DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33653]

Port of Benton—Acquisition and Operation Exemption—U.S. Department of Energy Rail Line in Richland, WA

The Port of Benton, a noncarrier, of Richland, WA, has filed a notice of exemption under 49 CFR 1150.31 to acquire the rail line assets of the U.S. Department of Energy (DOE) to operate a rail line approximately 17 miles long known as the Hanford Site Rail System, Southern Connection, extending from milepost 46, at the junction with Union Pacific rail line in Kennewick, WA, to milepost 29, at the DOE Hanford Site, connecting with the Hanford Site Rail System, Northern Connection (north of the City of Richland).

The transaction is expected to be consummated on October 1, 1998.

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. 33653, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Thomas A. Cowan, Esq., COWAN WALKER, P.S., P.O. Box 927, Richland, WA 99352.

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

Decided: September 19, 1998.

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

Vernon A. Williams,

Secretary.

[FR Doc. 98–26634 Filed 10–5–98; 8:45 am]

BILLING CODE 4915–00–M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33659]

Toledo, Peoria & Western Railway Corp.—Corporate Family Transaction Exemption—Marksman Corp.

Toledo, Peoria & Western Railway Corporation (TPW Railway), a Class III rail common carrier, has filed a notice of exemption to lease, by assignment, 17 miles of rail line from Marksman Corporation (Marksman), a Class III rail carrier, between milepost 183 near Monterey, IN, and milepost 199 near North Judson, IN (the Rail Line). The Rail Line is now leased from J.K. Line, Inc., by Marksman. Marksman owns 100% of the capital stock of TPW Railway.[1] TPW Railway plans to operate as well as lease the Rail Line.[2]

The earliest the transaction could be consummated was September 17, 1998, the effective date of the exemption (7 days after the exemption was filed).

The purpose of the transaction is to simplify the arrangements for the operation of the Rail Line. Prior to filing the notice, TPW Railway already performed operations on the Rail Line on behalf of Marksman pursuant to an unwritten agreement with Marksman. Assignment of the lease to TPW Railway will allow it to assume common carrier responsibilities in conjunction with its other rail operations.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties state that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the 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 reopen will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33659, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Esq., Gollatz, Griffin & Ewing, P.C., 213 W. Miner Street, PO Box 796, West Chester, PA 19381–0796.

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

Decided: September 29, 1998.

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

Vernon A. Williams,

Secretary.

[FR Doc. 98–26619 Filed 10–5–98; 8:45 am]

BILLING CODE 4915–00–P

[1] *See Marksman Corporation—Lease and Operation Exemption—J.K. Line, Inc.*, STB Finance Docket No. 33481 (STB served Oct. 16, 1997).

[2] *See R.J. Corman Railroad Company/ Pennsylvania Lines Inc.—Lease Exemption—Clearfield & Mahoning Railway Company*, STB Finance Docket No. 32861 (STB served June 21, 1996), slip op. at 1 n.2.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Notices 437, 437A, 438 and 466

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Notices 437, 437A, 438 and 466, Notice of Intention to Disclose.

DATES: Written comments should be received on or before December 7, 1998 to be assured of consideration.

ADDRESSES: Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the notices should be directed to Carol Savage, (202) 622–3945, Internal Revenue Service, room 5569, 1111 Constitution Avenue NW., Washington, DC 20224.

SUPPLEMENTARY INFORMATION:

Title: Notice of Intention to Disclose.

OMB Number: 1545–0633.

Notice Number: Notices 437, 437A, 438, and 466.

Abstract: Section 6110(f) of the Internal Revenue Code requires that a notice of intention to disclose be sent to