

practices, as specified in 15 CFR 2007.0 (a) and (b).

**FOR FURTHER INFORMATION CONTACT:** GSP Subcommittee, Office of the United States Trade Representative, 600 17th Street, NW, Room 518, Washington, DC 20508 (Tel. 202/395-6971). Public versions of all documents relating to this review may be seen by appointment in the USTR public Reading Room between 9:30-12 a.m. and 1-4 p.m. (Tel. 202/395-6186).

**SUPPLEMENTARY INFORMATION:** The GSP program is authorized pursuant to Title V of the Trade Act of 1974, as amended ("the Trade Act") (19 U.S.C. 2461 *et seq.*). The GSP program grants duty-free treatment to designated eligible articles that are imported from designated beneficiary developing countries. In a **Federal Register** notice dated August 13, 1997 (62 FR 43408), USTR announced the acceptance of product petitions for review. In addition, USTR has received a number of petitions requesting that certain practices in certain beneficiary developing countries be reviewed to determine whether such countries are in compliance with the eligibility criteria set forth in sections 502(b) and 502(c) of the Trade Act (19 U.S.C. 2462(b) and 2462(c)).

### I. Subject of Reviews

#### A. Petitions Requesting Modifications of Product Eligibility

As described in a **Federal Register** notice dated August 13, 1997 (62 FR 43408), USTR accepted petitions from interested parties and foreign governments to: (1) Designate articles as eligible for the GSP; (2) withdraw, suspend or limit GSP duty-free treatment accorded either to eligible articles under the GSP or to individual beneficiary developing countries with respect to specific GSP eligible articles; and (3) waive competitive need limits.

USTR has requested the advice of the U.S. International Trade Commission (USITC) on the probable economic effects of granting the requested GSP changes on U.S. industries producing like or directly competitive articles and on consumers. A nonconfidential version of the USITC analysis will be made available to the public as of approximately December 30, 1997.

Any modifications to the list of articles eligible for duty-free treatment under the GSP program resulting from the GSP 1997 Product Review will be announced on or about May 1, 1998, and will take effect July 1, 1998.

#### B. Petitions Accepted for Review Regarding Country Practices

Pursuant to 15 CFR 2007.0(b), the Trade Policy Staff Committee has accepted petitions to review the GSP status of (1) Belarus and Swaziland based on the alleged failure of each to provide adequate and effective protection for internationally recognized worker rights, and (2) the Philippines based on its alleged failure to provide equitable and reasonable access to its markets. (The decision on the Philippines intellectual property rights case has been deferred.)

Any modifications to the list of beneficiary developing countries for purposes of the GSP program resulting from the Country Practices Review will take effect on such date as will be notified in a future **Federal Register** notice.

### II. Opportunities for Public Comment and Inspection of Comments

The GSP Subcommittee of the TPSC invites comments in support of, or in opposition to, any petition which is the subject of this notice. Submissions should comply with 15 CFR Part 2007, including sections 2007.0, and 2007.1. All submissions should identify the subject article(s) in terms of the current Harmonized Tariff Schedule of the United States ("HTS") nomenclature.

Comments should be submitted in fourteen (14) copies, in English, to the Chairman of the GSP Subcommittee of the Trade Policy Staff Committee, 600 17th Street, NW., Room 518, Washington, DC 20508. Information submitted will be subject to public inspection by appointment with the staff of the USTR public reading room, except for information granted "business confidential" status pursuant to 15 CFR 2003.6 and other qualifying information submitted in confidence pursuant to 15 CFR 2007.7. If the document contains business confidential information, an original and fourteen (14) copies of a nonconfidential version of the submission along with an original and fourteen (14) copies of the confidential version must be submitted. In addition, any document containing confidential information should be clearly marked "confidential" at the top and bottom of each page of the document. The version that does not contain confidential information (the public version) should also be clearly marked at the top and bottom of every page (either "public version" or "nonconfidential"). Comments should be submitted no later than 5:00 p.m. on September 30, 1997.

### III. Notice of Public Hearings

Hearings will be held on October 22, 23, (and October 24, 1997, if needed) beginning at 10:00 a.m. at the U.S. International Trade Commission Building, 500 E Street, SW., Washington, DC 20436. The hearings will be open to the public and a transcript of the hearings will be made available for public inspection or can be purchased from the reporting company. No electronic media coverage will be allowed.

