Proposed charge expiration date: October 1, 2001.

Total estimated PFC revenue: $4,024,979.00.

PFC application number: 98–01–C–00–HRL.

Brief description of proposed projects:

Projects To Impose and Use PFC's

Groove Runway 13/31, Airfield Signage, Reconstruct South Apron, Airfield Drainage, Land Acquisition, Part 150 Land Acquisition, Access Roads, Runway and Taxiway Improvements, ARFF Suits, Storm Water Prevention Plan, Replace Access Control System, Reconstruct Air Freight Aprons—North & South, Replace ARFF Vehicles (2), Terminal Jet Bridges (3), Overlay Runway 17L/35R, Concourse Carpet Replacement, FIDS and PA System, PFC Development, Overlay GA Ramps, Overlay Taxiways Bravo and Foxtrot, Joint Seal Air Carrier Parking Apron, Part 150 and Master Plan Update, Airport Entrance Road (Iwo Jima Blvd.), Improve Terminal Drainage, Terminal Roadway Signs, Terminal Upgrade/Improvement, Security Fencing, Runway Sweeper, and Terminal Entrance Road and Arcade Sidewalk.

Proposed class or classes of air carriers to be exempted from collecting PFC's:

All Air Taxi/Commercial Operators filing FAA Form 1800–31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA regional Airports office located at: Federal Aviation Administration, Southwest Region, Airports Division, Planning and Programming Branch, ASW–610D, 2601 Meacham Blvd., Fort Worth, Texas 76137–4298.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at Valley International Airport.

Issued in Forth Worth, Texas on April 27, 1998.

Edward N. Agnew,

Acting Manager, Airports Division.

[FR Doc. 98–12136 Filed 5–6–98; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Maritime Administration

Voluntary Intermodal Sealift Agreement (VISA) / Joint Planning Advisory Group (JPAG)

AGENCY: Maritime Administration, DOT.

ACTION: Synopsis of April 23–24, 1998 meeting with VISA participants.

On April 23–24, 1998, the Maritime Administration (MARAD) and the United States Transportation Command (USTRANSCOM) co-hosted a meeting of the Voluntary Intermodal Sealift Agreement (VISA) Joint Planning Advisory Group (JPAG) at the United States Transportation Command, Scott Air Force Base, Illinois.

Meeting attendance was by invitation only, due to the nature of the information discussed and the need for a government-issued security clearance. Of the 27 U.S.-flag carrier corporate participants enrolled in VISA at the time of the meeting, 9 were represented, as well as representatives from the Department of Defense (DoD) and the Department of Transportation (DOT).

Government representatives provided operational briefs for the USTRANSCOM command post exercise Turbo Challenge 98 which was the principal focus of the JPAG. During the exercise, VISA Stage III was activated and VISA capacity was allocated. In addition to evaluating previously developed Concepts of Operation, the exercise tested VISA carriers' ability to position vessel capacity to meet VISA Stage III requirements for a major regional contingency.

The full text of the VISA program is published in 62 FR 6837–6845, dated February 13, 1997. One of the program requirements is that MARAD periodically publish a list of VISA participants in the **Federal Register**. As of April 28, 1998, the following commercial U.S.-flag vessel operators are enrolled in VISA with MARAD: Alaska Cargo Transport, Inc., American Auto Carriers, Inc., American Automar, Inc., American President Lines, Ltd., American Ship Management, LLC, Central Gulf Lines, Inc., Crowley Maritime Corporation, Dixie Fuels II, Ltd., Falgout Brothers, Inc., Farrell Lines Incorporated, First American Bulk Carrier Corp., Lykes Lines Limited, L.L.C., Maersk Line Limited, Matson Navigation Company, Inc., Moby Marine Corporation, NPR, Inc., OSG Car Carriers, Inc., Osprey Shipholding Corp., LLC, RR & VO L.L.C., Sealift, Inc., Sea-Land Service, Inc., Smith Maritime, Totem Ocean Trailer Express, Inc., Trailer Bridge, Inc., TransAtlantic Lines LLC, Van Ommeren Shipping (USA) LLC, and Waterman Steamship Corporation.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Raymond R. Barberesi, Director, Office of Sealift Support, (202) 366–2323.

Dated: May 4, 1998.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary.

