

(#55532 at MP 19.9) in Washington, MI, to milepost 37.7 near Pontiac Station (#55610 at MP 25.8 on the Holly Subdivision) in Pontiac, MI, a distance of 18.2 miles, in Macomb and Oakland Counties, MI. The line includes the stations of Washington (#55532 at MP 19.9), Rochester (#55535 at MP 26.3), and Auburn Heights (#55536 at MP 31.7), and traverses United States Postal Service ZIP Codes 48094, 48316, 48307, 48309, 48326, and 48341. Neither Pontiac Station nor the Holly Subdivision is included in the line proposed to be abandoned.

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. The applicant's entire case (case-in-chief) for abandonment was filed with the application.

This line of railroad has appeared on the applicant's system diagram map in category 1 since April 3, 1998.

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

Any interested person may file with the Surface Transportation Board written comments concerning the proposed abandonment or protests (including the protestant's entire opposition case), by October 23, 1998. All interested persons should be aware that following any abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 U.S.C. 10905 (§ 1152.28 of the Board's rules) and any request for a trail use condition under 16 U.S.C. 1247(d) (§ 1152.29 of the Board's rules) must be filed by October 23, 1998. The due date for applicant's reply to protests and its response to trail use requests is November 9, 1998. Persons who may oppose the abandonment but who do not wish to participate fully in the process by appearing at any oral hearings or by submitting verified statements of witnesses containing detailed evidence should file comments. Persons interested only in seeking public use or trail use conditions should also file comments. Persons opposing the proposed abandonment that do wish to participate actively and fully in the process should file a protest.

In addition, a commenting party or protestant may provide:

(i) An offer of financial assistance, pursuant to 49 U.S.C. 10904 (due 120 days after the application is filed or 10

days after the application is granted by the Board, whichever occurs sooner);

(ii) Recommended provisions for protection of the interests of employees;

(iii) A request for a public use condition under 49 U.S.C. 10905; and

(iv) A statement pertaining to prospective use of the right-of-way for interim trail use and rail banking under 16 U.S.C. 1247(d) and § 1152.29.

Parties seeking information concerning the filing of protests should refer to § 1152.25.

Written comments and protests, including all requests for public use and trail use conditions, must indicate the proceeding designation STB No. AB-31 (Sub-No. 33) and should be filed with the Secretary, Surface Transportation Board, Washington, DC 20423, no later than October 23, 1998. Interested persons may file a written comment or protest with the Board to become a party to this abandonment proceeding. A copy of each written comment or protest shall be served upon the representatives of the applicant, Robert P. vom Eigen and Jamie P. Rennert, Hopkins & Sutter, 888 Sixteenth Street, NW, Washington, DC 20006, Tel: (202) 835-8000. 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 part 1152, every document filed with the Board must be served on all parties to the abandonment proceeding. 49 CFR 1104.12(a).

The line sought to be abandoned will be available for subsidy or sale for continued rail use, if the Board decides to permit the abandonment, in accordance with applicable laws and regulations (49 U.S.C. 10904 and 49 CFR 1152.27). No subsidy arrangement approved under 49 U.S.C. 10904 shall remain in effect for more than 1 year unless otherwise mutually agreed by the parties (49 U.S.C. 10904(f)(4)(B)). Applicant will promptly provide upon request to each interested party an estimate of the subsidy and minimum purchase price required to keep the line in operation. The carrier's representative to whom inquiries may be made concerning sale or subsidy terms is Yves Lemieux, Director, Business Planning and Network Restructuring, Canadian National Railway Company, P.O. Box 8100, Montreal, Quebec, Canada H3C 3N4, Tel: (514) 399-4231.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment regulations at 49 CFR part 1152. Questions concerning environmental

issues may be directed to the Board's Section of Environmental Analysis.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in abandonment proceedings normally will be made available within 33 days of the filing date of the application. The deadline for submission of comments on the EA will generally be within 30 days of its service. The comments received will be addressed in the Board's decision. A supplemental EA or EIS may be issued where appropriate.

Decided: September 21, 1998.

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

Vernon A. Williams,

Secretary.

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DEPARTMENT OF THE TREASURY

Office of the General Counsel

Appointment of Members of the Legal Division to the Performance Review Board, Internal Revenue Service

Under the authority granted to me as Chief Counsel of the Internal Revenue Service by the General Counsel of the Department of the Treasury by General Counsel Order No. 21 (Rev. 4), and pursuant to the Civil Service Reform Act, I hereby appoint the following persons to the Legal Division Performance Review Board, Internal Revenue Service Panel:

1. Chairperson, Marlene Gross, Deputy Chief Counsel;
2. Neal Wolin, Deputy General Counsel;
3. Joseph Maselli, Northeast Regional Counsel;
4. Richard J. Mihelcic, Associate Chief Counsel (Finance and Management)
5. Paul Kugler, Assistant Chief Counsel (Passthroughs & Special Industries); and
6. James W. Clark, Pacific Northwest District Counsel.

This publication is required by 5 U.S.C. 4314(c)(4).

Stuart L. Brown,

Chief Counsel, Internal Revenue Service.

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