

No. 1 thereto (File No. SR-NYSE-2002-06) are approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>11</sup>

**J. Lynn Taylor,**

*Assistant Secretary.*

[FR Doc. 02-11542 Filed 5-8-02; 8:45 am]

BILLING CODE 8010-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### **Ballard, Marshall, and McCracken Counties in Kentucky and Cape Girardeau and Mississippi Counties in Missouri; Notice of Planning Study**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of planning study.

**SUMMARY:** The FHWA is issuing this notice to advise the public that the Kentucky Transportation Cabinet (KYTC), in cooperation with the Missouri Department of Transportation (MoDOT) and the Federal Highway Administration (FHWA), is initiating a planning study for the following proposed highway project. "Evaluation of Options for the Location of I-66 from Missouri to I-24 near Paducah, Kentucky."

**FOR FURTHER INFORMATION CONTACT:** Evan J. Wisniewski, Project Development Team Leader, Federal Highway Administration, 330 West Broadway, Frankfort, KY 40601, Telephone: (502) 223-6740 or Ms. Annette Coffey, Director, Division of Planning, Kentucky Transportation Cabinet, 125 Holmes Street, Frankfort, KY 40622, Telephone: (502) 564-7183.

#### **SUPPLEMENTARY INFORMATION:**

##### **Electronic Access**

An electronic copy of this document may be downloaded by using a computer, modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service (202) 512-1661. Internet users may reach the Office of the Federal Register's home page at <http://www.nara.gov/fedreg> and the Government Printing Office's Web page at <http://www.access.gpo.gov/nara>.

##### **Background**

This project is part of a proposed Transamerica Transportation Corridor from the Atlantic Coast of Virginia to the Pacific Coast in California, in accordance with the legislative intent of

the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and subsequent Federal transportation legislation. This highway is to pass through southern Kentucky and will generally be within a 50 mile wide band centered on the cities of Pikeville, Jenkins, Hazard, London, Somerset, Columbia, Bowling Green, Hopkinsville, Benton, and Paducah. The planning study will address alternatives and issues related to the development of an interstate highway that would provide continuity of I-66 between I-24 in Kentucky and Missouri and improve accessibility throughout the region.

During the development of this planning study, comments will be solicited from appropriate Federal, state, and local agencies, as well as other interested persons and the general public, in accordance with requirements set forth in the National Environmental Policy Act (NEPA) of 1969 and subsequent Federal regulations and guidelines developed by the Executive Office of the President's Council on Environmental Quality and the United States Department of Transportation for the implementation of the NEPA process.

This planning study will include a scoping process for the early identification of potential alternatives for, and environmental issues and impacts related to, the proposed project. At this time, the level of environmental documentation that will ultimately be prepared is not known. However, if an Environmental Impact Statement (EIS) is prepared for the proposed project in the future, the information gained through the scoping process in this planning study may be used as input to the scoping process for the development of that EIS. If an EIS is prepared in the future, written comments on the scope of alternatives and impacts will still be considered at that time, after the filing of the Notice of Intent (NOI).

(Catalog of Federal Domestic Assistance Program Number 20.205, "Highway Planning and Construction". The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: April 30, 2002.

**Jose Sepulveda,**

*Kentucky Division Administrator, Frankfort.*

[FR Doc. 02-11524 Filed 5-8-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Docket No. RSPA-99-6355]

#### **Pipeline Safety: Pipeline Integrity Management in High Consequence Areas (Hazardous Liquid Operators With 500 or More Miles of Pipeline)**

**AGENCY:** Office of Pipeline Safety (OPS), Research and Special Programs Administration (RSPA), Department of Transportation (DOT).

**ACTION:** Notice of workshop.

**SUMMARY:** This notice announces a two-day workshop on OPS's findings from inspections conducted from February through April 2002 to evaluate operators' compliance with 49 CFR part 195.452, "Pipeline Integrity Management in High Consequence Areas," effective May 29, 2001. On day 1, OPS will present its assessment of operators' progress identifying pipeline segments that could affect high consequence areas (HCAs). The deadline for completing these identifications was December 31, 2001. OPS will also comment on its plans for conducting the Comprehensive Integrity Management Program Inspections, set to begin in August 2002. On day 2, OPS will provide a forum for the pipeline industry to share and discuss noteworthy integrity management practices that achieve compliance with the rule. Emphasis will be in areas in which OPS believes improvement is needed.