[FR Doc. 98–12128 Filed 5–6–98; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33407]

Dakota, Minnesota & Eastern Railroad Corporation Construction Into the Powder River Basin [1]

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice of issuance of procedural schedule.

SUMMARY: The Board has received public comments on the proposed procedural schedule for issuing a decision on the transportation merits of the application and applicant's reply to those comments, and the Board is issuing a final procedural schedule. This schedule provides for issuance of a decision within 180 days of the effective date of this decision that will address the transportation issues relating to this construction application and whether the proposal satisfies the criteria of 49 U.S.C. 10901. Any approval would be conditioned upon completion of the environmental review process and consideration of environmental issues, which would be considered in a final decision on whether to authorize the construction.

DATES: The effective date of this decision is May 7, 1998. Pleadings must be filed in accordance with the attached schedule. All filings, except notices of intent to participate, must be concurrently served on all parties of record and must be accompanied by a certificate of service.

ADDRESSES: Send an original and 10 copies of all pleadings referring to STB Finance Docket No. 33407 to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423. To permit concurrent service of pleadings on all parties of record, a service list containing the names and addresses of all parties of record will be issued by the Board in a subsequent notice.

[1] This case was formerly entitled Dakota, Minnesota & Eastern Railroad Corporation—Construction and Operation—in Campbell, Converse, Niobrara, and Weston Counties, WY, Custer, Fall River, Jackson, and Pennington Counties, SD, and Blue Earth, Nicollet, and Steele Counties, MN. We have shortened the title for the sake of simplicity.

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

SUPPLEMENTARY INFORMATION: By decision served March 11, 1998, as corrected, the Board published notice of a construction and operation application filed by the Dakota, Minnesota & Eastern Railroad Corporation (DM&E)[2] and requested comments on a procedural schedule based on one proposed by DM&E for consideration of the transportation issues regarding the application.[3] That decision also required DM&E to cause to be published notices: (1) Advising that comments would not be due until the Board establishes a procedural schedule; and (2) after a schedule has been adopted by the Board, setting forth the schedule, including the due date for comments on the merits of the proposed transaction.

We received over two hundred comments on the proposed procedural schedule. Comments were filed by landowners, environmental groups, shipper organizations, shippers and receivers (including electric utilities), railroads, government entities, and rail labor unions. We have reviewed all of these comments but, in light of their number, will not mention each comment individually here.

For the most part, the parties opposing the proposed schedule state that the original 35-day comment period is insufficient. One group of similar letters[4] (over 50) asks that we allow comments throughout the EIS process. The other time period mentioned most frequently is an increase in the initial public comment period to 180 days. There are also a few suggestions for comment periods of up to 400 days.

The rationale for extending the time period for submitting comments is, generally, that the proposal is extensive and that more time is needed to study it and to seek help in asserting the parties' positions in opposition. These parties argue that copies of the application are not readily available to many landowners, and that the application set out on the Internet is incomplete.[5] These parties also claim that DM&E has had years to prepare its arguments and that they deserve time to counter these arguments and fully understand the public convenience and necessity claims of DM&E. There are also numerous requests for local hearings, contentions that consideration of the transportation criteria in 49 U.S.C. 10901 prior to completion of the analysis of the potential environmental impacts is not appropriate, and assertions that there is no public need for another rail line to serve the Powder River Basin.

There is one specific proposal for an alternative procedural schedule. It is offered by the 777 Ranch.[6] This proposal would significantly extend the due dates for the various pleadings[7] and ultimately postpone the issuance of a decision on transportation issues by slightly more than 9 months, for a total of approximately 15 months until the decision on the transportation issues is made.

Numerous parties support the 180 day schedule.[8] These parties emphasize that this schedule is reasonable and provides adequate time for submitting evidence and for informed decision making by the Board.

In support of the proposed schedule, DM&E argues that many of the opposing comments appear to be from parties ''implacably'' against the project who see delay as a desirable end in itself. DM&E also claims that many of the opposing comments are directed to environmental concerns, while others address the merits of the proposal rather than the amount of time needed to provide adequate opportunity for public participation and for development of a sufficient record on the transportation merits of the application. DM&E adds that it has attempted to ensure the broad availability of the application and that it went well beyond Board regulations in this regard.

