

receives such a petition, the agency's technical staff reviews the petition to determine whether there is a reasonable possibility that the requested order will be issued at the end of the appropriate proceeding. If the agency reaches such a conclusion, the petition is granted and NHTSA promptly commences the appropriate proceeding to issue the order. The petition is denied if NHTSA cannot conclude that there is a reasonable possibility that the order will be issued at the end of the appropriate proceeding. NHTSA is required to grant or deny any petitions within 120 days after agency receipt of the petition (49 U.S.C. 30162(d)). NHTSA uses the information in the petition, together with other information it may have or obtain, to decide whether to grant or deny the petition. Absent part 552, any person would still have a statutory right to file a petition requesting the agency to issue an order. The difference would be that the person preparing the petition would not know how to properly file such a petition and what information should be included in the petition. Further, without part 552, it would take the agency much longer to evaluate these petitions. Some of the petitions for rulemaking filed under part 552 ask for complex technical changes to our safety standards that require the agency to conduct testing or other research to learn if the petitions' allegations are accurate. If these petitions were not filed in accordance with some specified uniform procedures, the agency would not be able to meet the 120 day statutory deadline for granting or denying the petitions.

Estimated Annual Burden Hours: 100.

Addresses: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention DOT Desk Officer. *Comments are invited on:* whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued in Washington, DC, on October 13, 1998.

Vanester M. Williams,

Clearance Officer, United States Department of Transportation.

[FR Doc. 98-27919 Filed 10-16-98; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Aviation Proceedings, Agreements Filed During the Week Ending October 9, 1998

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. Sections 412 and 414. Answers may be filed within 21 days of date of filing.
Docket Number: OST-98-4542
Date Filed: October 5, 1998
Parties: Members of the International

Air Transport Association
Subject:
PTC12 NMS-ME 0064 dated
September 29, 1998
North Atlantic-Middle East expedited
Resos
r-1-002x
r-2-044b
r-3-054b
r-4-064b
r-5-070mm
r-6-070rr
r-7-084mm
r-8-092mm
Intended effective date: November 15, 1998.

Docket Number: OST-98-4543

Date Filed: October 5, 1998

Parties: Members of the International

Air Transport Association

Subject:

COMP Telex Mail Vote 957
Group/Individual Fares for Ship
Crews

r1-087aa

r2-090

Intended effective date: November 1, 1998.

Docket Number: OST-98-4544

Date Filed: October 5, 1998

Parties: Members of the International

Air Transport Association

Subject:

PTC12 MATL-EUR 0033 dated
October 2, 1998

Mid Atlantic-Europe Expedited Resos

r1-002y

r2-015v

r3-076e

Intended effective date: November 15, 1998.

Docket Number: OST-98-4563

Date Filed: October 9, 1998

Parties: Members of the International

Air Transport Association

Subject:

(1) PTC3 Telex Mail Vote 960, r1-

002r, Reso 016a Excluded in

Australia/New Zealand

(2) PTC2 Telex Mail Vote 961, r2-

070ca, Excursion Fares within

Africa

Intended effective date: (1) December 1, 1998; (2) March 31, 1999.

Dorothy W. Walker,

Federal Register Liaison.

[FR Doc. 98-27980 Filed 10-16-98; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33663]

The Burlington Northern and Santa Fe Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company

Union Pacific Railroad Company (UP) has agreed to grant overhead trackage rights to The Burlington Northern and Santa Fe Railway Company (BNSF) between Beaumont, TX, in the vicinity of UP's milepost 30.17 and West Port Arthur, TX, in the vicinity of UP's milepost 12.7 (Sabine Branch); between West Port Arthur, TX, in the vicinity of UP's milepost 0.00 (Sabine Branch milepost 12.7) and Port Arthur, in the vicinity of UP's milepost 3.21 (Port Arthur Lead); and between Chaison Jct., TX, in the vicinity of milepost 0.0 (Sabine Branch milepost 26.1) and Chaison, TX, in the vicinity of UP's milepost 3.3 (Chaison Spur), for a total distance of 10.58 miles.

The transaction was expected to be consummated on or after October 6, 1998.¹

The purpose of the overhead trackage rights is to obtain competitive access to additional industries.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or

¹ Under 49 CFR 1180.4(g)(1), a trackage rights exemption is effective 7 days after the notice is filed. Although applicant indicated that the proposed transaction would be consummated on October 1, 1998, the notice was not filed until September 29, 1998, and thus the proposed transaction could not be consummated before the October 6, 1998 effective date. BNSF's representative has acknowledged by telephone that the transaction may not be consummated prior to October 6, 1998.

misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33663, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Yolanda M. Grimes, The Burlington Northern and Santa Fe Railway Company, P. O. Box 961039, Fort Worth, TX 76161-0039.

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

Decided: October 9, 1998.

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

Vernon A. Williams,

Secretary.

[FR Doc. 98-27867 Filed 10-16-98; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-289 (Sub-No. 4X)]

The Central Railroad Company of Indianapolis—Discontinuance of Service Exemption—in Clinton, Howard and Tipton Counties, IN

On September 29, 1998, The Central Railroad Company of Indianapolis (CERA) 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 discontinue service over two

segments of railroad (the Kokomo Lines) owned by Norfolk and Western Railway Company (NW) extending from milepost I-41.0 near Tipton to milepost I-51.8 at Kokomo, and extending from milepost TS-183.7 at Kokomo to milepost TS-206.44 at Frankfort, a total distance of approximately 33.54 miles in Clinton, Howard and Tipton Counties, IN. As part of the exemption, CERA also seeks to discontinue incidental trackage rights (used at various points for interchange only) over approximately 4.54 miles of NW's trackage between milepost TS-206.44 and milepost TS-207.80 near Frankfort, between milepost I-39.76 and milepost I-41.0 near Tipton, and between milepost SP-209.28 and milepost SP-211.22 near Tipton, in Clinton and Tipton Counties, IN.² The Kokomo lines traverse U.S. Postal Service Zip Codes 46039, 46047, 46057, 46067, 46068, 46072, 46902, 46979 and 46995. The lines include the stations of West Middleton, Russiaville, Forest, Michigantown, Tipton, Jackson, Sharpsville, Fairfield and Marshall, IN.

The lines do not contain federally granted rights-of-way. Any documentation in NW's possession will be made available promptly to those requesting it.

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

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final

addressed in the final decision. CERA also seeks exemption from the public use provisions of 49 U.S.C. 10905. However, because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not applicable.

² CERA desires to terminate service because NW has terminated its lease with CERA effective July 31, 1998. NW resumed providing all rail service on the lines as of August 1, 1998.

decision will be issued by January 15, 1999.

Unless an exemption is granted from the OFA provisions of 49 U.S.C. 10904, any OFA to subsidize continued rail service 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 a \$1,000 filing fee. See 49 CFR 1002.2(f)(25).

This proceeding is exempt from environmental reporting requirements under 49 CFR 1105.6(c) and from historic reporting requirements under 1105.8(b).

All filings in response to this notice must refer to STB Docket No. AB-289 (Sub-No. 4X) 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) Karl Morell, Ball Janik, LLP, Suit 225, 1455 F Street, NW, Washington, DC 20005.

Persons seeking further information concerning abandonment and 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. 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.]

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

Decided: October 9, 1998.

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

Vernon A. Williams,

Secretary.

[FR Doc. 98-27866 Filed 10-16-98; 8:45 am]

BILLING CODE 4915-00-P

¹ CERA seeks exemption from the offer of financial assistance (OFA) subsidy provision of 49 U.S.C. 10904. This exemption request will be