conducted nine full-scale Area Exercises with pipeline operators in which they deploy people and equipment to the field in response to a simulated spill. In both Tabletop and Area Exercises, OPS makes every effort to have other Federal, State, and local environmental and emergency response agencies participate. Their participation makes exercises more realistic, and builds relationships between industry and public sector responders that make the response to real spills go more smoothly.

OPS prepared an Environmental Assessment (EA) to examine the environmental impacts of the Response Plan Review and Exercise Program (64 FR 47228). The EA concisely described OPS's recent review of the program's effectiveness, its proposed action to continue implementing the current program, the alternative programmatic approaches considered, the environment affected by this action, the consequences to the environment of the alternatives considered, and a list of the agencies and organizations consulted. In the EA, OPS preliminarily concluded that continuing the current program would not have significant environmental impacts. This conclusion was based on the fact that the program is now mature, and the proposed action to continue the current program will not have any significant environmental impact.

OPS received one public comment on the EA, which came from an environmental organization in Alaska. The commenter claimed that, (1) the EA inadequately addressed the threats to the environment from the Trans-Alaska Pipeline System (TAPS) and should not be considered a sufficient environmental analysis for the TAPS lease renewal, (2) the EA failed to mention specific pipelines and unique problems associated with specific pipelines, and (3) OPS did not consider an alternative that would be more protective of the environment, and should prepare an environmental impact statement (EIS) which more fully considers environmental effects of its program. These points will be addressed in order.

(1) The TAPS lease agreement is between Alyeska Pipeline Service Company (the seven company consortium that owns and operates the TAPS), the State of Alaska, and the Bureau of Land Management in the Department of the Interior. Working through the Joint Pipeline Office, OPS expects to participate in the TAPS lease renewal EIS process as a cooperating agency. However, OPS is not a party to the lease agreement and does not have authority to approve or disapprove the lease renewal. That decision rests solely with the State of Alaska and the Department of the Interior.

(2) The EA was a programmatic document, and as such was not intended to address issues associated with the TAPS or any other specific pipeline. Rather, the EA was meant to assess the impact of our program, which involves over 200 oil pipeline operators nationwide.

(3) The EA described the statutory basis for the program, its requirements, and its benefits in improved response capability on the part of oil pipeline operators nationwide. OPS believes that the EA provides sufficient information to allow a comprehensive evaluation of our Response Plan Review and Exercise Program. The EA was intended to address the overall program and not the issues associated with a specific pipeline. As for question of whether another alternative more protective of the environment was considered, OPS may consider, on a case by case basis, more stringent spill response requirements for a particular operator on the basis of the operator's spill history or other risk factors. Such individual cases are, however, outside the scope of this programmatic EA.

Based on the analysis and conclusions reached in the EA, OPS has found that there are no significant impacts on the environment associated with this action. The EA and the documents are incorporated by reference into this FONSI. To summarize, the reason that the program will not have a significant effect on the human environment is that the program is designed to improve pipeline operators' ability to respond effectively to oil spills, and the national trends in accident data support that conclusion. While there was a marked improvement in spill response preparedness and environmental protection shortly after implementing the Response Plan Review and Exercise Program in 1993, the program is now mature. Hence, the proposed action to continue the current program will not have any significant environmental impact. This rationale is further discussed in the EA referenced above.

Issued in Washington, DC on October 20, 1999.

Richard B. Felder,

Associate Administrator for Pipeline Safety.

[FR Doc. 99–27825 Filed 10–25–99; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33803]

Utah Railway Company—Acquisition of Control Exemption—Salt Lake City Southern Railroad Company, Inc.

Utah Railway Company (UTAH), a Class III rail carrier, has filed a verified notice of exemption to acquire the capital stock of Salt Lake City Southern Railroad Company, Inc. (SLCS).[1] UTAH operates 275 miles of trackage and trackage rights in Utah and Colorado and also operates trackage between Provo and Ogden, UT, as agent of The Burlington Northern and Santa Fe Railway Company (BNSF). SLCS operates 24.95 miles of rail line from milepost 798.74 at Ninth South Street in Salt Lake City to milepost 775.19 at the Salt Lake County/Utah County boundary line near Mount (including the 1.4-mile Lovendahl Spur connecting with the main line at milepost 790.52), in Salt Lake County, UT.[2]

Under the terms of an agreement with SLCS's corporate parent, RailTex, Inc., UTAH was to purchase all of the issued and outstanding capital stock of SLCS on September 30, 1999 and place the shares into a voting trust. The transaction was scheduled to be consummated on October 13, 1999 (7 days after the exemption was filed), when UTAH was to acquire the stock held in the voting trust.

