

Issued in Renton, Washington, on February 1, 1996.

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[FR Doc. 96-2848 Filed 2-8-96; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

Environmental Impact Statement: Jefferson County, WV

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for a proposed highway project in Jefferson County, West Virginia.

FOR FURTHER INFORMATION CONTACT: David A. Leighow, Division Environmental Coordinator, Federal Highway Administration, 550 Eagan Street, Suite 300, Charleston, West Virginia 25301, Telephone (304) 347-5329; or, Ben L. Hark, Environmental Section Chief, roadway Design Division, West Virginia Department of Transportation, 1900 Kanawha Boulevard East, Building 5, Room A-416, Capitol Complex, Charleston, West Virginia 25305-0430, Telephone (304) 558-2885.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the West Virginia Department of Transportation (WVDOT), will prepare an EIS for the US 340 Virginia Line to Charles Town project in Jefferson County, West Virginia. The proposed limits extend from the existing four-lane section of US 340 southwest of the Virginia/West Virginia state line to the existing four lane section of the Charles Town Bypass (US 340) in Wheaton, West Virginia, approximately 3 kilometers (2 miles) north of Rippon. The total length of the proposed project is approximately 6.5 kilometers (4 miles). The project will be processed as a merged NEPA/404 project.

Alternatives under consideration include but are not limited to (1) taking no action, (2) minimal improvement of the existing road, (3) where possible, widening the existing two-lane highway to four lanes, and (4) constructing a four-lane, partially controlled access highway on new location. Additional alignments may be evaluated based upon the results of the preliminary engineering studies and the public and agency involvement process.

Incorporated into and studied with the various build alternatives will be design variations of grade and alignment. Multi-modal forms of transportation, such as mass transit, will be considered and addressed as appropriate.

Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state, and local agencies, and to private organizations and citizens who have previously expressed, or are known to have interest in this project. A formal scoping meeting will be scheduled, along with a field view. Public meetings and a public hearing will be held during the Draft Environmental Impact Statement (DEIS) review period. Public notice will be given of the times and places for the meetings and hearing. The DEIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research Planning and Construction. The regulation implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: January 29, 1996.

David A. Leighow,

Environmental Coordinator, Charleston, West Virginia.

[FR Doc. 96-2781 Filed 2-8-96; 8:45 am]

BILLING CODE 4910-22-M

Federal Railroad Administration

[FRA Emergency Order No. 18, Notice No. 1]

Atchison, Topeka, and Santa Fe Railway Company; Burlington Northern Santa Fe Railroad; Emergency Order Requiring Capability To Initiate Emergency Application of Air Brakes From the Head End and Rear of Trains

The Federal Railroad Administration (FRA) of the United States Department of Transportation (DOT) has determined that public safety compels issuance of this Emergency Order requiring that all westward trains operated by the Atchison, Topeka, and Santa Fe Railway Company (ATSF) on the Cajon Subdivision, between Barstow milepost 745.9 and Baseline milepost 79.9, have

the capability to initiate an emergency application of the air brakes from both the head and rear of the train. ATSF recently merged with the Burlington Northern Railroad to form Burlington Northern Santa Fe. To the extent this new entity's activities have an effect on the train operations in question, it is covered by this order.

Authority

Authority to enforce Federal railroad safety laws has been delegated by the Secretary of Transportation to the Federal Railroad Administrator. 49 CFR § 1.49. Railroads are subject to FRA's safety jurisdiction under the Federal railroad safety laws. 49 U.S.C. 20101, 20103. FRA is authorized to issue emergency orders where an unsafe condition or practice "causes an emergency situation involving a hazard of death or personal injury." 49 U.S.C. 20104. These orders may immediately impose such "restrictions and prohibitions * * * that may be necessary to abate the situation." (*Ibid.*)

Background

ATSF's line of railroad between Barstow and Los Angeles, California, consists of double main track which passes through the San Bernardino Mountains via "Cajon Pass." The route for westward moving trains involves a steady climb from Barstow to Summit, California, a distance of approximately 55 miles. At Summit, the line begins a descent westward with a more than 3 percent grade on one track and a more than 2 percent grade on the other track. The descent for eastward trains is not nearly as severe. Trains in this area operate by authority of a centralized traffic control system managed by ATSF train dispatchers. The Union Pacific Railroad (UP) also operates its trains through this same corridor via a trackage rights agreement with ATSF. The Southern Pacific Railroad operates trains through Cajon Pass, but on a right-of-way separate from that of ATSF.

On December 14, 1994, a westbound Santa Fe intermodal freight train operating between Barstow and San Bernardino, California collided with the rear end of a UP unit coal train resulting in the serious injury of two crew members and total estimated damages in excess of \$4 million. Investigation of the accident revealed that an apparent blockage or restriction of the trainline (i.e., the connected system of metal pipes and flexible air hoses that runs end-to-end through the train) inhibited the normal brake pipe air flow resulting in incomplete train braking. After investigation of this incident, the National Transportation Safety Board