

OMB Control Number: 2137-0051.

**Affected Public:** Shippers, carriers, packaging manufacturers, and other affected entities.

**Abstract:** Rulemaking procedures enable RSPA to determine if a rule change is necessary; be consistent with public interest; and maintain a level of safety equal to or superior to that of current regulations. Exemption procedures provide the information required for analytical purposes for approval or denial of requests for exemptions.

**Estimated Annual Burden:** 4,279.

**Title:** Requirements for Cargo Tanks.

OMB Control Number: 2137-0014.

**Affected Public:** Manufacturers and owners of cargo tanks.

**Abstract:** This information collection consolidates provisions for manufacture, qualification, maintenance and use of all specification cargo tank motor vehicles. It clarifies certain commodity sections in part 173, reorganizes the cargo tank specifications in part 178 and provides for vacuum-loaded cargo tanks. It includes part 180 requirements governing the maintenance, use, inspection, repair, retest and requalification of cargo tanks used to transport hazardous materials and certain registration requirements in part 107 for persons who are engaged in manufacture, repair or certification of any DOT specification cargo tank or cargo tank manufactured under exemption to transport hazardous materials.

Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention RSPA Desk Officer. Comments are invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued in Washington, DC, on April 11, 1997.

**Vanester M. Williams,**  
Clearance Officer, Department of  
Transportation.

[FR Doc. 97-9958 Filed 4-16-97; 8:45 am]

BILLING CODE 4910-62-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 32607 (Sub-No. 2)]

#### DeQueen & Eastern Railroad Company and Texas, Oklahoma & Eastern Railroad Company—Trackage Rights Exemption—WFEC Railroad Company

WFEC Railroad Company (WFECR) has agreed to grant bridge trackage rights to DeQueen & Eastern Railroad Company and Texas, Oklahoma & Eastern Railroad Company (collectively TOE) over its entire line of railroad in Choctaw and McCurtain Counties, OK.<sup>1</sup>

The transaction is scheduled to be consummated on or after the April 14, 1997 effective date of the exemption. The purpose of the trackage rights is to increase the efficiency of the unit train rail operation serving Western Farmers.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32607 (Sub-No. 2) must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Donald G. Avery, Esq., Slover & Loftus, 1224 Seventeenth Street, NW., Washington, DC 20036.

Decided: April 10, 1997.

<sup>1</sup>TOE will conduct actual train operations over the WFECR line to serve Western Farmers Electric Cooperative's generating station (Western Farmers) and will have no authority to serve any other shippers that might locate on the line. WFECR will retain the authority and responsibility for serving any such shippers.

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

**Vernon A. Williams,**  
Secretary.

[FR Doc. 97-9851 Filed 4-16-97; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33340; STB Finance Docket No. 33341]

#### StatesRail, Inc.—Acquisition of Control Exemption—Kyle Railways Inc.; Kauri L.L.C.—Continuance in Control Exemption—StatesRail, Inc.

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of Exemption.

**SUMMARY:** Under 49 U.S.C. 10502, the Board exempts from the prior approval requirements of 49 U.S.C. 11323-25: (1) The acquisition of control via stock purchase of Kyle Railways Inc. by StatesRail, Inc.; and (2) the continuance in control of StatesRail, Inc. by Kauri L.L.C.

**DATES:** The exemption will be effective May 17, 1997. Petitions to stay must be filed by April 28, 1997. Petitions to reopen must be filed by May 7, 1997.

**ADDRESSES:** An original and 10 copies of all pleadings referring to STB Finance Docket No. 33340 and STB Finance Docket No. 33341 must be filed with the Office of the Secretary, Case Control Unit, Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001; a copy of all pleadings must be served on petitioners' representative: Eugenia Langan, Shea & Gardner, 1800 Massachusetts Avenue, NW., Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1600 [TDD for the hearing impaired (202) 565-1695.]

**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., Suite 210, 1925 K Street, NW., Washington, DC 20006. Telephone: (202) 289-4357. [Assistance for the hearing impaired is available through TDD services (202) 565-1695.]

Decided: April 4, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 97-9850 Filed 4-16-97; 8:45 am]

BILLING CODE 4915-00-P