UTAH indicates that SLCS's trackage runs parallel to some of the trackage operated by UTAH, as BNSF's agent. UTAH maintains, however, that, as BNSF's agent, it does not have common carrier rights or obligations on BNSF trackage.

UTAH indicates that: (i) the railroads do not connect with each other; (ii) the transaction is not part of a series of anticipated transactions that would connect the railroads with each other; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

[1] UTAH had filed a notice of exemption to acquire and operate SLCS's line in *Utah Railway Company—Acquisition and Operation Exemption—Lines of Utah Transit Authority in Salt Lake City, UT,* STB Finance Docket No. 33785 (STB served Aug. 30, 1999) (64 FR 47229). UTAH states that it does not intend to exercise authority under the notice of exemption in STB Finance Docket No. 33785.

[2] SLCS operates the line under a permanent easement granted by the Utah Transit Authority. *See Salt Lake City Southern Railroad Company, Inc—Acquisition and Operation Exemption—Line Between Mount and Salt Lake City, UT,* Finance Docket No. 32276 (ICC served Apr. 23, 1993).

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 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. 33803, 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 all pleadings must be served on Theodore A. McConnell, Kirkpatrick & Lockhart LLP, 1500 Oliver Building, Pittsburgh, PA 15222.

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Decided: October 18, 1999.

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

Vernon A. Williams,

Secretary.

[FR Doc. 99–27776 Filed 10–25–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33808]

Salt Lake City Southern Railroad Company, Inc.—Trackage Rights Exemption—Union Pacific Railroad Company

The Union Pacific Railroad Company (UP) has agreed to grant local trackage rights to the Salt Lake City Southern Railroad Company, Inc., (SLCS), a Class III rail carrier, over 2.1 miles of rail line between milepost 735.8 and milepost 737.9, on UP's Provo Subdivision, near Provo, UT. The trackage rights include the Midvale siding and crossover track.

The purpose of the trackage rights is to enable SLCS to provide improved rail service to certain shippers it is currently unable to serve and to improve its financial viability.

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).

The transaction was scheduled to be consummated on or after October 15, 1999.

This notice is filed under 49 CFR 1180.2(d)(7).[1] If it 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. 33808, 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 Theodore A. McConnell, Kirkpatrick and Lockhart LLP, 1500 Oliver Building, Pittsburgh, PA 15222.

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

Decided: October 18, 1999.

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

Vernon A. Williams,

Secretary.

[FR Doc. 99–27777 Filed 10–25–99; 8:45 am]

BILLING CODE 4915–00–P

[1] The notice invokes the class exemption from 49 U.S.C. 11323 at 49 CFR 1180.2(d)(7). While the notice cites 49 U.S.C. 10902 rather than 49 U.S.C. 11323, in a telephone conversation with Board staff, SLCS acknowledged that 49 U.S.C. 11323 is the applicable statutory provision.

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB–55 (Sub–No. 575X)]

CSX Transportation, Inc.—Abandonment Exemption—in Lee County, VA

CSX Transportation, Inc. (CSXT) has filed a verified notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon its line of railroad between milepost OCV–242.00 and milepost OCV–243.6, near Hagans, in Lee County, VA, a distance of approximately 1.6 miles (line). The line traverses United States Postal Service Zip Code 24263.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on November 25, 1999, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[1] formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[2] and trail use/rail banking requests under 49 CFR 1152.29 must be filed by November 5, 1999. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 15, 1999, with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423–0001.

A copy of any petition filed with the Board should be sent to applicant's representative: Charles M. Rosenberger, Esq., CSX Transportation, Inc., 500 Water Street, J150, Jacksonville, FL 32202. If the verified notice contains false or misleading information, the exemption is void *ab initio.*

CSXT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The

[1] The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis in its independent investigation) cannot be made before the exemption's effective date. *See Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

[2] Each offer of financial assistance must be accompanied by the filing fee, which currently is set at $1000. *See* 49 CFR 1002.2(f)(25).