

variables and may be recognized many times during a single day, or sporadically during the course of one or several months.

#### 212A

The 212A module is also part of the signal lighting circuits within Electro Code 4 and Electro Code 4 Plus equipment. AC signals from the processor modules are combined on the 212A to provide the excitation voltages to the 211 converter modules. It has been recognized that several of the electrolytic capacitors on the 212A modules have failed, resulting in symmetry distortion of the AC signal passed to the 211 modules. This distortion may exaggerate the noise condition as described with the 211S and 211SRP above.

Harmon further stated that “[on the 211S and 211SRP modules, several components in addition to the resistor described above, will be replaced and added to the base design. This upgrade offer applies only to 211S and 211SRP converter modules \* \* \* manufactured between March 1994 and March 1998 \* \* \*”

#### Recommendation

In recognition of the need to assure safe reliable railroad signal operations, FRA strongly recommends that:

1. Each railroad having a signal system which uses any “Electro Code 4” or “Electro Code 4 Plus” Intermediate signal unit immediately identify each 211S, 211SRP, and 212A module within their signal system.
2. Each railroad replace or upgrade every 211S, 211SRP, or 212A module within their signal system as soon as possible.
3. Each railroad having 211S, 211SRP, or 212A modules contact Harmon Industries Riverside Operations, Attention Repair and Return, 7337 Central Avenue, Riverside, California 92504, phone no.: 800-854-4752 for further information pertaining to upgrades.

Issued in Washington, DC on May 25, 2000.

**George Gavalla,**

*Associate Administrator for Safety.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2000-7268]

#### Denial of Petition for Import Eligibility Decision

This notice sets forth the reasons for the denial of a petition submitted to the National Highway Traffic Safety

Administration (NHTSA) under 49 U.S.C. 30141(a)(1)(A). The petition, which was submitted by Champagne Imports, Inc. of Lansdale, Pennsylvania (“Champagne”), a registered importer of motor vehicles, requested NHTSA to decide that 1995-1996 Audi Cabriolet passenger cars that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States. In the petition, Champagne contended that these vehicles are eligible for importation on the basis that (1) they are substantially similar to vehicles that were originally manufactured for importation into and sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S. certified version of the 1995-1996 Audi Cabriolet), and (2) they are capable of being readily altered to conform to the standards.

NHTSA published a notice in the **Federal Register** on December 13, 1999 (64 FR 69583) that contained a thorough description of the petition, and solicited public comments upon it. One comment was received in response to the notice, from Volkswagen of America, Inc. (“Volkswagen”), the United States representative of Audi AG, the vehicle’s manufacturer. In this comment, Volkswagen contended that non-U.S. certified 1995-1996 Audi Cabriolet passenger cars are ineligible for importation because they are not substantially similar to vehicles that were originally manufactured and certified for sale in the United States and are not capable of being readily altered to conform to the standards. Specifically, Volkswagen observed that the non-U.S. certified 1995-1996 Audi Cabriolet passenger cars that are the subject of the petition are equipped with a 2.6 liter V6 engine rated at 150 hp with front wheel drive and a manual 5-speed transmission. Volkswagen stated that the only engine installed on 1995-1996 Audi Cabriolet passenger cars certified for the U.S. market was a 2.8 liter V6 rated at 172 hp. As a consequence, Volkswagen asserted that the engine components of the non-U.S. certified 1995-1996 Audi Cabriolet were not certified to any of the Federal motor vehicle safety standards containing requirements that relate to engines. Volkswagen identified those standards as including Standard Nos. 103 *Windshield Defrosting and Defogging Systems*, 105 *Hydraulic Brake Systems*, 124 *Accelerator Control Systems*, and insofar as they require the dynamic crash testing of a vehicle, Standard Nos. 208 *Occupant Crash Protection*, 212

*Windshield Mounting*, 219 *Windshield Zone Intrusion*, and 301 *Fuel System Integrity*. Volkswagen additionally noted that the petitioner erroneously claimed that non-U.S. certified 1995-1996 Audi Cabriolet passenger cars comply with the Bumper Standard found at 49 CFR Part 581. Volkswagen observed that the bumper components on these vehicles differ from those installed on U.S. certified models.

NHTSA accorded Champagne an opportunity to respond to Volkswagen’s comments. In its response, Champagne did not address any of the issues raised by Volkswagen, and requested that its petition be withdrawn. Because it had already solicited public comments on the petition, NHTSA could not accede to this request.

