

changes to the project since the issuance of the ROD.

If the appeal is resolved favorably and the mandate to more fully consider 10 lane alternatives, construction impacts, and yet to be identified historic sites in an SEIS is vacated, development of a "limited scope SEIS" (23 CFR 773.130(f)) only dealing with the changes which have occurred since the 1997 ROD would continue. Work would stop on those matters which flow directly from the District Court's decision, as an SEIS on these issues would then be unnecessary and limiting the scope of the SEIS would allow the project to remain on its original schedule.

If the appeal is not successful, the "Alternatives SEIS" addressing changes to the project since the ROD was issued as well as evaluating various 10 lane alternatives and other issues required by the District Court would be completed.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens and citizen groups who have previously expressed or are known to have an interest in this proposal. It is anticipated that Scoping Meetings will be held both in Virginia and Maryland early in August, 1999.

If the appeal is not successful and an "Alternatives SEIS" is prepared, Public Information Workshops will be held both in Maryland and Virginia in December, 1999 and Public Hearings will be held both in Maryland and Virginia in May, 2000. If the appeal is successful and a "limited scope SEIS" is prepared, the Public Information Workshop will not be conducted, but Public Hearings will be held both in Maryland and Virginia in January, 2000 to present the results of the evaluations of proposed changes to the project since the FEIS and ROD were issued in 1997. In either case, the draft SEIS will be available for public and agency review and comment prior to the Public Hearing. Public notice will be given of the availability of the Draft SEIS for review and of the time and place of the public meetings and hearings.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning these proposed actions and SEIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulation

implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program).

Nelson J. Castellanos,

Division Administrator, Baltimore, Maryland.

[FR Doc. 99-18095 Filed 7-14-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration Environmental Impact Statement: Town of Grundy, Virginia

AGENCY: Federal Highway Administration.

ACTION: Notice of intent.

SUMMARY: The Federal Highway Administration (FHWA) is issuing this notice to advise the public of its intent to adopt the environmental impact statement prepared by the U.S. Army Corps of Engineers for a flood protection project for the Town of Grundy, which includes an upgrade of existing Route 460, and issue its own Record of Decision.

FOR FURTHER INFORMATION CONTACT:

Edward Sundra, Environmental Specialist, Sr., Federal Highway Administration, Post Office Box 10249, 400 North 8th Street, Room 750, Richmond, Virginia 23240-0249, Telephone 804-775-3338.

SUPPLEMENTARY INFORMATION: The U.S. Army Corps of Engineers (Corps), in cooperation with the Virginia Department of Transportation (VDOT), prepared a draft Environment Impact Statement (EIS) for a joint project to alleviate the potential for flood damages in the Town of Grundy and made it available to the public in August 1993. Included as part of the proposed flood control measures is a highway component involving the upgrade of Route 460 from two to four lanes. The roadway profile would be elevated and the fill slope along with retaining walls used to control the flooding of the Levisa Fork River. A final environmental impact statement was issued in October 1995, and a Record of Decision was issued on September 23, 1997, by the Corps.

Although the FHWA reviewed and commented on the Corp's environmental impact statement when it was originally developed, they were never officially requested to be a cooperating agency in the process. VDOT has expressed an intent to use Federal-aid funds for the highway upgrade component of the project, therefore, the environmental impact statement is being reviewed by FHWA to determine if the EIS can be readily

adopted for purposes of complying with NEPA. FHWA will solicit comments by circulating the final environmental impact statement and send out letters describing our intentions and changes that have occurred to the project to the appropriate Federal, State, and local agencies, private organizations, and citizens who have previously been involved or are known to have an interest in this proposal. Finally, notice of the document's availability will be published in local newspapers. Following this review and consideration of any comments received, FHWA, will issue its own Record of Decision.

To ensure that the full range of issues related to this proposed action are identified and addressed, comments and suggestions are invited from all interested parties. Comments or questions concerning the proposed action should be directed to the FHWA at the address provided above.

(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 proposed action.)

Authority: 23 U.S.C. 315; 49 CFR 1.48.

Issued on: July 9, 1999.

Edward S. Sundra,

Environmental Specialist, Sr.

[FR Doc. 99-18094 Filed 7-14-99; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION Surface Transportation Board

[STB Finance Docket No. 33753 (Sub-No. 1)]

South Plains Switching, Ltd. Co.— Acquisition Exemption—The Burlington Northern and Santa Fe Railway Company

South Plains Switching, Ltd. Co. (South Plains), a Class III rail common carrier, has filed a verified notice of exemption under 49 CFR 1150.41¹ to

¹ On June 7, 1999, a notice of exemption under 49 CFR 1150.41 was served and published (64 FR 30375) for South Plains. See *South Plains Switching, Ltd. Co.—Acquisition Exemption—The Burlington Northern and Santa Fe Railway Company*, STB Finance Docket No. 33753. Subsequently, on June 25, 1999, South Plains filed an amended verified notice of exemption. Because the amendment extended the trackage being acquired and decreased the incidental trackage rights being acquired, Board staff notified South Plains' representative that the amended verified notice of exemption would be treated as a new filing under a new docket number and that the filing would require a new filing fee. The notice of exemption in STB Finance Docket No. 33753 (Sub-No. 1) supersedes the earlier notice of exemption served and published on June 7, 1999.