All interested parties wishing to present oral testimony at the hearings must submit the name, address, and telephone number of the witness(es) representing their organization to the Chairman of the GSP Subcommittee. Such requests to present oral testimony at the public hearings should be accompanied by fourteen (14) copies, in English, of a written brief or statement, and should be received by 5 p.m. on September 30, 1997. Oral testimony before the GSP Subcommittee will be limited to five minute presentations that summarize or supplement information contained in the briefs or statements submitted for the record. Post-hearing and rebuttal briefs or statements should conform to the regulations cited above and be submitted in fourteen (14) copies, in English, no later than 5 p.m. November 19, 1997.

Interested persons not wishing to appear at the public hearings may also submit pre-hearing written briefs or statements by 5:00 p.m. on September 30, 1997, and post-hearing and rebuttal written briefs or statements by November 19, 1997. Comments by interested persons on the USITC Report should be submitted in fourteen (14) copies, in English, by 5 p.m. January 15, 1998.

**Frederick L. Montgomery,**

*Chairman, Trade Policy Staff Committee.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Safety Advisory

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of Safety Advisory.

**SUMMARY:** FRA is issuing Safety Advisory 97-1 addressing safety practices to reduce the risk of casualties from train derailments caused by damage to tracks, roadbed, and bridges resulting from uncontrolled flows of

water and similar weather-related phenomena.

**FOR FURTHER INFORMATION CONTACT:**

Gordon A. Davids, P.E., Bridge Engineer, Office of Safety Assurance and Compliance, FRA, 400 Seventh Street, S.W., RRS-15, Mail Stop 25, Washington, D.C. 20590 (telephone 202-632-3340) or Daniel L. Alpert, Trial Attorney, Office of Chief Counsel, FRA, 400 Seventh Street, S.W., RCC-12, Mail Stop 10, Washington, D.C. 20590 (telephone 202-632-3186).

**SUPPLEMENTARY INFORMATION:** A recent derailment involving train number 4 of the National Railroad Passenger Corporation (Amtrak) on The Burlington Northern and Santa Fe Railway Company (BNSF) near Kingman, Arizona, on August 9, 1997, has caused FRA to focus on the effectiveness of railroad procedures for protection of trains and personnel from hazards caused by severe weather conditions. The investigation of that accident by the National Transportation Safety Board (NTSB) and FRA continues. The facts and findings developed in the investigation will be published when the investigation is complete.

**Special Inspection Procedures**

The Federal Track Safety Standards (49 CFR part 213) state, "In the event of fire, flood, severe storm, or other occurrence which might have damaged track structure, a special inspection must be made of the track involved as soon as possible after the occurrence." (49 CFR 213.239). This provision is purposely general in nature, because it is not practicable to specify in a minimum safety standard all the conditions which could trigger a special inspection, nor the manner in which any particular special inspection must be conducted. However, in accordance with the primary purpose of the Track Safety Standards and associated railroad safety laws, these special inspections should be conducted so as to effectively prevent derailments. In light of recent occurrences and past experience, FRA now believes it necessary to issue this safety advisory to provide railroads with recommended procedures to further this objective.

FRA has investigated several train derailments in which damage from unexpected moving water was a causal factor. Incidents reported to FRA between January 1982 and March 1996 included 26 derailments caused by washouts of bridges or bridge approaches, and 16 derailments caused by washouts or water damage to culverts or subgrade not near a bridge. In most cases, the railroad had some form of

notification of the severe weather conditions and either initiated or performed an inspection. When the derailment occurred, either the inspector had not reached the derailment site before the train, had inspected the track and not recognized a hazardous condition, or had performed the inspection before the damage had become detectible. FRA believes that more specific measures can be taken by each railroad that conducts operations on track subject to hazards from flowing water to reduce the likelihood of future derailments caused by those hazards.

**Vulnerable Structures and Track**

FRA believes that several types of bridge and drainage structure components should be identified as vulnerable and be given special consideration in any decision related to the operation of trains both during and following a severe rainstorm. In particular, bents, piers, and abutments that rest directly on soil or degradable rock near the surface might be rapidly undermined in a severe rainstorm. Similarly, stream bed configurations in which the water course takes a bend or a change in slope near the track are often unpredictable in times of heavy flow. During such conditions, soil displacement can progress rapidly in an unpredictable manner in locations that are not visible to a person above the water surface. The size of a drainage structure, and whether it is categorized as a bridge or a culvert, is not as important as the vulnerability of the structure and its supported track to the effects of flowing water.

