

March 27, 1996, and circulated for comments.

Alternatives under consideration include those already discussed in the Draft Environmental Impact Statement and those to be covered in the proposed Supplement.

The Supplement will evaluate additional highway and non-highway economic development alternatives. The Supplement will also discuss environmental impacts associated with secondary impacts of economic development resulting from the proposed action, and will include a revised discussion of purpose and need.

To ensure that the full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this Supplement to the Draft Environmental Impact Statement should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program No. 20.205, Highway Research Planning and Construction. The regulations implementing Executive Order 12372 regarding inter-governmental consultation on Federal programs and activities apply to the program)

**Douglas N. Head,**

*Program Operations Engineer, Indianapolis, Indiana.*

[FR Doc. 97-26309 Filed 10-2-97; 8:45 am]

BILLING CODE 4910-22-M

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 32760 (Sub-No. 24)]

#### **The Burlington Northern and Santa Fe Railway Company; Trackage Rights Exemption; Union Pacific Railroad Company and Southern Pacific Transportation Company**

The Union Pacific Railroad Company (UP) and Southern Pacific Transportation Company (SP) have agreed to grant overhead trackage rights and certain local access rights to The Burlington Northern and Santa Fe Railway Company as follows: (a) Over a rail line owned by SP extending from milepost 212.7 near Tower 105 at San Antonio, TX; and (b) over a rail line owned by UP extending from milepost 235.9 near Craig Junction, TX, to milepost 259.8 near SP Junction (Tower 112) via Fratt, TX, a total distance of approximately 25.6 miles, for the

purpose of serving CPSB's (City Public Service Board of San Antonio) facilities at Elmendorf, TX. The transaction was expected to be consummated on September 24, 1997.<sup>1</sup>

These trackage rights are related to conditions imposed as part of the UP/SP merger in *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company*, Finance Docket No. 32760 (Decision No. 44) (STB served Aug. 12, 1996); (Decision No. 52) (STB served Sept. 10, 1996); and (Decision No. 61) (STB served Nov. 20, 1996).

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If the notice 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. 32760 (Sub-No. 24), must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001 and served on: Erika Z. Jones, Mayer, Brown & Platt, 2000 Pennsylvania Avenue, N.W., Washington, DC 20006 and Arvid E. Roach II, Covington & Burling, 1201 Pennsylvania Avenue, N.W., P. O. Box 7566, Washington, DC 20044-7566.

Decided: September 26, 1997.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 97-26310 Filed 10-2-97; 8:45 am]

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<sup>1</sup> Under 49 CFR 1180.4(g)(1), a trackage rights exemption is effective 7 days after the notice is filed. Although applicant indicated that the proposed transaction would be consummated on September 22, 1997, the notice was not filed until September 17, 1997, and thus the proposed transaction could not be consummated before the September 24, 1997 effective date.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33456]

#### **East Penn Railways, Inc.; Lease and Operation Exemption; Southeastern Pennsylvania Transportation Authority**

East Penn Railways, Inc. (East Penn), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to lease and operate a total of approximately 14.9 miles of rail line owned by Southeastern Pennsylvania Transportation Authority, known as the Bethlehem Branch, which includes the portion of the Quakertown Line extending from MP 30.5+/- at Telford, Montgomery County, PA, and MP 45.4+/- at Quakertown, Bucks County, PA, and the right to interchange with Consolidated Rail Corporation south of MP 30.5+/- . The transaction was expected to be consummated on or after September 15, 1997.<sup>1</sup>

If the notice 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. 33456, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001 and served on: John K. Fiorilla, Watson, Stevens, Fiorilla & Rutter, 390 George Street, P. O. Box 1185, New Brunswick, NJ 08903.

Decided: September 26, 1997.

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

**Vernon A. Williams,**  
*Secretary.*

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<sup>1</sup> Under 49 CFR 1150.41(b), the exemption is effective 7 days after the notice is filed. Although applicant indicated that the proposed transaction would be consummated on September 8, 1997, the notice was not filed until September 8, 1997, and thus the proposed transaction could not be consummated before the September 15, 1997 effective date of the exemption. Counsel for East Penn has acknowledged that September 15 was the earliest that the transaction could be consummated.