Turning to the specific requests for lengthening the proposed schedule, DM&E notes that the commenters apparently did not take into account that, after the initial 35-day comment period, there would be a further 80-day period in which to submit transportation evidence and argument in opposition. In addition, DM&E points out that, even before a specific schedule is adopted, interested parties will have already had nearly 2 months since the application was filed to begin preparation of their transportation comments.

We have reviewed all the comments received on the proposed procedural schedule and are aware of the concerns parties have raised regarding the amount of time necessary to prepare their cases as well as the desire of DM&E to have an expedited schedule. Balancing these competing concerns, and with fairness to all parties in mind, we have decided to adopt the proposed 180-day procedural schedule for consideration of transportation issues. This schedule will ensure that all parties are accorded due process. It will allow for adequate public participation and the development of a sufficient record on which to consider the transportation implications of applicant's construction proposal under 49 U.S.C. 10901. As we explained in our previous decision, any approval granted would be conditioned upon consideration of the environmental impacts of the proposed construction. Thus, we will issue a subsequent decision after completion of the EIS process, and only at that point would we allow construction to begin, if appropriate, based on a consideration of the potential environmental impacts of the proposed transaction. The courts have found that it does not violate the environmental laws for an agency to conditionally approve an action before the completion of environmental review. *City of Grapevine* v. *DOT,* 17 F.3d 1502 (D.C. Cir. 1984). *See generally Missouri Mining Inc.* v. *ICC,* 33 F.3d 980 (8th Cir. 1994) (affirming construction authorization that had first been conditionally granted).

Although numerous parties have requested that we extend the various time periods set forth in the proposed schedule, none of these requests shows any specific need for additional time in order to address transportation issues under the statutory standards of section 10901. We believe the proposed schedule, which allows almost 4 months (a total of 115 days) in addition

[2] DM&E seeks authority to construct and operate 280.09 miles of new railroad line, which would extend DM&E's existing rail lines into the Powder River Basin coal fields in northeastern Wyoming, and DM&E also plans several related projects. Notice of the application was published in the **Federal Register** on March 13, 1998 (63 FR 12576).

[3] DM&E's proposed schedule also would have covered the carrying out of the environmental review process. Our March 11, 1998 decision found that it would be premature to establish any sort of environmental review schedule, but directed our Section of Environmental Analysis (SEA) to initiate the environmental review process. On March 27, 1998, SEA published a notice of intent to prepare an Environmental Impact Statement (EIS), scheduling agency and public scoping meetings between April 29 and June 30, 1998.

[4] The second largest group of similar letters (over 30) does not specifically address the procedural schedule; rather, these letters argue against conditional approval.

[5] DM&E placed a copy of the application on the Internet at ''WWW.DMERAIL.COM.''

[6] The 777 Ranch and the Mid-States Coalition for Progress list the same PO box and phone number, and their pleadings are quite similar. The SMS Ranch Partnership also submitted essentially identical comments.

[7] The 777 Ranch would make these changes to the proposed schedule (where P signifies the date of this decision): comments due from P + 35 to P + 180; STB decision setting modified procedure/oral hearing from P + 70 to P + 215; opposing evidence and argument from P + 115 to P + 395; and STB decision from P + 180 to P + 460.

[8] These parties also frequently mention their support for the construction project and request expedited consideration of the environmental issues.

to the time already elapsed since the application was filed, affords ample opportunity to file evidence and argument in opposition to the application.

In addition, we note that many of the pleadings we received in response to our request for comments on the procedural schedule for consideration of transportation issues instead raise concerns with environmental issues. As noted, we will separately address environmental issues in a subsequent decision after completion of the EIS process. Other comments are directed more to the transportation merits of the application than the procedural schedule.

As mentioned, our previous decision required DM&E to cause to be published new notices setting forth the schedule we are adopting here and certifying to us that it has done so. We are reiterating that requirement here.

