

Alexandria is contained in the Environmental Report filed with the Board in STB Finance Docket No. 33388. In addition, as we required in CSX/NS/CR, Decision No. 9, NS must submit, no later than September 5, 1997 (Day F+75), a preliminary draft environmental assessment (PDEA) for each individual construction project covered by our waiver decision. Each PDEA must comply with all of the requirements for environmental reports contained in our environmental rules at 49 CFR 1105.7. Also, the PDEA must be based on consultations with our Section of Environmental Analysis (SEA) and the federal, state, and local agencies set forth in 49 CFR 1105.7(b), as well as other appropriate parties. If a PDEA is insufficient, we may require additional environmental information or reject the document. See CSX/NS/CR, Decision No. 9, at 8.

As part of the environmental review process, SEA will independently verify the information contained in each PDEA, conduct further independent analysis, as necessary, and develop appropriate environmental mitigation measures. For each project, SEA plans to prepare an EA, which will be served on the public for review and comment. The public will have 20 days to comment on the EA, including the proposed environmental mitigation measures. After the close of the public comment period, SEA will prepare Post Environmental Assessments (Post EAs) containing SEA's final recommendations, including appropriate environmental mitigation. Therefore, in deciding whether to grant petitioner's exemption request, we will consider the entire environmental record, including all public comments, the EA, and the Post EA. *Id.* at 8.

Should we determine that the Alexandria construction project could potentially cause, or contribute to, significant environmental impacts, then the project will be incorporated into the EIS for the proposed control transaction in STB Finance Docket No. 33388. *Id.* at 8. As we have previously emphasized, our consideration of the seven construction projects does not, and will not, in any way, constitute approval of, or even indicate any consideration on our part respecting approval of, the primary application in STB Finance Docket No. 33388. See CSX/NS/CR, Decision No. 9, at 6; and Decision No. 5, served and published in the **Federal Register** on May 13, 1997, 62 FR 26352, slip op. at 3. If we grant any exemptions for these seven construction projects, applicants will not be allowed to argue that, because we have granted an exemption and applicants may have

expended resources to construct a connection track, we should approve the primary application. Applicants have willingly assumed the risk that we may deny the primary application, or approve it subject to conditions unacceptable to applicants, or approve the primary application but deny an applicant's request to operate over any or all of the seven connections. *Id.*

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

*It is ordered:*

1. Comments on whether the proposed transaction meets the exemption criteria of 49 U.S.C. 10502 and on any other non-environmental concerns regarding the construction and operation of the connection track in Alexandria are due August 22, 1997.

2. Petitioner's reply is due September 11, 1997.

3. This decision is effective on the date of service.

Decided: July 16, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 97-19380 Filed 7-22-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-336 (Sub-No. 6)]

#### Indiana Hi-Rail Corporation, Debtor— Abandonment—In Putman and Van Wert Counties, Oh, and Adams County, IN

On July 8, 1997, the Trustee of Indiana Hi-Rail Corporation, Debtor (IHRC) filed with the Surface Transportation Board, Washington, DC 20423, an application under the Bankruptcy Code, 11 U.S.C. 1170(b), to abandon two segments of a line of railroad known as the St. Mary's District Line. The line segments extend: (1) From milepost TS 65.5 near Douglas, OH, to milepost TS 73.7 at Delphos, OH (the Douglas Line Segment); and (2) from milepost TS 77.5 near Landeck, OH, to milepost TS 117.8 near Craigs ville, IN (the Landeck Line Segment), a total distance of 48.5 miles, located in Putnam and Van Wert Counties, OH, and Adams County, IN. The line includes the stations of Wilshire, OH (milepost TS 99.5), Ohio City, OH (milepost TS 90.0), Ft. Jennings, OH (milepost TS 68.7), Douglas, OH (milepost TS 66.0) and

Decatur, IN (milepost TS 108.0), and traverses U.S. Postal Service ZIP Codes 46731, 46733, 46780, 45898, 45874, 45894, 45833, 45844 and 45876.

Pursuant to 49 CFR 1152.24(e)(5), IHRC requests waiver of some or all of the requirements contained in: 49 CFR 1152.20(a)(3) and (4) (posting and publication requirements); 49 CFR 1152.20(b)(1) (time limits for service of the notice of intent); 49 CFR 1152.22(d) (revenue and cost data),<sup>1</sup> 49 CFR 1152.22(i) (Board's 20-day time frame for publication of notice in **Federal Register**); and 49 CFR 1152.26 (procedural schedule governing abandonment applications).

IHRC is a bankrupt rail carrier. The application contains sufficient information for the Board to make a recommendation report to the Bankruptcy Court.<sup>2</sup> Requiring IHRC to comply with these cited regulations would serve no useful purpose, but would impose an unnecessary burden on IHRC. Therefore, the waiver request will be granted.

The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it. This line of railroad has appeared on the applicant's system diagram map (SDM) or has been included in its narrative in category 1 since July 8, 1997. Despite the fact that the line was not previously identified on an SDM filed by the applicant as would normally be required by the Board's regulations, the application will not be rejected under these circumstances in which a bankrupt carrier has submitted to the Board an abandonment application pursuant to an order of the Bankruptcy Court. See 49 CFR 1152.24(e)(1).

The interest of railroad employees will be protected by Oregon Short Line R. Co.—Abandonment—Goshen, 360 I.C.C. 91 (1979).

By order dated June 26, 1997,<sup>3</sup> the United States Bankruptcy Court, Southern District of Indiana, Indianapolis Division, directed the Board to respond and issue an advisory opinion on the proposed abandonment application by August 18, 1997. The Board's rules anticipate that protests or comments on an abandonment

<sup>1</sup> While not adhering to the strict financial requirements of 49 CFR 1152.22(d), IHRC did calculate its avoidable costs to the extent that the financial data were available.

