

least 2 years; (2) overhead traffic that formerly moved over this line is now moving via CSXT over a leased NS line parallel to this line;³ (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on April 20, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,⁴ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),⁵ and trail use/rail banking requests under 49 CFR 1152.29⁶ must be filed by April 1, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by April 10, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Charles M. Rosenberger, Senior Counsel, CSX Transportation,

³ See *CSX Transportation, Inc.—Lease and Operation Exemption—Norfolk and Western Railway Company*, Finance Docket No. 32768 (ICC served Oct. 27, 1995).

⁴ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

⁵ See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

⁶ The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

Inc., 500 Water Street J150, Jacksonville, FL 32202.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

CSXT has filed an environmental report which addresses the abandonments effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by March 26, 1996. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Surface Transportation Board, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: March 13, 1996.

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

Vernon A. Williams,

Secretary.

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[Docket No. AB-33 (Sub-No. 70)]

Union Pacific Railroad Company— Abandonment—Wallace Branch, ID

AGENCY: Surface Transportation Board, DOT.

ACTION: Extension of comment filing period.

SUMMARY: The Rails to Trails Conservancy seeks the issuance of a certificate of interim trail use under section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d), for a 71.5-mile rail line of Union Pacific Railroad Company between milepost 16.5, near Plummer, and milepost 7.6, near Mullan, via milepost 80.4/0.0 near Wallace, in Benewah, Kootenai, and Shoshone Counties, ID. The ICC issued a notice on December 29, 1995 (60 FR 67364) to request comments from all interested parties, agencies, and members of the public as to whether there is any impediment to the issuance of Trails Act authority in the unusual circumstances of this case. Comments

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) 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. 10903.

were originally due on January 29, 1996. At the request of the Environmental and Natural Resources Division of the United States Department of Justice (DOJ), acting on behalf of the Departments of Interior and Agriculture, the Board extended the comment period for 45 days to March 14, 1996.

DOJ now requests an additional 6 month period within which to file its comments in order to conduct a natural resource damages assessment. Further, DOJ states that the assessment must consider not only the environmental but also the potential human health effects of bringing recreators into the area. DOJ states that the Coeur d'Alene Tribe supports the extension and that the Union Pacific Railroad Company will not oppose it. The Rails-to-Trails Conservancy opposes any extension.

While the Board supports the pursuit of negotiated resolutions, the Board does not favor granting lengthy extensions of time in established procedural schedules, especially where, as here, a prior extension has been granted. The Board will grant a 2 month extension of the comment period until May 14, 1996. DOJ is directed to report to the Board by May 1, 1996 on the status of its efforts to negotiate settlement of certain issues.

DATES: The report is due by May 1, 1996 and comments are due by May 14, 1996.

ADDRESSES: An original and 10 copies of the report and all comments, referring to Docket No. AB-33 (Sub-No. 70), should be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of the report and all comments must be served on all parties of record.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927-5660. [Assistance for the hearing impaired is available through TDD at (202) 927-5721.]

Decided: March 14, 1996.

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

Vernon A. Williams,

Secretary.

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DEPARTMENT OF THE TREASURY

Federal Law Enforcement Training Center

AGENCY: Advisory Committee to the National Center for State, Local, and International Law Enforcement Training.