In light of Volkswagen’s comments, NHTSA has concluded that the petition does not clearly demonstrate that non-U.S. certified 1995-1996 Audi Cabriolet passenger cars are eligible for importation. The petition must therefore be denied under 49 CFR 593.7(e).

In accordance with 49 U.S.C. 30141(b)(1), NHTSA will not consider a new import eligibility petition covering this vehicle until at least three months from the date of this notice.

**Authority:** 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.7; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: May 30, 2000.

**Marilynne Jacobs,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 00-13886 Filed 6-1-00; 8:45 am]

BILLING CODE 4910-59-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 153X)]

#### Union Pacific Railroad Company— Abandonment Exemption—in Monroe County, IA

On May 15, 2000, Union Pacific Railroad Company (UP), filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903-10905 to abandon a line of railroad known as the Oskaloosa Subdivision, extending between milepost 312.1 near Eddyville and milepost 322.9 near Maxon, a distance of 10.8 miles in Monroe County, IA. The line traverses U.S. Postal Service Zip Codes 52531 and 52553, and includes the non-agency stations of Bridgeport (milepost 313) and Maxon (milepost 322.9).

In addition to an exemption from 49 U.S.C. 10903, petitioner seeks exemption from 49 U.S.C. 10904 (offer of financial assistance procedures) and 49 U.S.C. 10905 (public use conditions). In support, UP contends that exemption from these provisions is necessary to permit its conveyance to the sole shipper on the line, Cargill, Inc. (Cargill), of a segment of the line between mileposts 312.1 and 315 for construction of a plant switching facility. The switching operation is necessary for construction by Cargill of a private rail line that will run south from the plant to The Burlington Northern and Santa Fe Railway Company's main line. UP also requests expedited consideration of the exemption petition, including effectiveness of the exemption on service of the final decision. UP avers that expedited action is necessary here because Cargill urgently needs the right-of-way. These requests will be addressed in the final decision.

The line does not contain federally granted rights-of-way. Any documentation in UP's possession will be made available promptly to those requesting it.

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).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by September 1, 2000.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each offer must be accompanied by a \$1,000 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following 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 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than June 22, 2000. Each trail use request must be accompanied by a \$150 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-33 (Sub-No. 153X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001, and (2) James P. Gatlin, 1416 Dodge Street, Room 830, Omaha, NE

68179-0830. Replies to the UP petition are due on or before June 22, 2000.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1545. [TDD for the hearing impaired is available at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

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

Decided: May 25, 2000.

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

**Vernon A. Williams,**  
Secretary.

[FR Doc. 00-13856 Filed 6-1-00; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

May 26, 2000.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before July 3, 2000, to be assured of consideration.

### Departmental Offices/Office of International Investment

*OMB Number:* 1505-0121.

*Form Number:* None.

*Type of Review:* Extension.

*Title:* Regulations Pertaining to Mergers, Acquisitions and Takeovers by Foreign Persons.

*Description:* Treasury disseminates to other agencies that are members of the Committee on Foreign Investment in the United States (CFIUS) information collected under the regulations from parties involved in a foreign acquisition of a U.S. company in order to do a national security analysis of the acquisition.

*Respondents:* Business or other for-profit.

*Estimated Number of Respondents:* 100.

*Estimated Burden Hours Per Respondent:* 60 hours.

*Frequency of Response:* On occasion.

*Estimated Total Reporting Burden:* 6,000 hours.

*Clearance Officer:* Lois K. Holland, (202) 622-1563, Departmental Offices, Room 2110, 1425 New York Avenue, N.W., Washington, DC 20220.

*OMB Reviewer:* Alexander T. Hunt, (202) 395-7860, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503.

**Lois K. Holland,**

*Departmental Reports Management Officer.*  
[FR Doc. 00-13877 Filed 6-1-00; 8:45 am]

**BILLING CODE 4810-25-U**

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

[Docket No. 00-12]

### Notice of Request for Preemption Determination

**AGENCY:** Office of the Comptroller of the Currency, Treasury.

**ACTION:** Notice and request for comment.

**SUMMARY:** The Office of the Comptroller of the Currency (OCC) is publishing for comment a written request for the OCC's determination of whether Federal law preempts certain provisions of the West Virginia Insurance Sales Consumer Protection Act (West Virginia Law). The purpose of this notice and request for comment is to provide interested persons with an opportunity to submit comments prior to the OCC's issuance of any final opinion in this matter.

**DATES:** Comments must be received on or before July 3, 2000.

**ADDRESSES:** Comments should be sent to the Communications Division, Office of the Comptroller of the Currency, 250 E