<sup>2</sup> Because the Board's role in the abandonment is advisory, IHRC is not obligated to file environmental or historic information. See 49 CFR 1105.5(c).

<sup>3</sup> Case No. 94-08502-B-V-11, In re Sagamore National Corporation a/k/a Indiana Hi Rail Corporation a/k/a Sagnant, Debtor.

application would be due 45 days after the filing of the application. In this case, the court's deadline is August 18, 1997 (only 41 days after the July 8, 1997 filing). In order to be in a position to make a recommendation to the court as soon as possible, a shortened procedural schedule will be adopted here. Any interested person may file with the Board written comments concerning the proposed abandonment or protests (including the protestant's entire opposition case). Written comments and protests must indicate the proceeding designation STB Docket No. AB-336 (Sub-No. 6) and should be filed with the Secretary, Surface Transportation Board, Washington, DC 20423-0001, by August 7, 1997. Applicant's reply to opposition case must be filed by August 12, 1997. If the record that is developed permits it, the Board will be able to issue its advisory opinion by August 18, 1997, or shortly thereafter. A copy of each written comment or protest shall be served upon the representative of the applicant: Charles H. White, Jr., Galland, Kharasch & Garfinkle, P.C., Canal Square, 1054 Thirty-First Street, N.W., Washington, DC 20007-4492. The original and 10 copies of all comments or protests shall be filed with the Board with a certificate of service. Except as otherwise set forth in 49 CFR part 1152, every document filed with the Board must be served on all parties to the abandonment proceeding. 49 CFR 1104.12(a).

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. (TDD for the hearing impaired is available at (202) 565-1695.)

A copy of this notice will be mailed to the Bankruptcy Court at this address: The Honorable Larry Lessen, United States Bankruptcy Court, Southern District of Indiana, Indianapolis Division, Room 116, U.S. Courthouse, 46 East Ohio Street, Indianapolis, IN 46204.

Decided: July 17, 1997.

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

**Vernon A. Williams,**  
Secretary.

[FR Doc. 97-19375 Filed 7-22-97; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Departmental Offices

#### Privacy Act of 1974; System of Records

**AGENCY:** Internal Revenue Service, Treasury Department.

**ACTION:** Notice to republish a Privacy Act system of records.

**SUMMARY:** The Department of the Treasury gives notice of its intent to republish the Privacy Act notice pertaining to the system of records entitled "Integrated Data Retrieval System (IDRS) Security Files—Treasury/IRS 34.018," which is subject to the Privacy Act of 1974, 5 U.S.C. 552a.

**EFFECTIVE DATE:** July 23, 1997.

**FOR FURTHER INFORMATION CONTACT:** Dale Underwood, Program Analyst, Disclosure Services, (202) 622-0930.

**SUPPLEMENTARY INFORMATION:** The Privacy Act system of records entitled "Integrated Data Retrieval System (IDRS) Security Files—Treasury/IRS 34.018" was amended by notice in the **Federal Register** on July 31, 1995, at 60 FR 39072. No comments were received in response to the amended system of records notice, and it became effective on September 11, 1995. However, the Department of the Treasury Privacy Act systems of records inventory, published on November 9, 1995, at 60 FR 56802, inadvertently published the pre-amendment version of this system of records notice. Therefore, it is necessary to republish the correct amended notice of July 31, 1995.

As required by 5 U.S.C. 552a(r), on July 21, 1995, the Department submitted a copy of the report and notice to the Committee on Governmental Affairs in the Senate; the Committee on Government Reform and Oversight in the House of Representatives, and to the Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

The purpose of the amendment, as originally published, was to enable the Internal Revenue Service to implement the Electronic Audit Research Log (EARL) system, which would enhance voluntary compliance through the assurance of ethical conduct by IRS employees. The July 31, 1995 amendment was also to ensure that this system of records, including the EARL system, was in compliance with the Privacy Act. Several other changes were made to the notice due to organizational changes and changes in reference to resource materials. Also, a proposed amendment to 31 CFR 1.36 was published at 60 FR 40797 on August 10,

1995, to exempt this system of records from certain provisions of the Privacy Act. The exemption is to permit the IRS to comply with legal prohibitions against the disclosure of certain kinds of information and to protect certain information on individuals maintained in this system of records.

The system notice, as amended on July 31, 1995, is being republished in its entirety below.

Date: July 10, 1997.

**Alex Rodriguez,**  
Deputy Assistant Secretary (Administration)

#### Treasury/IRS 34.018

##### SYSTEM NAME:

Integrated Data Retrieval System (IDRS) Security Files—Treasury/IRS

##### SYSTEM LOCATION:

National Office, District Offices, Internal Revenue Service Centers, Regional Offices, Customer Service Sites, Submission Processing Centers, Development Centers, Computing Centers, Field Information Systems Offices (FISO) and the Austin Compliance Center. (See IRS Appendix A for addresses at 60 FR 56856, November 9, 1995.)

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

(1) Employees who input or who are authorized to input IDRS transactions and (2) taxpayers whose accounts are accessed.

##### CATEGORIES OF RECORDS IN THE SYSTEM:

Record logs of the employees who are authorized access to IDRS and of employee inputs and inquiries processed through IDRS terminals, including record logs of employees who have accessed IDRS in a manner that appears to be inconsistent with standard IRS practice(s).

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; 26 U.S.C. 6103, 7602, 7801 and 7802.

##### PURPOSE(S):

To aid the ongoing efforts of the IRS to enhance the protection of confidential tax returns and return information from unauthorized access, by assuring the public that their tax information is being protected in an ethical and legal manner, thereby promoting voluntary taxpayer compliance.

##### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure of returns and return information may be made only as provided by 26 U.S.C. 6103.