

materials is required to register annually with the Department of Transportation and pay a fee. The regulations implementing this program are in Title 49, Code of Federal Regulations, §§ 107.601–107.620.

Proceeds from the fee are used to fund grants to State, local, and Native American tribal governments for emergency response training and planning, and to provide related assistance, including the revision, publication, and distribution of the *North American Emergency Response Guidebook*. Grants were awarded to 50 states, the District of Columbia, four territories, and 15 Native American tribes during FY 1998. By law, 75 percent of the Federal grant monies awarded to the States is further distributed to local emergency response and planning agencies. Preliminary reports indicate that the FY 1997 funds helped to provide: (1) Training for approximately 117,000 emergency response personnel; (2) approximately 400 commodity flow studies and hazard analyses; (3) 7,350 emergency response plans updated or written for the first time; (4) assistance to 1,450 local emergency planning committees; and (5) 750 emergency exercises.

The persons affected by these regulations are those who offer or transport in commerce any of the following materials:

A. Any highway route-controlled quantity of a Class 7 (radioactive) material;

B. More than 25 kilograms (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material in a motor vehicle, rail car, or freight container;

C. More than one liter (1.06 quarts) per package of a material extremely toxic by inhalation (that is, a "material poisonous by inhalation" that meets the criteria for "hazard zone A");

D. A hazardous material in a bulk packaging having a capacity equal to or greater than 13,248 liters (3,500 gallons) for liquids or gases or more than 13.24 cubic meters (468 cubic feet) for solids; or

E. A shipment, in other than a bulk packaging, of 2,268 kilograms (5,000 pounds) gross weight or more of a class of hazardous materials for which placarding of a vehicle, rail car, or freight container is required for that class.

The following persons are excepted from the registration requirement:

A. Agencies of the Federal Government;

B. Agencies of States;

C. Agencies of political subdivisions of States;

D. Employees of those agencies listed in A, B, or C with respect to their official duties;

E. Hazmat employees, including the owner-operator of a motor vehicle which transports in commerce hazardous materials if that vehicle, at the time of those activities, is leased to a registered motor carrier under a 30-day or longer lease as prescribed in 49 CFR part 376 or an equivalent contractual relationship; and

F. Persons domiciled outside the United States whose only activity involving the transportation of hazardous materials within the United States is to offer hazardous materials for transportation in commerce from locations outside the United States, if the country in which they are domiciled does not impose registration or a fee upon U.S. companies for offering hazardous materials into that country. However, persons domiciled outside the United States who carry the types and quantities of hazardous materials that require registration within the United States are subject to the registration requirement.

The 1998–99 registration year ends on June 30, 1999. The 1999–2000 registration year will begin on July 1, 1999, and end on June 30, 2000. Any person who engages in any of the specified activities during the 1999–2000 registration year must file a registration statement and pay the associated fee of \$300.00 before July 1, 1999, or before engaging in any of the activities, whichever is later. All persons who registered for the 1998–99 registration year will be mailed a registration statement form and an informational brochure in May 1999. Other persons wishing to obtain the form and any other information relating to this program should contact RSPA at the address given above. The brochure and form can also be downloaded from the RSPA registration Internet home page at <http://hazmat.dot.gov/register.htm>.

The registration requirements have not been amended for the 1999–2000 registration year, nor has the registration statement been revised materially. Registrants should file a registration statement and pay the associated fee at least four weeks before July 1, 1999, in order to ensure that a 1999–2000 certificate of registration has been obtained by that date to comply with the recordkeeping requirements. These include the requirement that the registration number be made available on board each truck and truck tractor (not including trailers and semi-trailers) and each vessel used to transport

hazardous materials subject to the registration requirements. A certificate of registration is generally mailed within ten days of RSPA's receipt of a properly completed registration statement.

Persons who engage in any of the specified activities during a registration year are required to register for that year. Persons who engaged in these activities during registration year 1992–93 (September 16, 1992, through June 30, 1993), 1993–94 (July 1, 1993, through June 30, 1994), 1994–95 (July 1, 1994, through June 30, 1995), 1995–96 (July 1, 1995, through June 30, 1996), 1996–97 (July 1, 1996, through June 30, 1997), 1997–98 (July 1, 1997, through June 30, 1998), or 1998–99 (July 1, 1998, through June 30, 1999) and have not filed a registration statement and paid the associated fee of \$300.00 for each year for which registration is required should contact RSPA to obtain the required form (DOT F 5800.2). A copy of the form that will be distributed for the 1999–2000 registration year may be used to register for previous years. Persons who fail to register for any registration year in which they engaged in such activities are subject to civil penalties for each day a covered activity is performed. The legal obligation to register for a year in which any specified activity was conducted does not end with the registration year.