**Recommended Action**

FRA believes that the chance of further derailments, such as occurred near Kingman, Arizona, on August 9, 1997, would be greatly reduced by the inclusion of certain additional measures into the procedures for special inspections followed in the railroad industry in the event of a threat of a severe rainstorm, at the level of a flash flood. FRA has determined that each railroad that controls the operation of trains on Class 4 or higher track, or passenger trains in commuter or intercity service, should have in place a program to protect its train operations from the effects of damage to tracks and structures caused by severe weather conditions, particularly flash floods. Therefore, FRA issues the following advisory to each affected railroad:

1. The railroad should have in place a procedure that will assure that all notifications issued by the National Weather Service (NWS) of flash flood

warnings will be received within 15 minutes of issuance from the NWS, directly or through a contract weather forecasting service, by the train dispatchers or other employees controlling the movement of trains on all track of Class 4 or higher or upon which passenger trains operate in commuter or intercity service, within the warning area. In the case of such track located outside of the warning area but subject to damage from water resulting from the storm, the information should be obtained in time to permit timely response by the railroad.

2. After the receipt of a warning of a flash flood which might damage track or bridges, the railroad should notify train crews and limit the speed of all freight and passenger trains to that which will permit the train to operate safely, consistent with the potential water levels and visibility conditions, on all track subject to damage from the flood. The limitations should continue until a special inspection in accordance with 49 CFR 213.239 has been performed of that track and it is determined that a hazard no longer exists. In making that inspection and determination, the time taken for the heaviest flow of water to reach the track should be considered.

3. Each railroad affected by this advisory should identify its bridges carrying track of Class 4 or higher or over which passenger trains operate in commuter or intercity service, which are vulnerable to damage from flash floods or similar weather-related phenomena. Particular attention should be given to bridges which incorporate piers, bents, or abutments, which are founded on soil or degradable rock which could lose its integrity as a result of scour by moving water, and which are commonly referred to as "mud sills" or "spread footings."

4. The information developed in paragraph 3 should be compiled and made available to each person who can be called upon to perform special inspections on the subject track following a flash flood warning. Consideration should be given to placing identifying marks on bridges that need particular attention in special inspections, along with the bridge number, to assist inspectors in locating them with certainty during inclement weather. Consideration should also be given to the use of automated high water detectors or similar sensing and warning systems on specific bridges which could incur water damage that would be hidden from or not otherwise detectible by a human inspector.

5. In addition to the bridge-specific information called for in paragraph 3,

each affected railroad should implement a training program for the persons performing special inspections. The training should include methods to recognize and protect the safety of railroad operations from the damaging characteristics of flowing water in general, with particular regard to the effects of a watercourse that takes a significant change in horizontal direction or vertical profile near the track; the effects of drift material accumulation on scour and the capacity of the waterway opening; and the potential for damage by impact of heavy floating objects.

6. Refresher training of track inspectors on the subjects addressed in paragraph 5 should be conducted at least once each calendar year. Where practicable, that refresher training should include a joint inspection by a track inspector and a cognizant bridge maintenance or engineering employee over the inspector's assigned territory. During that joint inspection they should locate the vulnerable components in the bridges identified in paragraph 3, discuss the precautions to be taken in the event of indications of distress in those components, observe drainage conditions on and adjacent to the right-of-way, and note changes for inclusion in the revisions of information called for in paragraph 9.

7. If a track inspector is assigned to perform a special inspection in accordance with paragraph 2, and bridges identified as vulnerable are in the track segment subject to damage from the flash flood, a cognizant bridge maintenance or engineering employee should be readily available by telephone or radio to assist in the interpretation of findings by the track inspector.

8. Each affected railroad should brief all of its track and bridge inspectors on the contents of this advisory. These briefings should occur within 14 calendar days of the date of publication of this safety advisory in the **Federal Register**.

9. FRA believes that the actions described in paragraphs 3, 4, and 5 should be completed within 60 calendar days of the date of publication of this safety advisory in the **Federal Register**. During this period, each affected railroad should complete an initial review of its bridges for vulnerability to high or rapidly flowing water and provide that information to its inspectors. More detailed reviews should be substantially completed and provided to inspectors during calendar year 1998 and then maintained in a current status.

