

and L&I milepost 4.0 +/- at Indianapolis, IN, and the connection in the northeast quadrant of former CRC Indianapolis Line milepost 283.7 +/-, a distance of approximately 4 miles; (b) from this connection milepost 283.7 +/- of the former Indianapolis Line and milepost 283.1

+/- of the former CRC Indianapolis Line, a distance of approximately 0.6 miles; (c) from CRC Indianapolis Line milepost 283.1

+/- connection to milepost 109.3 +/- of the former CRC Shelbyville Secondary and from this connection in the former CRC Shelbyville Secondary milepost 109.3 +/- and CRC Shelbyville Secondary milepost 106.9 +/-, a distance of approximately 2.4 miles; and (d) from CRC Shelbyville Secondary milepost 106.9 +/- connection to former Indianapolis Union Belt running track milepost 8 +/- in the southeast quadrant and from this connection to former Indianapolis Union Belt running track milepost 8 +/- and the entrance to Hawthorne Yard in the northeast quadrant at or near milepost 8.8 +/- of the Indianapolis Union Belt running track, a distance of approximately 0.8 miles.²

The transaction was scheduled to be consummated on or after July 8, 1999, the effective date of the exemption.

The purpose of the trackage rights is to permit L&I to interchange certain traffic with the Norfolk Southern Railway Company at Hawthorne Yard, thereby promoting operating efficiencies.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it 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 will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33778, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1235 K Street, NW, Washington, DC 20423-0001. In addition, one copy of each

pleading must be served on Rose-Michele Weinryb, Esq., Weiner, Brodsky, Sidman & Kider, P.C., 1350 New York Avenue, NW, Suite 800, Washington, DC 20005-4797.

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

Vernon A. Williams,

Secretary.

[FR Doc. 99-18330 Filed 7-20-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33776]

Delaware and Hudson Railway Company, Inc.—Trackage Rights Exemption—New York State Department of Transportation

New York State Department of Transportation has agreed to grant full service trackage rights to Delaware and Hudson Railway Company, Inc. (D&H), over the South Bronx Oak Point Link, which is approximately 10,000 feet of railroad track from 800 feet north of the north end of the track support structure south to Harlem River Yard, then east 6,000 feet along an easement through the Harlem River Yard to the northeastern end of the easement at the Harlem River Yard property line at East 132nd Street between Walnut and Willow Streets.¹ According to applicants, the notice of exemption in STB Finance Docket No. 33776 is filed in connection with Surface Transportation Board Decision Nos. 109 and 123 in STB Finance Docket No. 33388 (Sub-No. 69).²

¹ In *Delaware and Hudson Railway Company, Inc.—Trackage Rights Exemption—CSX Transportation, Inc. and New York Central Lines LLC*, STB Finance Docket No. 33771 (STB served July 8, 1999), D&H acquired overhead trackage rights from CSX Transportation, Inc. and New York Central Lines LLC, over lines generally between Schenectady, NY, and Fresh Pond Junction, NY. The scope of these rights and their terms were established by the Board in *CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company—Control and Operating Leases/Agreements—Conrail Inc. and Consolidated Rail Corporation*, STB Finance Docket No. 33388, Decision Nos. 89, 109, and 123 (STB served July 23, 1998, December 18, 1998, and May 20, 1999, respectively).

² The responsive application filed jointly by the State of New York, acting by and through its Department of Transportation, and the New York City Economic Development Corporation, acting on behalf of the City of New York, in connection with the railroad control application in STB Finance Docket No. 33388, was docketed as STB Finance Docket No. 33388 (Sub-No. 69).

The transaction was scheduled to be consummated on or after July 8, 1999, the effective date of the exemption.

The purpose of the trackage rights is to enhance rail competition for movements of traffic on the east side of the Hudson River.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it 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 will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33776, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1235 K Street, NW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Eric von Salzen, Hogan & Hartson L.L.P., 555 Thirteenth Street, NW, Washington, DC 20004-1109.

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

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

Decided: July 14, 1999.

Vernon A. Williams,

Secretary.

[FR Doc. 99-18504 Filed 7-20-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-227 (Sub-No. 9X)]

Wheeling and Lake Erie Railway Company—Abandonment Exemption—in Harrison and Jefferson Counties, OH

On July 1, 1999, Wheeling & Lake Erie Railway Company (W&LE) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon its line of railroad known as the Valley Line extending from milepost 188.5 near Unionvale to milepost 205.54 near Warrenton, a distance of approximately 18 miles in Jefferson and Harrison Counties, OH. The line traverses U.S.

