

**Surface Transportation Board<sup>1</sup>**

[Docket No. AB-167 (Sub-No. 1151X)]

**Consolidated Rail Corporation—  
Abandonment Exemption—in Bergen  
and Passaic Counties, NJ****AGENCY:** Surface Transportation Board.  
**ACTION:** Notice of Exemption.

**SUMMARY:** The Board exempts from the prior approval requirements of 49 U.S.C. 10903-04 the abandonment by Consolidated Rail Corporation of its 1.8-mile line of railroad known as the Dundee Spur Track, from milepost 0.0 near Garfield to the end of the track at approximately milepost 1.8 near Monroe St., in the city of Passaic, Bergen and Passaic Counties, NJ, subject to public use, historic preservation, and standard labor protective conditions.

**DATES:** Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on July 7, 1996. Formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2)<sup>2</sup> must be filed by June 17, 1996; petitions to stay must be filed by June 24, 1996; and petitions to reopen must be filed by July 2, 1996.

**ADDRESSES:** Send pleadings referring to Docket No. AB-167 (Sub-No. 1151X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423, and (2) Petitioner's representative: John J. Paylor, 2001 Market St., 16A, Philadelphia, PA 19101-1416.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289-357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: May 23, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,  
*Secretary.*

[FR Doc. 96-14415 Filed 6-6-96; 8:45 am]

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

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on

**Surface Transportation Board<sup>1</sup>**

[STB Docket No. AB-55 (Sub-No. 528X)]

**CSX Transportation, Inc.—  
Abandonment Exemption—in Marion  
County, IN**

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon approximately 1.4 miles of its line of railroad between milepost BD-127.8 at Moorefield and milepost BD-129.2 at Speedway, in Marion County, IN.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (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 July 7, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an

<sup>1</sup> 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 the Board's jurisdiction pursuant to 49 U.S.C. 10903.

<sup>2</sup> 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.

OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29<sup>4</sup> must be filed by June 17, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 27, 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, 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 abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by June 12, 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: June 3, 1996.

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

Vernon A. Williams,  
*Secretary.*

[FR Doc. 96-14418 Filed 6-6-96; 8:45 am]

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**DEPARTMENT OF THE TREASURY****Customs Service****Quota Status Reports**

**ACTION:** Proposed change in issuance; request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, Customs invites the general public and other Federal agencies to comment on a change in issuance regarding Quota Status Reports. This request for comment is being made

<sup>3</sup> See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

<sup>4</sup> 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.