

fire protection agent, but it is not mandated. The CH-IV report on the need for LNG fire fighting protection systems at the ALT facility describes fire detection, equipment shutdown and control systems. However, it does not address what other fire protection systems (in lieu of fixed water system) be utilized to prevent fire from spreading. Thus, it does not satisfy paragraph 9-1.2(c) of NFPA 59A, which states "The methods necessary for protection of the equipment and structures from the effects of fire exposure." RSPA has also concerns about safety of the Mojave Compressor Station (MCS) and its day-shift personnel. According to ALT's drawings MCS lies clearly within the "lower explosive limit" of the ALT facility. Therefore, it lies within the perimeter where fire could occur as result of vapor dispersion.

Based on the above discussion, RSPA is not granting a waiver from the firewater requirements in § 193.2817(b)(2). RSPA, however, may consider any other alternative fire protection systems satisfying Section 9-1.2(c) of NFPA 59A.

Except for the sections for which RSPA is granting a waiver, this LNG facility must meet all the other requirements of Part 193. For the sections for which RSPA is granting a waiver, RSPA believes that the granting of a waiver from these requirements would not be inconsistent with pipeline safety, as long as Petitioner follows alternative provisions in the NFPA 59A. Therefore, ALT's petition for waiver from compliance with above specified sections of 49 CFR 193 is granted, effective October 31, 1997.

**Authority:** 49 App. U.S.C. 2002(h) and 2015; and 49 CFR 1.53.

Issued in Washington, D.C. on October 27, 1997.

**Richard B. Felder,**

*Associate Administrator for Pipeline Safety.*  
[FR Doc. 97-28959 Filed 10-30-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33475]

#### **C&NC Railroad Corporation—Lease and Operation Exemption—Lines of the Norfolk and Western Railway Company and Indiana Hi Rail Corporation**

C&NC Railroad Corporation (CNUR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to

lease and operate the Connersville Line (Line) in the State of Indiana, consisting of 27.62 miles of rail line. CNUR will lease from the Norfolk and Western Railway Corporation (NW) and operate the 22.42-mile portion of the rail line that is owned by NW: (1) from Beesons, (N&W milepost 4.80), to New Castle, (N&W milepost 25.30—Thornburg Street); and (2) from milepost 0.0 to 1.92, in New Castle, (the New Castle Industrial Track). R. Franklin Unger, Trustee of the Indiana Hi Rail Corporation (Hi Rail) currently leases and operates the NW portion of the Line.

The remaining 5.2 miles of the Line, from Beesons, milepost 5.2, to Connersville, milepost 0.0, is owned and operated by Hi Rail and is the subject of a separate acquisition exemption in STB Finance Docket No. 33476, *C&NC, L.L.C.—Acquisition Exemption—Indiana Hi Rail Corporation*. CNUR has entered into an agreement with C&NC, L.L.C. (CLLC) to lease from CLLC and operate the Beesons to Connersville portion of the Line.

CNUR will grant to NW incidental trackage rights over the main and auxiliary tracks of CNUR for non-revenue operations between mileposts CB-25.30 (through C.B. 25.00=R-00) and R-0.80.

The transaction was scheduled to be consummated on or after the October 15, 1997 effective date of the exemption. The transaction is related to the Hi Rail Trustee's filing of an Amended Plan of Reorganization with the Board in STB Finance Docket No. 33491 on October 3, 1997.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding 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. 33475, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Richard R. Wilson, Esq., 1126 Eighth Avenue, Suite 403, Altoona, PA 16002.

Decided: October 21, 1997.

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

**Vernon A. Williams,**

*Secretary.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33476]

#### **C & NC, L.L.C.—Acquisition Exemption—Indiana Hi Rail Corporation**

C & NC, L.L.C. (CLLC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire a line of railroad owned and operated by R. Franklin Unger, Trustee of the Indiana Hi Rail Corporation (Hi Rail) from Connersville, IN (milepost 0.0), to Beesons, IN (milepost 5.2), a distance of approximately 5.2 route miles.

The line will be operated by C&NC Railroad Corporation under a lease and operating agreement with CLLC, which is the subject of a separate lease and operation exemption in STB Finance Docket No. 33475, *C&NC Railroad Corporation—Lease and Operation Exemption—Lines of the Norfolk and Western Railway Company and Indiana Hi Rail Corporation*.

The transaction was scheduled to be consummated on or after the October 15, 1997 effective date of the exemption. The transaction is related to the Hi Rail Trustee's filing of an Amended Plan of Reorganization with the Board in STB Finance Docket No. 33491 on October 3, 1997.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding 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. 33476, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Richard R. Wilson, Esq., 1126 Eighth Avenue, Suite 403, Altoona, PA 16002.

Decided: October 21, 1997.

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

**Vernon A. Williams,**

*Secretary.*

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