In addition to setting forth the procedural schedule, the new notices must clearly set forth the filing requirements we established here, which we are modifying slightly from those originally contemplated. These filing requirements are: first, anyone who intends to file comments in this proceeding and to participate fully as a party of record (POR) must file with the Secretary of the Board an original and 10 copies of a notice of intent to participate in the proceeding by May 27, 1998. The Board will then issue a list of those persons who have given notice of their intent to participate.[9] All documents (including comments) filed under the procedural schedule must be served on each person identified on this service list as a POR and each person making a filing must certify to the Secretary of the Board that he or she has done so. Persons not participating as a POR may obtain copies of pleadings through the Board's copy contractor, DC News & Data, Inc., 1925 K Street, N.W., Suite 210, Washington, DC 20006. Telephone: (202) 289–4357. [Assistance for the hearing impaired is available through TDD Services (202) 565–1695.] Second, so that all PORs may have the benefit of receiving all comments, we are requiring that, in order to be considered, any previously submitted comments addressing the transportation merits of the proposed construction must be resubmitted and properly served on all PORs once we issue the service list. Previously submitted transportation comments will not be considered unless resubmitted and served. We recognize that this will create duplicate pleadings in some circumstances, but feel it is necessary to ensure complete dissemination of all comments.[10]

Board decisions and notices are available on our website at ''WWW.STB.DOT.GOV.''

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

Decided: April 30, 1998.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,

Secretary.

Procedural Schedule

In the following schedule, the term ''P'' designates the date that the Board issues this procedural schedule and ''P + n'' means ''n'' days following that date.

P—Procedural schedule established by the Board.

P+7—Due date for publication by DM&E of newspaper notice announcing the procedural schedule.

P+20—Due date for notices of intent to participate as a party of record

P+35—Due date for written comments on transportation aspects of the Application.

P+40—Due date for DM&E's replies to written comments on transportation aspects of the Application.

P+70—Board decision ordering hearing under modified procedures.

P+115—Due date for evidence and argument in opposition to the transportation aspects of the Application.

P+135—Due date for DM&E's reply evidence and argument in support of the transportation aspects of the Application.

P+180 (or earlier)—Service of preliminary decision on whether the transportation criteria of section 10901 have been met.

[FR Doc. 98–12165 Filed 5–6–98; 8:45 am]

BILLING CODE 4915–00–P

[9] The Office of the Secretary will start compiling the official service list in this proceeding after service of this decision adopting a procedural schedule. Persons named on any earlier service list will not automatically be placed on the official service list for this proceeding. Therefore, any person who wishes to be a POR must file a notice of intent to participate by May 27, 1998.

[10] We emphasize that interested persons that do not wish to participate formally in this phase of the proceeding addressing the transportation merits of the application need not become a POR to participate fully in the environmental phase of the proceeding. We note that cross service of comments is not ordinarily required in the environmental review process.

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 98–36]

Customs Accreditation of Herguth Laboratories, Inc. as an Accredited Laboratory

AGENCY: Customs Service, Department of the Treasury

ACTION: Notice of accreditation of Herguth Laboratories, Inc. as a commercial accredited laboratory.

SUMMARY: Herguth Laboratories, Inc., of Vallejo, California, has applied to U.S. Customs for an extension of accreditation to perform petroleum analysis methods under § 151.13 of the Customs Regulations (19 CFR 151.13) to their Vallejo, California facility. Customs has determined that Herguth Laboratories, Inc. meets all of the requirements for accreditation as a Commercial Laboratory to perform (1) API Gravity, (2) Sediment, (3) Distillation, (4) Reid Vapor Pressure (5) Saybolt Universal Viscosity, (6) Sediment by Extraction, (7) Percent by Weight of Sulfur and (8) Percent by Weight of Lead. Therefore, in accordance with § 151.13(f) of the Customs Regulations, Herguth Laboratories, Inc., is granted accreditation to perform the analysis methods listed above.

LOCATION: Herguth Laboratories, Inc. accredited site is located at: 101 Corporate Place, Vallejo, California 94590–6968

EFFECTIVE DATE: April 24, 1998.

FOR FURTHER INFORMATION CONTACT: Michael J. Parker, Science Officer, Laboratories and Scientific Services, U.S. Customs Service, 1300 Pennsylvania Avenue, NW, Room 5.5–B, Washington, DC 20229 at (202) 927–1060.

Dated: April 27, 1998.

George D. Heavey,

Director, Laboratories and Scientific Services.

[FR Doc. 98–12090 Filed 5–6–98; 8:45 am]

BILLING CODE 4820–02–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Notice 88–30 and Notice 88–132

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.