

Decided: October 20, 1995.

By the Commission, Joseph H. Dettmar,
Acting Director, Office of Proceedings.
Vernon A. Williams,
Secretary.

[FR Doc. 95-26579 Filed 10-25-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-290 (Sub-No. 175X)]

**Norfolk Southern Railway Company;
Abandonment Exemption; at Virginia
Beach, VA**

Norfolk Southern Railway Company (NS) has filed a notice of exemption under 49 CFR part 1152 Subpart F—Exempt Abandonments to abandon approximately 1.7 miles of rail line extending between milepost VB-15.4 milepost VB-17.1 at Virginia Beach, VA.

NS 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 Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic report), 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 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. 10505(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 November 25, 1995 (unless stayed pending reconsideration). Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to

¹ A stay will be issued routinely where an informed decision on environmental issues (whether raised by a party or by the Commission's Section of Environmental Analysis in its independent investigation) cannot be made prior to the effective date of the notice of exemption. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any entity seeking a stay on environmental grounds is encouraged to file promptly so that the Commission may act on the request before the effective date.

file OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29³ must be filed by November 6, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 15, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: James R. Paschall, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510.

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

NS 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 October 31, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, 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.

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

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**NATIONAL BANKRUPTCY REVIEW
COMMISSION**

Emergency Commission Meeting

AGENCY: National Bankruptcy Review Commission.

ACTION: Notice of emergency meeting.

DATES: November 1, 1995, Wednesday, 9 a.m. to 12 noon.

ADDRESSES: J.W. Marriott Hotel, Bonaparte Room, 4th Floor, 555 Canal Street, New Orleans, Louisiana 70140.

FOR FURTHER INFORMATION CONTACT: Contact Jarilyn Dupont or Carmelita

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

³ The Commission will accept late-filed trail use statements so long as it retains jurisdiction.

Pratt at the National Bankruptcy Review Commission, (202) 273-1813, c/o Administrative Office of the U.S. Courts, One Columbus Circle NE., Suite 4-170, Washington, D.C. 20544 (mailing address) (or 20002, street address).

SUPPLEMENTARY INFORMATION: The meeting will be open to the public. Since certain information was not available at the time of the first organizational meeting on October 20, 1995, the Commission continued the meeting in order to obtain the necessary information and called an emergency meeting to finish the agenda items originally scheduled for October 20, 1995.

Jarilyn Dupont,

Executive Director/General Counsel.

[FR Doc. 95-26671 Filed 10-25-95; 8:45 am]

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**NATIONAL FOUNDATION ON THE
ARTS AND THE HUMANITIES**

National Endowment for the Arts

**National Council on the Arts 126th
Meeting**

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), as amended, notice is hereby given that a meeting of the National Council on the Arts will be held on November 3-4, 1995 in Room M-09 at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506. The meeting will be held on November 3rd from 9 am-5:30 pm and on November 4th from 9 am-1 pm.

This meeting will be open to the public. Topics for discussion will include a Legislative Update, discussion of the agency's new structure, new budgets, panel and Council procedures, guidelines for organizations, application review, and committee reports.

If, in the course of application discussion review, it becomes necessary for the Council to discuss non-public commercial or financial information of intrinsic value, the Council will go into closed session pursuant to subsection (c)(4) of the Government in the Sunshine Act, 5 U.S.C. 552b. Additionally, discussion concerning purely personal information about individuals, submitted with grant applications, such as personal biographical and salary data or medical information, may be conducted by the Council in closed session in accordance with subsection (c)(6) of 5 U.S.C. 552b.

Any interested persons may attend, as observers, Council discussions and reviews which are open to the public. If