

Applica- tion No.	Applicant	Parties to ex- emption
11153-P	Chemical Conservation Corporation, Orlando, FL.	11153
11156-P	Buckley Powder Co. of Oklahoma, Inc., Mill Creek, OK.	11156
11373-P	P.B. & S. Chemical Company, Inc., Henderson, KY.	11373
11458-P	American Home Food Products, Inc., Milton, PA.	11458
11458-P	Prestone Products Corporation, Danbury, CT.	11458
11458-P	Sherwin-Williams Diversified Brands, Inc., Solon, Oh.	11458
11472-P	Industrial Solid Propulsion, Inc., Las Vegas, NV.	11472
11472-P	Aero Tech, Inc., Las Vegas, NV.	11472
11588-P	American Type Culture Collection, Rockville, MD.	11588
11588-P	Culver Enterprises, Inc., Salisbury, MD.	11588
11588-P	Safety Disposal System, Inc., Opa Locka, FL.	11588
11588-P	Health Care Incinerators, Fargo, ND.	11588
11588-P	GRP & Associates, Inc., Clear Lake, IA.	11588

This notice of receipt of applications for modification of exemptions and for party to an exemption is published in accordance with Part 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on May 15, 1996.

J. Suzanne Hedgepeth,

Director, Office of Hazardous Materials Exemptions and Approvals.

[FR Doc. 96-12802 Filed 5-21-96; 8:45 am]

BILLING CODE 4910-60-M

Surface Transportation Board¹

[STB Finance Docket No. 32938]

Bootheel Regional Rail Corporation and Bootheel Rail Properties, Inc.—Acquisition and Operation Exemption—Burlington Northern Santa Fe Corporation

Bootheel Regional Rail Corporation (BRRC) and Bootheel Rail Properties,

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901.

Inc. (BRPI), noncarriers, have filed a verified notice of exemption under 49 CFR 1150.31 for BRPI to acquire and BRRC to operate a 26.63-mile rail line (together with incidental and appendent branch line rights-of-way, now discontinued, and spur tracks) from the Burlington Northern Santa Fe Railroad as follows: (1) Branch Line between Hayti, MO, (milepost 212.73), and Kennett, MO, (milepost 230.00); (2) discontinued Branch Line right-of-way from Kennett, MO, (milepost 230.00), to Holcomb, MO, (milepost 233.15); (3) discontinued Branch Line right-of-way from Kennett, MO, (milepost 230.00), to Senath, MO, (milepost 233.52); (3) discontinued Piggott Stub Branch Line right-of-way, (milepost 222.19 to milepost 223.40); and (4) discontinued Branch Line from Hayti, MO, (milepost 212.90), to Caruthersville, MO, (milepost 214.38).

The transaction was to be consummated on or after May 8, 1996.

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. 32938, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Allan A. Maki, Jr., Esq., 1563 Grandview Drive, Cape Girardeau, MO 63701-2223.

Decided: May 16, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-12830 Filed 5-21-96; 8:45 am]

BILLING CODE 4915-00-P

Surface Transportation Board¹

[STB Finance Docket No. 32941]

Livonia, Avon & Lakeville Railroad Corp.—Acquisition and Operation Exemption—Steuben County Industrial Development Agency (19492)

Livonia, Avon & Lakeville Railroad Corp. (LAL), a Class III common carrier

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions to the Surface Transportation Board (Board). This

by rail, has filed a verified notice under 49 CFR 1180.2(d)(2) to acquire the exclusive right to operate over Steuben County Industrial Development Authority's rail line (Subject Line) between milepost ±8.68 at Hammondsport and milepost ±0.85 at Bath,² and from that point (which is also designated as milepost ±285.10) to milepost ±311.30 at Wayland, a distance of approximately 34.03 route miles.

Consummation of the transaction was expected to occur on May 8, 1996, or soon thereafter.

LAL owns and operates a line of railroad between Rochester and Lakeville, NY. This transaction is exempt from the prior approval requirements of 49 U.S.C. 11323 because LAL states that: (1) The Subject Line does not connect with the existing rail lines of LAL; (2) the proposed transaction is not part of a series of anticipated transactions that would connect LAL's existing lines with the Subject Line; and (3) the transaction does not involve a Class I carrier.

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 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 reopen will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32941, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on

notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323.

² At the time the Steuben County Industrial Development Agency (SCIDA) obtained approval from the ICC to acquire the Subject Line, it did not seek the requisite authority to obtain that portion of the Subject Line between Bath and Hammondsport. See *Steuben County Industrial Development Agency and Champaigne Railroad, Inc.—Acquisition and Operation Exemption—Line of Consolidated Rail Corporation*, Finance Docket No. 32133 (ICC served Dec. 23, 1992). LAL indicates that SCIDA will be seeking a retroactive exemption for this acquisition in the near future.

Kevin M. Sheys, Oppenheimer Wolff & Donnelly, 1020 Nineteenth Street, N.W., Suite 400, Washington, DC 20036-6015.

Decided: May 14, 1996.

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

Vernon A. Williams, Secretary.

[FR Doc. 96-12828 Filed 5-21-96; 8:45 am]

BILLING CODE 4915-00-P

Surface Transportation Board¹

[STB Finance Docket No. 32891]

Norfolk Southern Railway Company—Corporate Family Transaction Exemption—Southern Railway-Carolina Division

Norfolk Southern Railway Company (NSR), a Class I common carrier by railroad, and Southern Railway-Carolina Division (SRCD), a Class III common carrier railroad, have jointly filed a verified notice of exemption. The exempt transaction is a merger of SRCD with and into NSR.²

The transaction is expected to be consummated on or after June 1, 1996.

The proposed merger will eliminate SRCD as a separate corporate entity, thereby simplifying the corporate structure of NSR and the NSR system, and eliminating costs associated with separate accounting, tax, bookkeeping and reporting functions.

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.

As a condition to this exemption, any employees adversely affected by the transaction will be protected by the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323-24.

² SRCD is a wholly owned, direct subsidiary of NSR with authorized capital stock of 77,987 shares of Common Stock, 41,762 of which are issued and outstanding and owned by NSR. NSR has leased and operated the properties of SRCD since approximately 1902. The proposed agreement and plan of merger states that any outstanding shares of SRCD's capital stock will be canceled and retired, and no consideration will be paid in respect of such shares.

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 reopen will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32891, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on James A. Squires, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510-2191.

Decided: May 16, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-12831 Filed 5-21-96; 8:45 am]

BILLING CODE 4915-00-P

Surface Transportation Board¹

[STB Docket No. AB-55 (Sub-No. 529X)]

CSX Transportation, Inc.—Abandonment Exemption—in Cincinnati, Hamilton County, OH

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon approximately 1.5 miles of its line of railroad between Valuation Station 1+82.8 near Smith Street and Valuation Station 81+12 near Mill Creek, in Cincinnati, Hamilton County, OH.

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 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

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903.

49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of 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 June 21, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking requests under 49 CFR 1152.29⁴ must be filed by June 3, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 11, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Charles M. Rosenberger, Senior Counsel, 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 Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by May 24, 1996. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Surface Transportation Board, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

² 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.

³ See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

⁴ The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.