

## Public Participation

This meeting of the advisory committee is open to the public, but is not a public meeting. That is, accommodation for additional attendees will be provided on an 'as needed' and space available basis. Therefore, it is very important that you contact one of the persons listed under **FOR FURTHER INFORMATION CONTACT** if you wish to attend the meeting. In addition, a record of the meeting will be kept, and this record will be available to the public through the persons listed under **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC on August 2, 2001.

**Nicholas A. Sabatini,**

*Director, Flight Standards Service.*

[FR Doc. 01-19862 Filed 8-10-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34048]

#### Reading Blue Mountain and Northern Railroad Company—Lease and Operation Exemption—Norfolk Southern Railway Company and Pennsylvania Lines, LLC

Reading Blue Mountain and Northern Railroad Company (RBMN), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to sublease and operate approximately 1.3 miles of rail line currently owned by Pennsylvania Lines LLC and currently operated by Norfolk Southern Railway Company (NSR). The rail line extends between milepost 212.2 and a point 150 feet west of the western control point for Robinson's Crossing (milepost 213.5±) near Mehoopany, in Wyoming County, PA.<sup>1</sup>

Because RBMN's projected annual revenues will exceed \$5 million, RBMN certified to the Board on July 17, 2001, that, on May 25, 2001, it had posted the required notice of intent to undertake the proposed transaction at the workplace of the employees on the affected lines and had served a copy of the notice of intent on the national offices of the labor union with employees on the rail line. See 49 CFR 1150.42(e).<sup>2</sup> RBMN stated in its verified

<sup>1</sup> RBMN will replace NSR as the operator on the line.

<sup>2</sup> The National Office of the United Transportation Union (UTU) apparently had not received a copy of RBMN's notice of intent in May. RBMN has subsequently provided that notice of intent to the UTU and certified its compliance on July 25, 2001.

notice that the transaction was scheduled to be consummated on or after July 25, 2001.<sup>3</sup>

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 does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34048, 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 West Miner Street, P. O. Box 796, West Chester, PA 19381-0796.

Board decisions and notices are available on our website at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: August 6, 2001.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 01-20102 Filed 8-10-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-565 (Sub-No. 3X); STB Docket No. AB-55 (Sub-No. 595X)]

#### New York Central Lines, LLC—Abandonment Exemption—in Berkshire County, MA; CSX Transportation, Inc.—Discontinuance of Service Exemption—in Berkshire County, MA

New York Central Lines, LLC (NYC) and CSX Transportation, Inc. (CSXT), have filed a notice of exemption under 49 CFR 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* for NYC to abandon and CSXT to discontinue service over approximately 1.91 miles of railroad between milepost QBY-0.59 and milepost QBY-2.50 in Pittsfield, in Berkshire County, MA.<sup>1</sup> The line

<sup>3</sup> Due to the timing of RBMN's certification to the Board, consummation under these circumstances would have had to be delayed until September 23, 2001 (60 days after RBMN's certification to the Board that it had complied with the Board's rule at 49 CFR 1150.42(e)). In a decision in this proceeding served on August 1, 2001, however, the Board granted the request by RBMN for waiver of the remainder of the 60-day period, as measured from the certification date to the Board, to allow consummation to occur as early as August 1, 2001.

<sup>1</sup> Pursuant to Board authorization in 1998, CSX Corporation, CSXT's parent company, and Norfolk

traverses United States Postal Service Zip Code 01201.

NYC and CSXT have certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there has been 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 these exemptions, any employee adversely affected by the abandonment or discontinuance 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, these exemptions will be effective on September 12, 2001, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by August 23, 2001. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by September 4, 2001, with: Surface Transportation Board, Office of the Secretary, Case

Southern Corporation jointly acquired control of Conrail Inc., and its wholly owned subsidiary, Consolidated Rail Corporation (Conrail). As a result of that acquisition, certain assets of Conrail have been assigned to NYC, a wholly owned subsidiary of Conrail, to be exclusively operated by CSXT pursuant to an operating agreement. The line to be abandoned is included among the property being operated by CSXT pursuant to the NYC operating agreement.

<sup>2</sup> 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 (SEA) 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.

<sup>3</sup> 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).