**Workshop Dates and Addresses:** The workshop will be on July 23, 2002, from 8 a.m. to 5 p.m., and July 24, 2002, from 8 a.m. to noon, at the J.W. Marriott Hotel, 5150 Westheimer Road, Houston, Texas 77056 (tel: 713-961-1500 fax: 713-961-5045). No later than June 10, 2002, rooms may be reserved within a block identified as "USDOT/IMP Meeting Block".

**Registration and Further Information:** For event planning purposes, we request that you please register via the instructions given at <http://primis.rspa.dot.gov/meetings/Mtg3.mtg>. The website provides links to other useful information (including a meeting agenda, once available) and enables viewers to submit questions to OPS about the workshop.

#### **SUPPLEMENTARY INFORMATION:**

##### **1. Background**

OPS's integrity management initiative is intended to improve safety and environmental protection and to provide better assurance to the public

<sup>11</sup> 17 CFR 200.30-3(a)(12).

about the safety of pipelines. It is also intended to comprehensively address National Transportation Safety Board recommendations, Congressional mandates and pipeline safety and environmental issues raised over the years. It is based on the culmination of experience OPS has gained from pipeline inspections, accident investigations and risk management and system integrity initiatives.

OPS's first integrity management rule (65 FR 75378), issued on November 2, 2000, and effective on May 29, 2001, applies to hazardous liquid operators who own or operate 500 or more miles of pipeline. The rule applies to pipelines that can affect HCAs, which include populated areas defined by the Census Bureau as urbanized areas or places, unusually sensitive environmental areas, and commercially navigable waterways.

Between February and April 2002, OPS inspected all affected operators to evaluate their compliance with the rule's first deadline requiring identification by December 31, 2001, of all pipeline segments that can affect HCAs. OPS also conducted a preliminary assessment of operators' readiness to comply with the rule's March 31, 2002, deadline to implement an integrity management program. OPS will begin more comprehensive inspections addressing the March 31 deadline in August 2002.

OPS is conducting this workshop to assist operators in learning where improvement in integrity management is needed, and what means are available to achieve these improvements. Because the new rule requires fundamental change in the integrity management practices of many affected pipeline operators, OPS's enforcement approach will encourage and monitor continuous improvement in operator compliance with the rule's provisions.

Issued in Washington, DC, on May 3, 2002.

**Stacey L. Gerard,**

*Associate Administrator for Pipeline Safety.*

[FR Doc. 02-11620 Filed 5-8-02; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-6 (Sub-No. 393X)]

#### The Burlington Northern and Santa Fe Railway Company—Abandonment Exemption—in Nelson and Eddy Counties, ND

The Burlington Northern and Santa Fe Railway Company (BNSF) has filed a

notice of exemption under 49 CFR 1152 subpart F—*Exempt Abandonments* to abandon and discontinue service over a 6.00-mile line of railroad between milepost 92.00 in Tolna and milepost 98.00 in Hamar, in Nelson and Eddy Counties, ND. The line traverses United States Postal Service Zip Code 58380.

BNSF has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other lines; (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 and 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, this exemption will be effective on June 8, 2002,<sup>1</sup> 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

<sup>1</sup> While applicant initially indicated a proposed consummation date of June 5, 2002, and because applicant did not include the required filing fee, a new filing date was entered on April 19, 2002, when the Board received the correct filing fee. However, consummation may not occur prior to June 8, 2002 (50 days after the April 19, 2002 filing date of the verified notice). Applicant's representative has subsequently confirmed that consummation cannot occur before June 8, 2002.

<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 as of April 8, 2002, is set at \$1,100. See 49 CFR 1002.2(f)(25).

filed by May 20, 2002. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by May 29, 2002, with: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Michael Smith, Freeborn & Peters, 311 S. Wacker Dr., Suite 3000, Chicago, IL 60606-6677.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

BNSF has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by May 14, 2002. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423) or by calling SEA, at (202) 565-1552. [TDD for the hearing impaired is available at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), BNSF shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by BNSF's filing of a notice of consummation by May 9, 2003, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: May 1, 2002.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

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

[FR Doc. 02-11618 Filed 5-8-02; 8:45 am]

**BILLING CODE 4915-00-P**