acquire approximately 74,384 feet of rail lines from The Burlington Northern and Santa Fe Railway Company (BNSF)² in Lubbock, TX, as follows: (1) former ATSF side tracks 0310-0313, 0320, 0330-0332, 0340-0341, 0370, 0372-0373, 0380-0382, 0385, 0387, and 0390; and (2) former BN side tracks 9200-9205, 9208, 9220, 9298, 9310, 9320, 9322, 9330, Orchard Lead, 9304, 9311-9312, 9321, 9323-9326, 9331, 9333, 9401-9406, 9409-9412, 9415, and 9420-9424. In conjunction with the acquisition of these rail lines, South Plains will acquire approximately 3 miles of incidental trackage rights over BNSF's mainline between track 9298 and BNSF's Lower Yard at Lubbock.

South Plains reported that it intended to consummate the transaction on or shortly after July 4, 1999. The earliest the transaction can be consummated is July 8, 1999, the effective date of the exemption (7 days after the exemption was filed).³

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. 33753 (Sub-No. 1), 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 William R. Power, Esq., 260 Cordovan Park, 5840 West Interstate Twenty, Arlington, TX 76017.

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

Decided: July 8, 1999.

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

Vernon A. Williams,

Secretary.

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² On December 31, 1996, The Atchison, Topeka and Santa Fe Railway Company (ATSF) merged with and into Burlington Northern Railroad Company (BN). The name of the surviving corporation of the merger is The Burlington Northern and Santa Fe Railway Company.

³ While the amended verified notice of exemption was received at the Board on June 25, 1999, it was not officially filed until July 1, 1999, when South Plains submitted the required filing fee.

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

July 8, 1999.

The Department of 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 August 16, 1999 to be assured of consideration.

Internal Revenue Service (IRS)

OMB Number: 1545-0058.

Form Number: IRS Form 1028.

Type of Review: Extension.

Title: Application for Recognition of Exemption Under Section 521 of the Internal Revenue Service.

Description: Farmer's cooperatives must file Form 1028 to apply for exemption from Federal income tax as being organizations described in Internal Revenue Code (IRC) section 521. The information on Form 1028 provides the basis for determining whether the applicants are exempt.

Respondents: Business or other for-profit.

Estimated Number of Respondents/Recordkeepers: 50.

Estimated Burden Hours Per Respondent/Recordkeeper:

Recordkeeping—44 hr., 14 min.

Learning about the law or the form—1 hr., 44 min.

Preparing the form—4 hr., 23 min.

Copying, assembling, and sending the form to the IRS—32 min.

Frequency of Response: On occasion.

Estimated Total Reporting/

Recordkeeping Burden: 2,545 hours.

OMB Number: 1545-0284.

Form Number: IRS Form 5309.

Type of Review: Extension.

Title: Application for Determination of Employee Stock Ownership Plan.

Description: Form 5309 is used in conjunction with Form 5300 or Form 5303 when applying for a determination letter as to a deferred compensation plan's qualification status under section 409 or 4975(e)(7) of the Internal Revenue Code. The information is used to determine whether the plan qualifies.

Respondents: Business or other for-profit.

Estimated Number of Respondents/Recordkeepers: 462.

Estimated Burden Hours Per Respondent/Recordkeeper:

Recordkeeping—5 hr., 44 min.

Learning about the law or the form—2 hr., 5 min.

Preparing and sending the form to the IRS—2 hr., 16 min.

Frequency of Response: On occasion.

Estimated Total Reporting/

Recordkeeping Burden: 4,666 hours.

Clearance Officer: Garrick Shear, Internal Revenue Service, Room 5571, 1111 Constitution Avenue, NW, Washington, DC 20224.

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. 99-18107 Filed 7-14-99; 8:45 am]

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DEPARTMENT OF THE TREASURY

[Treasury Order Number 102-23]

Delegation of Authority With Respect to Retirement Programs for District of Columbia Employees

June 23, 1999.

1. By virtue of the authority vested in the Secretary of the Treasury, including the authority vested by 31 U.S.C. 321(b), I hereby delegate to the Assistant Secretary for Management and Chief Financial Officer all duties, powers, rights and obligations of the Secretary under the National Capital Revitalization and Self-Government Improvement Act of 1997 (Title XI of Public Law 105-33), as amended (the "Revitalization Act"), with respect to the retirement programs for District of Columbia police officers, fire fighters, teachers, and judges (the "Retirement Programs").

2. The duties, powers, rights and obligations delegated to the Assistant Secretary for Management and Chief Financial Officer include, but are not limited to, the authority to issue regulations with respect to the Retirement Programs as authorized by the Revitalization Act.

3. The Assistant Secretary for Management and Chief Financial Officer shall be the "Secretary's designee" for purposes of section 11003(15) of the Revitalization Act, and for any similar statutory provision with respect to the administration of the Retirement Programs.