

Issued in Washington, DC on September 4, 1996.

Gerald J. Taylor,

*Product Lead, Terminal Products Team,  
AND-410.*

[FR Doc. 96-23093 Filed 9-9-96; 8:45 am]

BILLING CODE 4910-13-M

[Summary Notice No. PE-96-44]

**Petitions for Exemption; Summary of  
Petitions Received; Dispositions of  
Petitions Issued**

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

**ACTION:** Notice of petitions for  
exemption received and of dispositions  
of prior petitions.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATE:** Comments on petitions received must identify the petition docket number involved and must be received on or before September 16, 1996.

**ADDRESSES:** Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. 28673, 800 Independence Avenue, SW., Washington, D.C. 20591.

Comments may also be sent electronically to the following internet address: [nprmcmts@mail.hq.faa.gov](mailto:nprmcmts@mail.hq.faa.gov).

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rule Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 267-3132.

**FOR FURTHER INFORMATION CONTACT:** Fred Haynes (202) 267-3939 or Marisa Mullen (202) 267-9681 Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of

Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on September 5, 1996.

Joseph A. Conte,

*Acting Assistant Chief Counsel for  
Regulations.*

**Petitions for Exemption**

*Docket No.:* 28673.

*Petitioner:* EAA Aviation Foundation, Inc., Experimental Aircraft Association, Inc.,

*Sections of the FAR Affected:* 14 CFR 91.315

*Description of Relief Sought:* To permit the EAA Aviation Foundation to use its B-17 aircraft, which is certified as a limited category aircraft, to provide flight experiences to members of EAA who have also become members of the B-17 Historical Society through a donation to the Foundation.

[FR Doc. 96-23095 Filed 9-9-96; 8:45 am]

BILLING CODE 4910-13-M

**Notice of Passenger Facility Charge  
(PFC) Approvals and Disapprovals**

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

**ACTION:** Monthly Notice of PFC Approvals and Disapprovals. In August 1996, there were six applications approved. Additionally, five approved amendments to previously approved applications are listed.

**SUMMARY:** The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals under the provisions of 49 U.S.C. 40117 (Pub. L. 103-272) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). This notice is published pursuant to paragraph d of § 158.29.

**PFC Applications Approved**

*Public Agency:* Charter County of Wayne, Michigan, Detroit, Michigan.  
*Application Number:* 96-02-U-00-DTW.

*Application Type:* Use PFC revenue.  
*PFC Level:* \$3.00.

*Total Net PFC Revenue Approved For Use:* \$3,137,000.

*Charge Effective Date:* December 1, 1992.

*Estimated Charge Expiration Date:* June 1, 2009.

*Class of Air Carriers Not Required To Collect PFC's:* No change from previous decision.

*Brief Description of Project Approved For Use of PFC Revenue at Detroit Metropolitan Wayne County Airport:* Land acquisition and preliminary design for fourth parallel runway.

*Brief Description of Project Approved For Use of PFC Revenue at Willow Run Airport:* Perimeter property fencing and removal of airport hazard.

*Decision Date:* August 2, 1996.

*For Further Information Contact:*

Leonard Mizerowski, Detroit Airports District Office, (313) 487-7277.

*Public Agency:* Natrona County International Airport Board of Trustees, Casper, Wyoming.

*Application Number:* 96-02-C-00-CPR.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total Approved Net PFC Revenue in This Application:* \$427,704.

*Estimated Charge Effective Date:* March 1, 1997.

*Estimated Charge Expiration Date:* November 1, 1999.

*Class of Air Carriers Not Required To Collect PFC's:* None.

*Brief Description of Projects Approved For Collection and Use of PFC Revenue:* Aircraft rescue and firefighting (ARFF) improvements, Acquire snow removal equipment, Construct wildlife control fencing, Rehabilitate airfield lighting system, Rehabilitate taxiway C, Relocate road out of runway safety area.

*Decision Date:* August 2, 1996.

*For Further Information Contact:*

Christopher Schaffer, Denver Airports District Office, (303) 286-5525.

*Public Agency:* City of San Angelo, Texas.

*Application Number:* 96-02-U-00-SJT.

*Application Type:* Use PFC revenue.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved For Use in This Decision:* \$414,667.

*Charge Effective Date:* May 1, 1993.

*Estimated Charge Expiration Date:* March 1, 1998.

*Class of Air Carriers Not Required To Collect PFC's:* No change from previous decision.

*Brief Description of Projects Approved For Use of PFC Revenue:* Perimeter road, Extend runway 36 and taxiway P (phase 1), Replace/relocate approach light system runway 3, Security upgrade.

*Decision Date:* August 5, 1996.

*For Further Information Contact:* Ben Guttery, Southwest Region Airports Division, (817) 222-5614.

*Public Agency:* Palm Beach County Department of Airports, West Palm Beach, Florida.

