

**Annual Responses:** 68.

**Annual Burden:** 51 hours.

**Comments:** Send all comments regarding whether this information collection is necessary for proper performance of the function of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance quality, utility, and clarity of the information to be collected to the Office of Information and Regulatory Affairs,

Office of Management and Budget,  
725–17th Street, NW, Washington, DC  
20503, Attention DOT Desk Officer.

Issued in Washington, DC, on August 5, 1996.

Phillip A. Leach,  
*Clearance Officer, United States Department of Transportation.*

[FR Doc. 96–20259 Filed 8–7–96; 8:45 am]

**BILLING CODE 4910–62–P**

#### Federal Aviation Administration

##### International Civil Aviation Organization (ICAO), Committee On Aviation Environmental Protection (CAEP)

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

**ACTION:** Notice of meeting.

**SUMMARY:** The FAA is issuing this notice to advise interested parties of the next in a continuing series of briefings to be given by The Office of Environmental and Energy on the status of the ICAO/CAEP process to be held on August 28, 1996. The ICAO/CAEP is a group of government and industry aviation experts responsible for recommending international noise and emissions standards for civil aircraft and engines. The current status of the ICAO/CAEP process, including the disposition of the recommendations offered by the committee at their meeting in December 1995 and the organization of the continuing work of the committee, will be discussed.

**DATES:** The meeting will be held on August 28, 1996.

**TIME:** 2 p.m. to 4 p.m.

**ADDRESSES:** The meeting will be held at Department of Transportation Nassif building, 400 Seventh St., Washington, D.C., 20590 in room 6332.

**FOR FURTHER INFORMATION CONTACT:** Mr. James P. Muldoon or Mr. James R. Littleton Jr., Office of Environmental and Energy Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, fax (202) 267–5594.

Attendance is open to the public, but will be limited to the space available. Arrangements can be made by contacting the person listed under the heading **FOR FURTHER INFORMATION**. **CONTACT.** Sign and oral interpretation can be made available at the meeting, as well as an assistive listening device, if requested 10 calendar days before the meeting.

James R. Littlejohn, Jr.,

*Analysis and Evaluation Branch, Office of Environment and Energy.*

[FR Doc. 96–20264 Filed 8–7–96; 8:45 am]

**BILLING CODE 4910–13–M**

#### Federal Railroad Administration

##### Petition for Waiver of Compliance

In accordance with Title 49 CFR 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for waiver of compliance with certain requirements of the Federal safety laws and regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

Boone & Scenic Valley (BSV) Railroad (Waiver Petition Docket Number PB–96–1)

The Iowa Railroad Historical Society, Boone & Scenic Valley (BSV) Railroad, seeks a permanent waiver of compliance from Title 49, Part 232, Section 17(b)(2) on passenger cars equipped with U type air brakes by extending the clean, oil, test, and stencil (COT&S) period from 15 calendar months to 15 operating months. BSV seeks relief for their eight antique passenger cars built in years 1927–1929, from the present requirements to perform COT&S as required by § 232.17(b)(2) and specified in Standard S–045 in the Manual of Standards and Recommended Practices of the Association of American Railroads A–III–256, Section 2.1.2. The BSV is a non-profit tourist lien that operates only 6 months a year, with one trip per day during the week and 3 trips on Saturday and Sunday over a 15-mile, captive service route originating in Boone, Iowa. BSV explains that they have been performing the COT&S every 12 calendar months at considerable expense for 6 months of operation and that by granting this waiver, they would perform the COT&S every 24 months for 12 months of operation.

Title 49 CFR 232.17 “Freight and passenger train car brakes” states in Part (b)(2): Brake equipment on passenger

cars must be cleaned, repaired, lubricated, and tested as often as necessary to maintain it in a safe and suitable condition for service but not less frequently than as required in Standard S–045 in the Manual of Standards and Recommended Practices of the AAR.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comments, they should notify FRA in writing, before the end of the comment period and specify the basis of their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g. Waiver Petition Docket Number PB–96–1) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590.

Communications received within 45 days of the date of publication of this notice, will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practical. All written communication concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) in Room 8201, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590.

Issued in Washington, DC on August 5, 1996.

Phil Olekszyk,

*Acting Deputy Administrator for Safety.*

[FR Doc. 96–20263 Filed 8–7–96; 8:45 am]

**BILLING CODE 4910–06–M**

##### [FRA Docket No. RST–93–3]

##### Petition for an Extension of the Period Within Which Compliance With the Provisions of 49 CFR 213.113(a)(2), Notes C and D, Will be Waived

Burlington Northern Santa Fe

In accordance with 49 CFR 211.9 and 211.41, notice is hereby given that Burlington Northern Santa Fe (BNSF) has submitted a petition dated May 20, 1996 for the continued use on certain of its lines of a track device known as a Bulldog Clamp®. The purpose of the device is to provide additional security between detection and removal of certain types of transverse defects internal to a rail head. The device achieves this purpose by functioning as

a boltless track joint centered on a rail at the location of a flaw and being attached to the rail by two "C" clamps. It is claimed that avoidance of bolting the joint saves time, but more important, eliminates drilled bolt holes in the rail web which can serve later as sources of equally unwanted defects of a different type.

