steam and diesel train excursions. The normal operating season is from Memorial Day through Labor Day on weekends only. The NNRX operates a program called "Student Engineer-Locomotive Rental Program" which, according to the railroad, has generated much of the income necessary to keep the museum operating and its continuation is imperative to the future of the museum. In addition, the program "provides an opportunity for an individual to learn the aspects and responsibilities of a locomotive engineer as well as the history of the Nevada Northern Railway." The NNRX program's total rental period, including testing, preparation and cab time will not exceed two hours. It is proposed that movement will be locomotive only and under the direct supervision of a certified locomotive engineer and fireman. A written examination and adequate clothing will be required. Furthermore, each student must be in reasonably good health and have good eyesight.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket No. RSEQ-95-1) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received within 30 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at 1120

Vermont Avenue, N.W., Washington, D.C. 20005, Room 7020.

Issued in Washington, D.C. on July 2, 1997.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 97-18242 Filed 7-10-97; 8:45 am]

BILLING CODE 4910-06-P

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[STB Finance Docket No. 33388 (Sub-No. 1)]

**CSX Transportation, Inc.; Construction and Operation Exemption; Connection Track at Crestline, OH**

CSX Transportation, Inc. (CSXT) and Consolidated Rail Corporation (CRC) have filed a notice of exemption under 49 CFR 1150.36 to construct a connection track between two CRC main lines in the NW Quadrant. The connection will extend approximately 1,507 feet between approximately milepost 75.4 on CRC's North-South main line between Greenwich, OH, and Indianapolis, IN, and approximately milepost 188.8 on CRC's East-West main line between Pittsburgh and Ft. Wayne, IN.<sup>1</sup>

Construction is scheduled to begin on or about 90 days after the filing date of this notice, but not before the effective date of the exemption, which is 70 days

<sup>1</sup> This proceeding is related to STB Finance Docket No. 33388, CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company—Control and Operating Leases/Agreements—Conrail, Inc. and Consolidated Rail Corporation (CSX/NS/CR). In CSX/NS/CR, Decision No. 9, served June 12, 1997, the Board granted the applicants' Petition for Waiver, allowing CSXT and CRC to seek approval for construction of four "first day" connections, including this proposed connection at Crestline, OH, prior to Board approval of the Primary Control Application. CSXT filed a notice of exemption to construct and operate a connection track in Crestline, as a related filing in Volume 5 of the primary application filed on June 23, 1997, in the CSX/NS/CR proceeding. See CSX/NS-22 (Volume 5) at 94. CSXT and CRC concurrently filed a slightly modified version of the notice of exemption for construction of a connection track in Crestline (CSX-5). The Board will consider both filings in tandem. As the Board stated in CSX/NS/CR, Decision No. 9, at 6-7:

\* \* \* in reviewing these projects separately, we will consider the regulatory and environmental aspects of these proposed constructions and applicants' proposed operations over these lines together in the context of whether to approve each individual physical construction project. The operational implications of the merger as a whole, including operations over the \* \* \* construction projects, will be examined in the context of the [Environmental Impact Statement] EIS that we are preparing for the overall merger. \* \* \* No rail operations can begin over these (four CSX connections) until completion of the EIS process and issuance of a further decision.

after publication of this notice in the **Federal Register**, unless stayed.

The Board's Section of Environmental Analysis (SEA) will analyze the potential environmental impact of this proposed construction and operation, which is addressed in the environmental documents prepared in the primary application in STB Finance Docket No. 33388. The environmental report covering the proposed construction and operation of the connection track at Crestline is contained in the Environmental Report filed with the Board in STB Finance Docket No. 33388. In addition, as the Board required in CSX/NS/CR, Decision No. 9, CSX must submit, no later than September 5, 1997 (Day F+75), a preliminary draft environmental assessment (PDEA) for each individual construction project covered by the Board's waiver decision. Each PDEA must comply with all of the requirements for environmental reports contained in the environmental rules at 49 CFR 1105.7. Also, the PDEA must be based on consultations with SEA and the federal, state, and local agencies set forth in 49 CFR 1105.7(b), as well as other appropriate parties. If a PDEA is insufficient, the Board may require additional environmental information or reject the document. See CSX/NS/CR, Decision No. 9, at 8.

As part of the environmental review process, SEA will independently verify the information contained in each PDEA, conduct further independent analysis, as necessary, and develop appropriate environmental mitigation measures. For each project, SEA plans to prepare an EA, which will be served on the public for its review and comment. The public will have 20 days to comment on the EA, including the proposed environmental mitigation measures. After the close of the public comment period, SEA will prepare Post Environmental Assessments (Post EAs) containing SEA's final recommendations, including appropriate environmental mitigation. *Id.* at 8. The effective date of this exemption may be stayed pending consideration of the environmental record and completion of the environmental process.

Should the Board determine that the Crestline construction project could potentially cause, or contribute to, significant environmental impacts, then the project will be incorporated into the EIS for the proposed control transaction in STB Finance Docket No. 33388, CSX/NS/CR. *Id.* at 8. The Board's consideration of this construction project does not, and will not, in any way, constitute approval of, or even