*Application Number:* 96-02-C-00-PBI.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total Approved Net PFC Revenue in This Decision:* \$21,997,000.

*Estimated Charge Effective Date:* May 1, 1999.

*Estimated Charge Expiration Date:* April 1, 2002.

*Class of Air Carriers Not Required To Collect PFC's:* Air taxi/commercial operators filing FAA Form 1800-31.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Palm Beach International Airport (PBI).

*Brief Description of Projects Approved For Use of PFC Revenue at PBI:* 95-B acquire land in Part 150 noise compatibility plan, 96-B acquire land in Part 150 noise compatibility plan, ARFF vehicle replacement.

*Brief Description of Project Approved For Use of PFC Revenue at North County General Aviation Airport:* Install instrument landing system and distance measuring equipment.

*Brief Description of Projects Approved For Collection and Use of PFC Revenue at PBI:* 95A—revised—west enplane roadway baggage improvements, land acquisition (development), Construct outer perimeter road south phase 2, Reconstruct aprons B-D-E, Intermodal transportation study.

*Decision Date:* August 29, 1996.

*For Further Information Contact:* Bart Vernace, Orlando Airports District Office, (407) 648-6583.

*Public Agency:* Dade County Aviation Department, Miami, Florida.

*Application Number:* 96-02-U-00-MIA.

*Application Type:* Use PFC revenue. PFC Level: \$3.00.

*Total PFC Revenue Approved For Use in This Decision:* \$42,034,000.

*Charge Effective Date:* November 1, 1994.

*Estimated Charge Expiration Date:* May 1, 1998.

*Classes of Air Carriers Not Required to Collect PFC's:* No change from previous decision.

*Brief Description of Projects Approved For Use of PFC Revenue:* Concourse A expansion phase II, Concourse A phase II apron and utilities.

*Decision Date:* August 30, 1996.

*For Further Information Contact:* Bart Vernace, Orlando Airports District Office, (407) 648-6586.

*Public Agency:* City of Bemidji and County of Beltrami, Bemidji, Minnesota.

*Application Number:* 96-01-C-00-BJI.

*Application Type:* Impose and use PFC revenue.

*PFC Level:* \$3.00.

*Total Approved Net PFC Revenue:* \$368,221.

*Estimated Charge Effective Date:* November 1, 1996.

*Estimated Charge Expiration Date:* June 1, 2003.

*Class of Air Carriers Not Required to Collect PFC's:* Air taxi/commercial operators.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Bemidji/Beltrami County Airport.

*Brief Description of Projects Approved For Collection and Use of PFC Revenue:* Airfield signing, automatic entry doors, and snow retention devices, Upgrade master plan and airport layout plan, Runway 7/25 and taxiway pavement

rehabilitation, PFC application, Taxiway A pavement rehabilitation, Safety area upgrade.

*Brief Description of Projects Approved in Part For Collection and Use of PFC Revenue:* Terminal building expansion and [remodeling], installation of lighted runway guidance signs, acquisition of aviation easements, revision of the radio control system, and other minor projects.

*Determination:* Approved in part. The project element to install airfield guidance and hold signs was begun prior to November 5, 1990, and the costs have been determined not allowable for the PFC program. Any "other minor projects" not included in the project description or project justification contained in the application are not described sufficiently, nor was sufficient justification provided, to allow the FAA to make a determination as to eligibility. Therefore, these "other minor projects" are not approved. The remainder of the project is approved. Runway 13/31 pavement rehabilitation.

*Determination:* Approved in part. The approved amount was reduced from that contained in the Attachment B for this project in the application. Subsequent to the application being submitted, construction bids were submitted which were lower than had been estimated and additional Airport Improvement Program funds were received which reduced the amount of PFC revenue required to finance the project.

*Decision Date:* August 30, 1996.

*For Further Information Contact:* Gordon Nelson, Minneapolis Airports District Office, (612) 725-4358.

#### AMENDMENTS TO PFC APPROVALS

Amendment No., city, state	Amendment approved date	Amended approved net PFC revenue	Original approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
93-01-C-01-CBI, West Palm Beach, FL .....	05/09/96	\$34,817,091	\$38,801,096	04/01/99	05/01/99
93-01-C-01-ASE, Aspen, CO .....	08/15/96	1,614,986	1,533,541	02/01/98	12/01/98
93-01-I-01-GCC, Gillette, WY .....	08/15/96	369,132	331,540	09/01/99	02/01/01
96-01-C-01-LAR, Laramie, WY .....	08/15/96	126,457	126,457	10/01/00	10/01/00
94-01-C-01-MIA, Miami, FL .....	08/29/96	112,519,000	64,770,000	11/01/96	05/01/98

Issued in Washington, D.C. on September 7, 1996.