10. FRA requests a letter within 45 calendar days of the date of publication

of this safety advisory in the **Federal Register** from each affected railroad specifying the actions it has taken and will initiate to enhance the safety of train operations in the event of a flood or a high or rapid water condition. Such letters should be addressed to the Associate Administrator for Safety, FRA, RRS-1, Mail Stop 25, 400 Seventh Street S.W., Washington, DC 20590.

#### **Paperwork Reduction Act Provisions**

This advisory does not require that any records or reports be kept or submitted. It merely recommends that railroads collect or provide certain information. Nevertheless, because some might see these recommendations as paperwork burdens, FRA will seek approval of them. Under the Paperwork Reduction Act of 1995 (PRA), Public Law No. 104-13, Section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR 1320.13, FRA is requesting the Office of Management and Budget (OMB) to conduct an emergency review and approval of the information collection items contained in this safety advisory. FRA is seeking OMB's approval of these information collection items by September 5, 1997.

FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A)(i)-(iv); 5 CFR 1320.8(d)(1)(i)-(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that the agency organizes information collection items in a "user friendly" format to improve the use of such information;

and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Provided below are summaries of the seven information collection activities FRA will submit for clearance by OMB as required by the PRA:

*Title:* Identify vulnerable bridges.

*OMB Control Number:* New.

*Abstract:* Each railroad affected by this advisory should identify its bridges carrying track of Class 4 or higher, or over which passenger trains operate in commuter or intercity service, which are vulnerable to damage from flash floods or other weather-related events that may be included in its severe weather operating program.

*Form Number(s):* N/A.

*Affected Public:* Businesses.

*Respondent Universe:* 25 railroads with 20,000 bridges.

*Frequency of Submission:* One time.

*Total Responses:* 25.

*Average Time Per Response:* 10 minutes per bridge.

*Estimated Total Annual Burden Hours:* 3,400 hours one time.

*Status:* Emergency processing by OMB.

*Title:* Compile and publish information to inspectors.

*OMB Control Number:* New.

*Abstract:* The information developed in paragraph 3 should be compiled and made available to each person who can be called upon to perform special inspections on the subject track following a flash flood warning.

*Form Number(s):* N/A.

*Affected Public:* Businesses.

*Respondent Universe:* 25 railroads.

*Frequency of Submission:* No submission.

*Total Responses:* 1,200.

*Average Time Per Response:* 2.5 hours initially, 1 hour annually thereafter.

*Estimated Total Annual Burden Hours:* 3,000 hours one time, 1,200 hours annually thereafter.

*Status:* Emergency processing by OMB.

*Title:* Place identifying markings on bridges that need special attention.

*OMB Control Number:* New.

*Abstract:* Consideration should be given to placing identifying marks on bridges that need particular attention in special inspections, along with the bridge number, to assist inspectors in locating them with certainty during inclement weather.

*Form Number(s):* N/A.

*Affected Public:* Businesses.

*Respondent Universe:* 25 railroads.

*Frequency of Submission:* No submission.

*Total Responses:* 1,000.

*Average Time Per Response:* 3 hours initially, 15 minutes annually thereafter.

*Estimated Total Annual Burden*

*Hours:* 3,000 hours one time, 250 hours annually thereafter.

*Status:* Emergency processing by OMB.

*Title:* Training Program for Inspectors.

*OMB Control Number:* New.

*Abstract:* Each affected railroad should implement a training program for the persons performing special inspections.

*Form Number(s):* N/A.

*Affected Public:* Businesses.

*Respondent Universe:* 25 railroads.

*Frequency of Submission:* No submission.

*Total Responses:* 25.

*Average Time Per Response:* 441.6 hours one time, 88 hours annually thereafter.

*Estimated Total Annual Burden*

*Hours:* 11,040 hours one time, 2,200 hours annually thereafter.

*Status:* Emergency processing by OMB.

*Title:* Provide initial briefing to inspectors.

*OMB Control Number:* New.

*Abstract:* Each affected railroad should brief all of its track and bridge inspectors on the contents of this advisory. These briefings should occur within 14 calendar days of the date of publication of this safety advisory in the **Federal Register**.

*Form Number(s):* N/A.

