

FMVSS No. 120. Mercedes-Benz equipped the vehicles with tire information labels that specify the tire size, rim size, and cold inflation pressure on the fuel filler door. The information is formatted differently than as required by the FMVSS No. 120. The size of the letters and numerals are less than the required minimum of 2.4 millimeters.

Mercedes-Benz supports its application for inconsequential noncompliance with the following statements:

1. With regards to the content of the label, all the information required by the FMVSS No. 120 is contained in the label including, recommended tires size, rim size, and cold inflation pressure.

2. Although the height of the labeling is less than the required minimum of 2.4 mm, the letters in the labels are of sufficient size and color to be easily read.

3. With regards to the labeling format, Mercedes-Benz believes that placing the English units before the metric units is not a noncompliance that affects vehicle safety, because consumers in the U.S. are generally more familiar with English units of measurement than metric units.

4. Regarding the location of the tire information label, Mercedes-Benz believes that consumers interested in checking their tire pressure labels would likely perform this check at gas stations, convenience stores, or auto repair facilities. In some cases, this label's location serves as a reminder to check the tire pressure.

5. Based on the convenient location of the tire information label, the reference information in the owner's manual, and the maximum inflation pressure marked on the tire, Mercedes-Benz believes that the tire information label on the fuel filler door is an inconsequential noncompliance.

Interested persons are invited to submit written data, views, and arguments on the application of Mercedes-Benz described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation, Docket Management, Room PL-401, 400 Seventh Street, SW, Washington, DC, 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in

the **Federal Register** pursuant to the authority indicated below.

Comment closing date: August 12, 1998.

(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: July 7, 1998.

**L. Robert Shelton,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 98-18537 Filed 7-10-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-548]

#### **Tacoma Eastern Railway Company—Adverse Discontinuance of Operations Application—A Line of City of Tacoma, in Pierce, Thurston and Lewis Counties, WA**

On June 23, 1998, the City of Tacoma, WA (City) filed an application under 49 U.S.C. 10903 requesting that the Surface Transportation Board (Board) find that the public convenience and necessity require and permit the discontinuance of the operations by Tacoma Eastern Railway Company (TE)<sup>1</sup> on 131.5 miles of City rail line in Pierce, Thurston, and Lewis Counties, WA: (1) between milepost 2192.0, at Tacoma, and milepost 17.7, at Chehalis; and (2) between milepost 2192.0, at Tacoma, and milepost 64.2, at Morton.<sup>2</sup> The line traverses United States Postal Service ZIP Codes 98235, 98304, 98328, 98330, 98338, 98344, 98355, 98356, 98371, 98373-98375, 98387, 98401-98405, 98408, 98421, 98424, 98443-98446, 98501, 98531, 98532 and 98576.

City states that it has terminated the contract pursuant to which TE has been operating on the line because TE has not satisfactorily performed its obligations under the contract.<sup>3</sup>

The line does not contain federally granted rights-of-way. Any documentation in City's possession will be made available promptly to those requesting it. City's entire case for

<sup>1</sup> TE was authorized to operate the line by lease in *Tacoma Eastern Railway Co.—Lease and Operation Exemption—City of Tacoma, Washington*, Finance Docket No. 32591 (ICC served Nov. 3, 1994).

<sup>2</sup> A discontinuance of a railroad's service sought by a party other than the railroad is called an "adverse" discontinuance.

<sup>3</sup> Once City receives Board approval, it intends to replace TE with the Belt Line Division of the City of Tacoma Department of Public Utilities (Belt Line). Beltline will file a notice of exemption pursuant to 49 CFR 1150.31 to enable it to commence operations without any interruption in service to shippers on the line.

discontinuance of service was filed with the application.

In addition, City has petitioned the Board to waive certain provisions of 49 CFR 1152.22 on the grounds that the information required by these provisions is not relevant to the merits of the application or is not available to the City because of the circumstances of the application. Requests for waivers are typically filed before the application drawn in reliance on those waivers is filed. By filing its application contemporaneously with the waivers, City has run the risk that the waivers will be denied in whole or part and City will have wasted time and effort in filing an application based on them. But, as City is no doubt aware, grants of waiver petitions in applications filed by third parties are customary. The waiver request as to information to be contained in the application will be granted in a separate decision to be served concurrently with this notice.

In an application by a third party for a determination that the public convenience and necessity permits a line to be discontinued or abandoned, the issue before the Board is whether the public interest requires that the line in question be retained as part of the national rail system. By granting a third party application, the Board withdraws its primary jurisdiction over the line. Questions of the disposition of the line, including the adjudication of various claims of ownership or other rights and obligations, are then left to state or local authorities; *Kansas City Pub. Ser. Frgt. Operation-Exempt.—Aban.*, 7 I.C.C.2d 216 (1990).

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

Any interested person may file with the Board written comments concerning the proposed adverse discontinuance or protests (including the protestant's entire opposition case), by August 7, 1998. Because this discontinuance of service is the functional equivalent of a discontinuance of trackage rights rather than an abandonment, trail use/rail banking and public use requests are not appropriate. Likewise, no environmental or historical documents are required here under 49 CFR 1105.6(c)(6) and 1105.8(b)(3).

Persons opposing the proposed adverse discontinuance who wish to participate actively and fully in the process should file a protest by August 7, 1998. Persons who may oppose the discontinuance but who do not wish to participate fully in the process by submitting verified statements of

witnesses containing detailed evidence should file comments by August 7, 1998. Parties seeking information concerning the filing of protests should refer to section 1152.25. The due date for City's reply is August 24, 1998.

