

**INFORMATION CONTACT** and at the FAA Regional Airports Division located at: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd. Lawndale, CA, 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the city of Chico.

Issued in Hawthorne, California, on February 7, 1996

Robert C. Bloom,

*Acting Manager, Airports Division, Western Pacific Region.*

[FR Doc. 96-3600 Filed 2-15-96; 8:45 am]

**BILLING CODE 4910-13-M**

**Notice of Intent to Rule on Application to Use the Revenue From a Passenger Facility Charge (PFC) at Modesto City-County Harry Sham Field Airport, Modesto, CA**

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

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The Federal Aviation Administration (FAA) proposes to rule and invites public comment on the application to use revenue from a PFC at Modesto City-County Harry Sham Field Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508) and 14 CFR Part 158.

**DATES:** Comments must be received on or before March 18, 1996.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Airports Division, P.O. Box 92007, Worldway Postal Center, Los Angeles, CA 90009 or San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010-1303. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Howard Cook, Airport Manager of the Modesto City-County Airport at the following address: 617 Airport Way, Modesto, California 95354. Air carriers and foreign air carriers may submit copies of written comments previously provided to the city of Modesto under section 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joseph R. Rodriguez, Supervisor, Planning and Programming Section, Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010-1303, Telephone: (415) 876-2805. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at Modesto City-County Harry Sham Field Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). On February 6, 1996 the FAA determined that the application to use the revenue from a PFC submitted by the city of Modesto was substantially complete within the requirements of § 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than May 10, 1996.

The following is a brief overview of the application.

*Level of proposed PFC:* \$3.00.

*Proposed charge effective date:* August 1, 1994.

*Proposed charge expiration date:* August 1, 2000.

*Total estimated PFC revenue to be used on this use project:* \$24,800.

*Brief description of the use projects:* Airports Perimeter Security Upgrade.

*Class or classes of air carriers which the public agency has requested not be required to collect PFCs:* Air Taxi Operators.

This project was previously approved as impose only project contained within an overall PFC package which was approved on May 23, 1994. Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Division located at: 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the city of Modesto, CA.

Issued in Hawthorne, California, on February 6, 1996.

Robert C. Bloom,

*Acting Manager, Airports Division, Western-Pacific Region.*

[FR Doc. 96-3601 Filed 2-15-96; 8:45 am]

**BILLING CODE 4910-13-M**

**Federal Railroad Administration**

**[FRA Emergency Order No. 19, Notice No. 1]**

**Tonawanda Island Railroad; Emergency Order To Prevent Operation of Trains on Bridge 7708810**

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 the Tonawanda Island Railroad (TIRL) of North Tonawanda, New York, to discontinue operation of trains or any railroad on-track equipment on a railroad bridge numbered 7708810 which spans the Little River between North Tonawanda and Tonawanda Island, New York, until necessary repairs have been made to the bridge.

**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 impose such "restrictions and prohibitions \* \* \* that may be necessary to abate the situation." (*Ibid.*)

**Background**

The Tonawanda Island Railroad (TIRL), a common carrier, is a part of the general system of railroads. Its owner is Mr. Corigan Sanoian, P.E., of Niagara Falls, New York.

The TIRL operates over about a 1.5 miles of track, extending from a junction with the Conrail Niagara Branch in North Tonawanda, New York, to Tonawanda Island. The single main track route includes two highway rail grade crossings. One crossing, at River Road in North Tonawanda, is equipped with automated warning devices. The other highway rail grade crossing is located at Main Street in North Tonawanda and is equipped with traffic control signals on each side of the crossing.

In addition to the main track, several auxiliary tracks are in service, both at the junction and on Tonawanda Island. To access Tonawanda Island, the TIRL crosses the Little River via a wood and metal bridge identified by a number affixed to its westernmost bent, 7708810. For the purposes of this Emergency Order, the bridge is hereinafter designated as "Bridge 7708810." The bridge consists of two timber trestle approaches, one on each side of a steel through truss swing span. The swing span has been inoperative for many years.

The Little River is a navigable waterway formed by a channel of the Niagara River, Ellicott Creek and