*Affected Public:* Businesses.

*Respondent Universe:* 25 railroads.

*Frequency of Submission:* None.

*Total Responses:* 300.

*Average Time Per Response:* 4 hours.

*Estimated Total Annual Burden*

*Hours:* 2,400 hours.

*Status:* Emergency processing by OMB.

*Title:* Review of bridges for vulnerability to high water, initial and annual.

*OMB Control Number:* New.

*Abstract:* FRA believes that the actions described in paragraphs 3, 4, and 5 should be completed within 60 calendar days of the date of publication of this safety advisory in the **Federal Register**. During this period, each affected railroad should complete an initial review of its bridges for vulnerability to high or rapidly flowing water and provide that information to its inspectors. More detailed reviews should be substantially completed and provided to inspectors during calendar year 1998 and then maintained in a current status.

*Form Number(s):* N/A.

*Affected Public:* Businesses.

*Respondent Universe:* 25 railroads.

*Frequency of Submission:* None.

*Total Responses:* 1,000.

*Average Time Per Response:* 2 hours initially in 1998, 30 minutes annually thereafter.

*Estimated Total Annual Burden*

*Hours:* 2,000 hours initially in 1998, 500 hours annually thereafter.

*Status:* Emergency processing by OMB.

*Title:* Notify FRA of bridge safety inspection programs in place.

*OMB Control Number:* New.

*Abstract:* FRA requests a letter within 45 calendar days of the date of publication of this safety advisory in the **Federal Register** from each affected railroad specifying the actions it has taken and will initiate to enhance the safety of train operations in the event of a flood or a high or rapid water condition. Such letters should be addressed to the Associate Administrator for Safety, FRA, RRS-1, Mail Stop 25, 400 Seventh Street S.W., Washington, DC 20590.

*Form Number(s):* N/A.

*Affected Public:* Businesses.

*Respondent Universe:* 25 railroads.

*Frequency of Submission:* One time.

*Total Responses:* 25.

*Average Time Per Response:* 4 hours one time.

*Estimated Total Annual Burden*

*Hours:* 200 hours one time.

*Status:* Emergency processing by OMB.

FRA cannot impose a penalty on persons for violating information collection requirements which do not display a current OMB control number, if required. Here, of course, FRA is not issuing information collection requirements and has no intention of imposing penalties under any provisions of this safety advisory. FRA intends to obtain current OMB control numbers for any information collection items contained in this Safety Advisory. The OMB control number, when assigned, will be announced by separate notice in the **Federal Register**.

For further information please contact Ms. Gloria Swanson, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 400 Seventh Street, S.W., Washington, D.C. 20590 (telephone: (202) 632-3318) or MaryAnn Johnson, Office of Information Technology and Productivity Improvement, RAD-20, Federal Railroad Administration, 400 Seventh Street, S.W., Washington, D.C. 20590 (telephone: (202) 632-3226). (These telephone numbers are not toll-free.)

FRA may modify Safety Advisory 97-1, issue additional safety advisories, or

take other appropriate necessary action to ensure the highest level of safety on the Nation's railroads.

Issued in Washington, DC, on September 2, 1997.

**James T. Schultz,**

*Associate Administrator for Safety.*

[FR Doc. 97-23618 Filed 9-3-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board <sup>1</sup>

[Finance Docket No. 32530]

#### Kansas City Southern Railway Company—Construction and Operation Exemption—Geismar Industrial Area Near Gonzales and Sorrento, Louisiana

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of extension of time for comment period for draft environmental impact statement (EIS).

**SUMMARY:** The Kansas City Southern Railway Company (KCS) applied to the Interstate Commerce Commission (ICC), now the Surface Transportation Board (Board), for authority to construct and operate an 8.62-mile rail line from the Geismar Industrial area to its mainline near Gonzales and Sorrento, in Ascension Parish, Louisiana. On July 16, 1997, the Board's Section of Environmental Analysis (SEA) issued a draft EIS. Consistent with Council on Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act (NEPA), SEA provided a 45-day comment period for the public review of the draft EIS, with comments due by September 8, 1997.

Several parties, including the Concerned Citizens of Ascension Parish (CCAP), Illinois Central Railroad (IC), members of Congress, and local individuals have requested that the comment period be extended an

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to section 49 U.S.C. 10901. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former section of the statute, unless otherwise indicated.