Written comments and protests must indicate the proceeding designation STB Docket No. AB-548 and must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001. A copy of each written comment or protest must be served upon the City's representative Peter A. Greene, Esq., Thompson Hine & Flory LLP, 1920 N Street, NW, Suite 800, Washington, DC 20036 [Telephone (202) 331-8800]. The original and 10 copies of all comments or protests shall be filed with the Board with a certificate of service. Except as otherwise set forth in part 1152, every document filed with the Board must be served on all parties to the adverse discontinuance proceeding. 49 CFR 1104.12(a).

Persons seeking further information concerning the abandonment/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.

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

Decided: July 7, 1998.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Vernon A. Williams,**

Secretary.

[FR Doc. 98-18567 Filed 7-10-98; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Departmental Offices; Proposed Collection; Comment Request

**ACTION:** Notice and request for comments.

#### SUMMARY:

**DATES:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Office of International Financial Analysis within the Department of the Treasury is soliciting comments concerning Revisions to Foreign Currency Forms FC-1 (OMB No. 1505-

0012) Weekly Consolidated Foreign Currency Report of Major Market Participants, FC-2 (OMB No. 1505-0010) Monthly Consolidated Foreign Currency Report of Major Market Participants, and FC-3 (OMB No. 1505-0014) Quarterly Consolidated Foreign Currency Report. The reports are mandatory.

**DATES:** Written comments should be received on or before September 11, 1998 to be assured of consideration.

**ADDRESSES:** Direct all written comments to T. Ashby McCown, Director, Office of International Financial Analysis, Department of the Treasury 1500 Pennsylvania Avenue, N.W., Room 5453, Washington, D.C. 20220, Telephone (202) 622-2250.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the forms and instructions should be directed to T. Ashby McCown, director, Office of International Financial Analysis, Department of the Treasury, Washington, D.C. 20220. Telephone (202) 622-2250, FAX (202) 622-0607.

#### SUPPLEMENTARY INFORMATION:

*Title:* Weekly Consolidated Foreign Currency Report of major market Participants, Foreign Currency Form FC-1.

*OMB Number:* 1505-0012.

*Title:* Monthly Consolidated Foreign Currency Report of Major Market Participants, Foreign Currency Form FC-2.

*OMB Number:* 1505-0010.

*Title:* Quarterly Consolidated Foreign Currency Report, Foreign Currency Form FC-3.

*OMB Number:* 1505-0014.

*Abstract:* Foreign Currency Forms FC-1, FC-2, and FC-3 are required by Public Law 93-110 (31 U.S.C. 5313 and 5321 (a)(3)), which directs the Secretary of the Treasury to prescribe regulations reports on foreign currency transactions conducted by a United States person or foreign person controlled by a United States person. The regulations governing forms FC-1, FC-2, and FC-3 are contained in Title 31 part 128 of the Code of Federal Regulations (31 CFR 128) which were published in the **Federal Register** on November 2, 1993 (58 FR 58494-58497).

*Current Actions:* The proposed revisions in the forms and instructions are prompted by the introduction of the new European currency, the Euro, on January 1, 1999, and by the anticipated discontinuation of the Federal Financial Institutions Examination Council (FFIEC) report 035, "Monthly Consolidated Foreign Currency Report of Banks in the United States," currently

filed by banks and banking institutions in lieu of forms FC-2 and FC-3. Several modest changes and clarifications in the forms and instructions for reports FC-1, FC-2, and FC-3 are proposed as part of these revision requests.

1. An increase in the exemption level of the FC-3, from \$1 billion to \$5 billion equivalent in foreign exchange contracts on the last business day of any quarter of the previous year, is being proposed. It is estimated that the overall number of respondents filing FC-2, FC-3 or FFIEC 035 reports will decline by over 40%.

2. Columns for the U.S. dollar and Euro currencies have been added to the face of each form FC-1, FC-2, and FC-3; and to the Options Addenda on forms FC-2 and FC-3. Special instructions for reporting the Euro currency have been included in Section E. Definitions, *Specified Currencies* of FC-1, FC-2, and FC-3. We anticipate that the current high level of German mark contracts reported will be replaced by reported Euro contracts. The proposal to maintain a column on the forms for mark contracts gives respondents the option to report such contracts either as German marks or as Euros.

3. Columns for "All Other combined [currencies] (excludes US\$ and currencies in columns 1-5) in US\$ equivalent" have been removed from forms FC-2 and FC-3 and their Options Addenda.

4. The requirement to report the "Memorandum-Cross Currency Interest Rate Swaps" has been removed from forms FC-2 and FC-3.

5. The exemption level for reporting on the Options Addendum has been raised from \$100 million to \$500 million on forms FC-2 and FC-3. In addition, the exemption level for reporting "Net Options Position, Delta Equivalent Value Long or (Short)" has been raised from \$100 million to \$500 million on form FC-1.

6. The requirement to report the "Currency Code" and "Net Delta Equivalent Value" of the two largest currencies on the form FC-2 Options Addendum has been removed.

7. A requirement to report all foreign currency denominated assets and all foreign currency denominated liabilities has been added to forms FC-2 and FC-3. This replaces a requirement to report foreign currency denominated non-capital assets and non-capital liabilities on forms FC-2 and FC-3; and a requirement to report the foreign currency denominated "Net Capital Asset (Liability) Position" on form FC-2.

*Type of Review:* Revision.