

means of emergency shutdown in violation of 33 CFR 155.780. Count Six charges the failure to have an area within which to contain discharges in violation of 33 CFR 155.310(a)(1)(i).

Interested persons may submit written comments on the proceeding, including comments on the amount of the proposed penalty, or written notice of intent to present evidence at any hearing held in the proceeding. Interested persons will be given notice of any hearing, a reasonable opportunity to be heard and to present evidence during any hearing, and notice of the decision. If no hearing is held, an interested person may, within 30 days after issuance of an order, petition the Commandant of the Coast Guard to set aside the order and to provide a hearing (33 CFR 20.1102).

DATES: Comments or notice of intent to present evidence at a hearing must be received not later than May 31, 1996.

ADDRESSES: Comments and requests for a hearing may be mailed to the Hearing Docket Clerk, Office of the Chief Administrative Law Judge, Commandant (G-CJ), U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to room 6302 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Filings should reference docket number 96-0001-CIV. The administrative record for this proceeding is available for inspection at the same address and times.

FOR FURTHER INFORMATION CONTACT: Mr. George J. Jordan, Director of Judicial Administration, Office of the Chief Administrative Law Judge, Commandant (G-CJ), U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001, telephone (202) 267-2940.

SUPPLEMENTARY INFORMATION: Notice of this proceeding is given pursuant to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as amended by the Oil Pollution Act of 1990 and the Coast Guard's Class II Civil Penalty regulations (33 CFR Part 20). The proceeding is initiated under § 311(b) of the FWPCA (33 U.S.C. 1321(b)).

Although no hearing is yet scheduled, the Coast Guard has asked that any hearing be held in St. Louis, Missouri.

The following additional information is provided:

Respondent: Waxler Towing Company, Inc., P.O. Box 253, 486 Jack Carley Causeway, Memphis, TN 38101

Complaint Filed: April 3, 1996; St. Louis, MO

Docket Number: 96-0001-CIV

Amount of Proposed Penalty: \$60,000

Charges: Count 1: Inadequate Transfer Procedures (\$8,000)

Charges: Count 2: Noncompliance with Transfer Procedures (\$4,000)

Charges: Count 3: Noncompliance with Transfer Hose Requirements (\$1,500)

Charges: Count 4: Conducting an Unsafe Transfer of Hazardous Material (\$40,000)

Charges: Count 5: No Emergency Shutdown (\$5,000)

Charges: Count 6: No Containment System for Oil Discharges (\$3,000)

Dated: April 25, 1996.

George J. Jordan,

Director of Judicial Administration, Office of the Chief Administrative Law Judge, U.S. Coast Guard.

[FR Doc. 96-10822 Filed 4-30-96; 8:45 am]

BILLING CODE 4910-14-M

Surface Transportation Board ¹

[STB Finance Docket No. 32898]

Burlington Shortline Railroad, Inc., d/b/a Burlington Junction Railway (BJRY) ²—Acquisition and Operation Exemption—Henry County Industrial Development Corporation

Burlington Shortline Railroad, Inc., d/b/a Burlington Junction Railway, a noncarrier,³ has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate a rail line owned by the Henry County Industrial Development Corporation Illinois (HCIDC). The line extends approximately 0.50 miles in length from the interchange with the Burlington Northern Railroad Company at Mt. Pleasant, Henry County, IA, to the site of an industrial park owned by the HCIDC at Mt. Pleasant, IA.

The parties intend to consummate the transaction on or about May 1, 1996.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed

¹ 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 (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. 10901.

² The Notice of Exemption contains a discrepancy in the name of the applicant. The title refers to Burlington Junction Railway as the applicant while the body of the application refers to Burlington Shortline Railroad, Inc., d/b/a Burlington Junction Railway as the applicant. We will assume the latter to be the applicant.

³ Applicant represents that it is a noncarrier by virtue of the ICC's decision in Finance Docket No. 30522, *Burlington Shortline, Inc. and Keokuk Northern Real Estate Company d/b/a Burlington Junction Railway—Exemption from 49 U.S.C. 10901, 11301, and 49 U.S.C. Subtitle IV*.

at any time. The filing of a petition to reopen will not automatically stay the transaction. An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32898, must be filed with the Office of the Secretary, Surface Transportation Board, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on John D. Heffner, Esq., Rea, Cross & Auchincloss, Suite 420, 1920 N Street, N.W., Washington, DC 20005-3934.

Decided: April 25, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-10762 Filed 4-30-96; 8:45 am]

BILLING CODE 4915-00-P

Surface Transportation Board ¹

[STB Finance Docket No. 32897]

Pickens Railway Company—Acquisition and Operation Exemption—The Pickens Railroad Company

Pickens Railway Company, a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire the railroad line and other assets of The Pickens Railroad Company from milepost 0.0 at Pickens to milepost 8.5 at Easley, a distance of 8.5 miles in Pickens County, SC.

Consummation is scheduled to occur on or after April 23, 1996.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction. An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32897, must be filed with the Office of the Secretary, Surface Transportation Board, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Fritz R. Kahn, Esq., Fritz R. Kahn, P.C., Suite 750 West, 1100 New York Avenue, NW., Washington, DC 20005-3934.

¹ 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. 10901.