Issued in Washington, DC, on March 22, 1999.

Alan I. Roberts,

Associate Administrator for Hazardous Materials Safety.

[FR Doc. 99–7406 Filed 3–25–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB–406 (Sub-No. 8X)]

Central Kansas Railway Limited Liability Co.—Abandonment Exemption—in Harper County, KS

Central Kansas Railway Limited Liability Company (CKR) has filed a notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon an approximately 8-mile line of its railroad on the Spring Branch between milepost 69.0 at Anthony and milepost 77.0 at Spring, in Harper County, KS. The line traverses United States Postal Service Zip Code 67003.

CKR has 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 during the past two years; (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 April 25, 1999, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ any additional 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 April 5, 1999. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by April 15, 1999, with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Karl Morell, Ball Janik LLP, 1455 F St., NW, Suite 225, Washington, DC 20005.

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

CKR 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 March 31, 1999. 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) 565-1545. 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), CKR 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 CKR's filing of a notice of consummation by March 26, 2000, 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 website at "WWW.STB.DOT.GOV."

Decided: March 19, 1999.

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

Vernon A. Williams,

Secretary.

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DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 99-29]

Guidelines for the Cancellation of Claims for Liquidated Damages and Mitigation of Penalties for Failure To Provide General Order Notifications or Failure To Take Possession of General Order Merchandise; Guidelines for Mitigation of Penalties for Delivery of Cargo Without Customs Authorization; Guidelines for Cancellation of Claims for Liquidated Damages for Failing To Deliver In-Bond Merchandise; Guidelines for Cancellation of Claims for Removal of Merchandise From Centralized Examination Stations, Container Freight Stations or Places of Examination

AGENCY: Customs Service, Department of the Treasury.

ACTION: General notice.

SUMMARY: Under the Omnibus Trade and Competitiveness Act of 1988, the Secretary of the Treasury is required to publish guidelines for the cancellation

of bond charges. In Treasury Decision 98-74 (T.D. 98-74), the Secretary published amendments to the Customs Regulations regarding the obligation of carriers and certain related parties to provide notice to Customs and to a bonded warehouse of the presence of merchandise or baggage that has remained at the place of arrival or unloading beyond the time period provided by regulation without entry having been completed. The notice to the bonded warehouse proprietor initiates his obligation to arrange for transportation and storage of the unentered merchandise or baggage at the risk and expense of the consignee. The new regulations provide for the assessment of penalties or liquidated damages for failure to provide the required notice to Customs or to a bonded warehouse proprietor of the presence of unentered merchandise or baggage and for liquidated damages against the warehouse operator who fails to take required possession of the merchandise or baggage for which notification has been received.

This document publishes guidelines for the mitigation of penalties incurred by carriers for failing to provide appropriate notifications. It also publishes bond cancellation standards to be applied to claims for liquidated damages incurred by bonded carriers, custodians or warehouse operators who fail to comply with obligations to provide notification of the presence of unentered merchandise or to collect that merchandise about which notification has been received.

In addition, this document publishes new mitigation guidelines for penalties assessed against carriers and other parties for the delivery of cargo from the place of unloading without Customs authorization or delivery of cargo without examination. Inasmuch as these penalties are very similar to claims for liquidated damages assessed against in-bond carriers for nondelivery, shortage or delivery directly to the consignee, the bond cancellation standards for 19 CFR 18.8 in-bond violations which were published in T.D. 94-38 are revised by this document to be consistent with guidelines for the mitigation of the penalties assessed for delivery of cargo without Customs authorization. Additionally, this document amends T.D. 94-38 to revise bond cancellation standards for claims for liquidated damages arising from breach of the Basic Custodial Bond when cargo is removed from a Centralized Examination Station (CES) without authorization and standards for claims arising from breach of the Basic Importation Bond when merchandise is

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).