Kendall L. Ball,

*Acting Manager, Passenger Facility Charge Branch.*

[FR Doc. 96-23096 Filed 9-9-96; 8:45 am]

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

[STB Finance Docket No. 32986]

### Missouri Pacific Railroad Company— Trackage Rights Exemption—Elgin, Joliet and Eastern Railway Company

Elgin, Joliet and Eastern Railway Company (EJ&E) has agreed to grant overhead trackage rights to Missouri Pacific Railroad Company (MP) over approximately 130 miles of rail lines extending from milepost 0 in South Chicago, IL, through Gary, IN (milepost 12 and milepost 45, including Kirk Yard), including EJ&E's City Track Line between Gary and Goff, IN, and EJ&E's Whiting Line from Cavanaugh, IN, to Calumet Tower, IN, through milepost 25 at Chicago Heights, IL, milepost 0 at Joliet, IL, and milepost 29 at West Chicago, IL, to Waukegan, IL, to the end of EJ&E's ownership near milepost 74.<sup>2</sup> The trackage rights were scheduled to become effective on the date of final agreement of the parties but not sooner than August 28, 1996, the effective date of the exemption.<sup>3</sup>

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

<sup>1</sup> 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. 11323-24.

<sup>2</sup> In addition to describing the proposed trackage rights, MP has recited that operation of those rights may require construction of some connecting track between the EJ&E and either the MP or another railroad. MP states that the construction would not require Board authorization and "none is sought by this notice." Publication of this notice should not be deemed to be acquiescence by the Board in MP's characterization of the Board's jurisdiction over any such construction.

<sup>3</sup> A Petition to Reject, to Revoke, And/Or to Stay was filed in this proceeding (and also relates to STB Finance Docket No. 32985) on August 27, 1996, by Joseph C. Szabo, for and on behalf of United Transportation Union-Illinois Legislative Board (UTU-IL). The City of West Chicago and the Brotherhood of Locomotive Engineers join with UTU-IL in separate petitions filed on August 27, 1996, and August 29, 1996, respectively. The petitions will be addressed in a separate decision or decisions.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32986, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423 and served on: Joseph D. Anthofer, General Attorney, 1416 Dodge Street, #830, Omaha, NE 68179.

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).

Decided: September 4, 1996.

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

Vernon A. Williams,

*Secretary.*

[FR Doc. 96-23118 Filed 9-9-96; 8:45 am]

BILLING CODE 4915-00-P

[STB Finance Docket No. 32985]

### Union Pacific Railroad Company— Trackage Rights Exemption—Elgin, Joliet and Eastern Railway Company

Elgin, Joliet and Eastern Railway Company (EJ&E) has agreed to grant overhead trackage rights to Union Pacific Railroad Company (UP) over approximately 130 miles of rail lines extending from Waukegan, IL, on the north at the beginning of EJ&E's ownership near milepost 74, through milepost 29 at West Chicago, milepost 0 at Joliet, and milepost 25 at Chicago Heights, IL, and Gary, IN (milepost 12 and milepost 45, including Kirk Yard), to milepost 0 at South Chicago, IL, including EJ&E's City Track Line between Gary and Goff, IN, and EJ&E's Whiting Line from Cavanaugh, IN, to Calumet Tower, IN.<sup>2</sup> The trackage rights were scheduled to become effective on the date of final agreement of the parties

<sup>1</sup> 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. 11323-24.

<sup>2</sup> In addition to describing the proposed trackage rights, UP has recited that operation of those rights may require construction of some connecting track between the EJ&E and either the UP or another railroad. UP states that the construction would not require Board authorization and "none is sought by this notice." Publication of this notice should not be deemed to be acquiescence by the Board in UP's characterization of the Board's jurisdiction over any such construction.

but not sooner than August 28, 1996, the effective date of the exemption.<sup>3</sup>

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

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32985, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423 and served on: Joseph D. Anthofer, General Attorney, 1416 Dodge Street, #830, Omaha, NE 68179.

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).

Decided: September 4, 1996.

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

Vernon A. Williams,

*Secretary.*

[FR Doc. 96-23119 Filed 9-9-96; 8:45 am]

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[STB Docket No. AB-290 (Sub-No. 185X)]

### Norfolk Southern Railway Company— Abandonment Exemption—in Des Moines, Polk County, IA

Norfolk Southern Railway Company (NS) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon 1.1 mile of its line of railroad between milepost SD-339.7 and SD-340.8 in Des Moines, Polk County, IA.

NS has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) any overhead traffic on

<sup>3</sup> A Petition to Reject, to Revoke, And/Or to Stay was filed in this proceeding (and also relates to STB Finance Docket No. 32986) on August 27, 1996, by Joseph C. Szabo, for and on behalf of United Transportation Union-Illinois Legislative Board (UTU-IL). The City of West Chicago and the Brotherhood of Locomotive Engineers join with UTU-IL in separate petitions filed on August 27, 1996, and August 29, 1996, respectively. The petitions will be addressed in a separate decision or decisions.

<sup>1</sup> 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 the Board's jurisdiction pursuant to 49 U.S.C. 10903.