² A redacted version of the Trackage Rights Agreement among L&I, NYC, and CSXT was filed with the notice of exemption. The full version of the agreement was concurrently filed under seal, along with a motion for a protective order which was granted in a separate decision.

Postal Service ZIP Codes 43901, 43907, 43917, and 43943, and includes the stations of East Cadiz (milepost 185), Kenwood (milepost 189), Adena (milepost 192), Dillonvale (milepost 199.9), and Warrenton (milepost 204).

The line does not contain federally granted rights-of-way. Any documentation in W&LE's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by October 19, 1999.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each offer must be accompanied by a \$1,000 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than August 10, 1999. Each trail use request must be accompanied by a \$150 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-227 (Sub-No. 9X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001; and (2) Christopher E.V. Quinn, Two Prudential Plaza, 45th Floor, 180 North Stetson Avenue, Chicago, IL 60601. Replies to the W&LE petition are due on or before August 10, 1999.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1545. [TDD for the hearing impaired is available at (202) 565-1695.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation.

Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

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

Decided: July 14, 1999.

Vernon A. Williams,
Secretary.

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DEPARTMENT OF THE TREASURY

Customs Service

Modification of National Customs Automation Program Test Regarding Reconciliation

AGENCY: Customs Service, Treasury.

ACTION: General notice.

SUMMARY: On February 6, 1998 and August 18, 1998, general notice documents were published in the **Federal Register** regarding the Customs Automated Commercial System (ACS) Reconciliation Prototype test. These documents announced, explained, and modified the prototype test. This notice serves to notify interested parties of two additional modifications to the prototype. The first allows downward adjustments on Aggregate Reconciliations, subject to certain conditions, and the second authorizes the use of a midpoint interest calculation method for Aggregate Reconciliations. All other aspects of the prototype remain the same.

EFFECTIVE DATES: The prototype testing period started on October 1, 1998. It will run for approximately two years from that date and may be extended. Applications to participate in the prototype will be accepted throughout the duration of the prototype. The effective date for use of the downward adjustment reporting option for Aggregate Reconciliations is July 21, 1999. Prototype participants may use that option for Aggregate Reconciliations filed on or after that date. The effective date for use of the midpoint interest calculation method is July 25, 1999. Prototype participants will use that method for Aggregate Reconciliations filed on or after that date.

ADDRESSES: Written inquiries regarding participation in the prototype test should be addressed to Ms. Shari McCann, Reconciliation Team, U.S. Customs Service, 1300 Pennsylvania Ave. NW, Mailstop 5.2A, Washington, DC, 20229-0001.

FOR FURTHER INFORMATION CONTACT: Mr. Don Luther at (202) 927-0915 or Ms. Shari McCann at (202) 927-1106.

SUPPLEMENTARY INFORMATION:

Background

Reconciliation is the process which allows an importer, at the time of entry summary, to identify undeterminable information (other than that affecting admissibility) to Customs and provide that outstanding information at a later date. Reconciliation, a planned component of the National Customs Automation Program (NCAP), as provided for in Title VI (Subtitle B) of the North American Free Trade Agreement Implementation Act (the NAFTA Implementation Act; Pub. L. 103-182, 107 Stat. 2057 (December 8, 1993)), is currently being tested by Customs under the Customs Automated Commercial System (ACS) Prototype test.

Customs announced and explained the ACS Prototype test of reconciliation in a general notice document published in the **Federal Register** (63 FR 6257) on February 6, 1998. A notice published in the **Federal Register** (63 FR 44303) on August 18, 1998, announced clarifications and operational changes. This notice modifies the test by providing a downward adjustment option and a midpoint interest calculation method for Aggregate Reconciliations. Except for these particular modifications, all other aspects of the test remain the same.

The downward adjustment modification is an enhancement to the prototype test. The midpoint interest modification is authorized under the Miscellaneous Trade and Technical Corrections Act of 1999 (Pub. L. 106-36 (June 25, 1999)), which amended 19 U.S.C. 1505(c) (see section further below pertaining to the midpoint interest calculation method). Prototype participants should note that these modifications have different effective dates (see "Effective Dates" section) and both apply only to Aggregate Reconciliations. The Entry-by-Entry Reconciliation aspect of the prototype remains unchanged.

Aggregate Reconciliation for Decrease in Duties, Taxes, and Fees

As set forth in the **Federal Register** notice published on February 6, 1998