The petition requests that, for regions of the railroad where it is proposed to employ the device, the Federal Railroad Administration (FRA) specifically approve the following three conditions:

1. Once clamps are applied to detail fractures, engine burn fractures or defective welds measuring 25 percent or greater of the head area, train sped shall be limited to 60 miles per hour or the maximum allowable speed under section 213.9 of 49 CFR Part 213 for the class of track, whichever is lower.

2. BNSF shall remove these devices from the rails not more than 20 days after application. If the internal rail head defect has not been removed by that time, bolted joint bars will be immediately applied and the provisions of section 213.113 shall govern.

3. This waiver shall continue in effect for a period of 24 months from the date that it is issued by FRA.

It should be noted that this petition is the fourth in a series that commenced in August of 1990 (see at 55 FR 50266, 56 FR 13515 and 59 FR 9518 for earlier Federal Register notices descriptive of this program). In the virtual six years since that date, the device has been used, it is claimed, well over one hundred times and not once did a rail defect so protected progress to failure.

Interested parties are invited to participate in these proceedings by submitting written views, data or comments. FRA does to anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify EFRA, in writing, before the need of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Number RST-93-3) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street, SW., Washington, DC 20590. Communications received within 45 days after publication of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are

available for examination during regular business hours (9:00 a.m. to 5:00 p.m.) in Room 8201, 400 Seventh Street, SW., Washington, DC 20690.

Issued in Washington, DC on August 5, 1996.

Phil Olekszyk,

*Acting Associate Administrator for Safety.*

[FR Doc. 96-20262 Filed 8-7-96; 8:45 am]

BILLING CODE 4910-06-M

## DEPARTMENT OF VETERANS AFFAIRS

### Disease Not Associated With Exposure to Certain Herbicide Agents

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

**SUMMARY:** As required by law, the Department of Veterans Affairs (VA) hereby gives notice that the Secretary of Veterans Affairs, under the authority granted by the Agent Orange Act of 1991, has determined that a presumption of service connection based on exposure to herbicides used in the Republic of Vietnam during the Vietnam era is not warranted for the following conditions: Hepatobiliary cancers, nasal/nasopharyngeal cancer, bone cancer, female reproductive cancers, breast cancer, renal cancer, testicular cancer, leukemia, abnormal sperm parameters and infertility, cognitive and neuropsychiatric disorders, motor/coordination dysfunction, chronic peripheral nervous system disorders, metabolic and digestive disorders, immune system disorders, circulatory disorders, respiratory disorders (other than certain respiratory cancers), skin cancer, gastrointestinal tumors, bladder cancer, brain tumors, and any other condition for which the Secretary has not specifically determined a presumption of service connection is warranted.

**FOR FURTHER INFORMATION CONTACT:** John Bisset, Jr., Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, 810 Vermont Avenue, NW., Washington, DC 20420, telephone (202) 273-7230.

**SUPPLEMENTARY INFORMATION:** Section 3 of the Agent Orange Act of 1991, Pub. L. 102-4, 105 Stat. 11, directed the Secretary to seek to enter into an agreement with the National Academy of Sciences (NAS) to review and summarize the scientific evidence concerning the association between exposure to herbicides used in support of military operations in the Republic of Vietnam during the Vietnam era and each disease suspected to be associated

with such exposure. Congress mandated that NAS determine, to the extent possible: (1) Whether there is a statistical association between the suspect diseases and herbicide exposure, taking into account the strength of the scientific evidence and the appropriateness of the methods used to detect the association; (2) the increased risk of disease among individuals exposed to herbicides during service in the Republic of Vietnam during the Vietnam era; and (3) whether there is a plausible biological mechanism or other evidence of a causal relationship between herbicide exposure and the suspect disease. Section 3 of Pub. L. 102-4 also required that NAS submit reports on its activities every two years (as measured from the date of the first report) for a ten-year period.

Section 2 of Pub. L. 102-4 provides that whenever the Secretary determines, based on sound medical and scientific evidence, that a positive association (i.e., the credible evidence for the association is equal to or outweighs the credible evidence against the association) exists between exposure of humans to an herbicide agent (i.e., a chemical in an herbicide used in support of the United States and allied military operations in the Republic of Vietnam during the Vietnam era) and a disease, the Secretary will publish regulations establishing presumptive service connection for that disease. If the Secretary determines that a presumption of service connection is not warranted, he is to publish a notice of that determination, including an explanation of the scientific basis for that determination. The Secretary's determination must be based on consideration of the NAS reports and all other sound medical and scientific information and analysis available to the Secretary.

Although Pub. L. 102-4 does not define "credible," it does instruct the Secretary to "take into consideration whether the results [of any study] are statistically significant, are capable of replication, and withstand peer review." Simply comparing the number of studies which report a positive relative risk to the number of studies which report a negative relative risk for a particular condition is not a valid method for determining whether the weight of evidence overall supports a finding that there is or is not a positive association between herbicide exposure and the subsequent development of the particular condition. Because of differences in statistical significance, confidence levels, control for confounding factors, and other pertinent