

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 1995-96 registration year ends on June 30, 1996. The 1996-97 registration year will begin on July 1, 1996, and end on June 30, 1997. Any person who engages in any of the specified activities during the 1996-97 registration year must file a registration statement and pay the associated fee of \$300.00 before July 1, 1996, or before engaging in any of the activities, whichever is later. All persons who registered for the 1995-96 registration year will be mailed a registration statement form and an informational brochure in April 1996. Other persons wishing to obtain the form and any other information relating to this program should contact the program number given above.

The registration statement has not been revised for the 1996-97 registration year. In a final rule published under Docket HM-208B (May 23, 1995; 60 FR 27231) two minor changes in the registration requirements were made, effective beginning with the 1996-97 registration year: (1) foreign offerors are permanently excepted from the registration requirement 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, and (2) the definition of "materials extremely toxic by inhalation" has been expanded to include all materials poisonous by inhalation that meet the criteria for hazard zone A.

Registrants should file a registration statement and pay the associated fee well before July 1, 1996, in order to ensure that a 1996-97 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 three weeks of RSPA's receipt of a 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), or 1995-96 (July 1, 1995, through June 30, 1996) 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 1996-97 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. Registration after the completion of a registration year may also involve the imposition of a late fee and interest in addition to a civil penalty.

During the 1994-95 and 1995-96 registration years, RSPA participated with the Public Utilities Commission of Ohio (PUCO) in a pilot test of an alternate procedure for filing the Federal registration statement for motor carriers who were also subject to the State of Ohio's registration program through the PUCO. That test has been completed and will not be continued during the 1995-96 registration year while the results are evaluated. All persons required to register with RSPA should do so by submitting the registration statement with payment directly to the U.S. Department of Transportation, Hazardous Materials Registration, P.O. Box 740188, Atlanta, Georgia 30374-0188.

Issued in Washington, DC on March 5, 1996.

Alan I. Roberts,

Associate Administrator for Hazardous Materials Safety.

[FR Doc. 96-5565 Filed 3-7-96; 8:45 am]

BILLING CODE 4910-60-P

Surface Transportation Board¹

[Finance Docket No. 32864]

Dakota, Minnesota & Eastern Railroad Corporation—Acquisition and Operation—Colony Segment of the Union Pacific Railroad Company, Inc.

AGENCY: Surface Transportation Board.

ACTION: Notice of filing of application and request for comments.

SUMMARY: Pursuant to 49 U.S.C. 10902 and section 327 of Public Law No. 104-88, the Dakota, Minnesota & Eastern Railroad Company (DME) has filed an application to acquire and operate an approximately 203-mile rail line currently owned by Union Pacific Railroad Company, Inc. (UP) located in Wyoming, South Dakota, and Nebraska, commonly referred to as the Colony Line. The Colony Line runs in a north-south direction from Colony, WY, to Crawford, NE, the majority of which is located in South Dakota. The Board invites comments on this application by interested parties.

DATES: Written comments must be filed with the Board no later than March 18, 1996.

ADDRESSES: An original and 10 copies of all comments must refer to STB Finance Docket No. 32864 and must be sent to: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, one copy of all documents must be sent to applicant's representative: Kevin V. Schieffer, Schieffer, Cutler & Donahoe, P.C., Suite 300, Falls Center, 431 North Phillips Avenue, Sioux Falls, SD 57102.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: In the application, filed February 22, 1996, DME claims that there will be no material adverse impact on competition from this transaction since DME is merely replacing UP as the originating carrier on the Colony Line. Also, because DME is merely taking over an existing operation with no impact on environmental resources, the applicant is exempt from environmental reporting requirements pursuant to 49 CFR 1105.6(c)(2).

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (ICCTA), 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. 10902.

DME states that the number of full-time UP employees on the Colony Line is 41 and anticipates that, following this transaction, the number of full-time employees on the Colony Line will rise to 50. Section 327 of the ICCTA, concerning Class II railroads receiving Federal assistance, provides that: "The Surface Transportation Board shall impose no labor protection conditions in approving an application under [49 U.S.C. § 10902], when the application involves a carrier which (1) is headquartered in a State, and operates in at least one State, with a population of less than 1,000,000 persons as determined by the 1990 census; and (2) has, as of January 1, 1996, been a recipient of repayable Federal Railroad Administration assistance in excess of \$5,000,000." DME claims that it meets the requirements of section 327 and that no labor protection conditions should be imposed.

DME seeks expedited review of this application due to various financial obligations it has entered into which take effect on May 1, 1996. DME has served copies of this application on State officials, officials of communities located on the Colony Line, the shippers and receivers that use the Colony Line, connecting railroads, representatives of affected employees, and newspapers serving the Colony Line area. In light of the extensive service on the parties likely to have an interest in this proceeding, and in light of DME's justification for expedited action, the Board is requesting that comments be filed by March 18, 1996.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Decided: March 5, 1996.

By the Board, Vernon A. Williams,
Secretary.

Vernon A. Williams,
Secretary.

[FR Doc. 96-5516 Filed 3-7-96; 8:45 am]

BILLING CODE 4915-00-P

[Finance Docket No. 32826]

Huron and Eastern Railway Company, Inc.—Acquisition—CSX Transportation, Inc.

AGENCY: Surface Transportation Board.

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending

ACTION: Notice of exemption.

SUMMARY: The Board, under 49 U.S.C. 10505, exempts the Huron and Eastern Railway Company, Inc. from the prior approval requirements of 49 U.S.C. 11343-45, subject to standard labor protection, to acquire from CSX Transportation, Inc., 2.09 miles of rail line between milepost 2.0 and milepost 4.09 near Saginaw, MI.

DATES: This exemption is effective on April 7, 1996. Petitions to stay must be filed by March 25, 1996. Petitions to reopen must be filed by April 2, 1996.

ADDRESSES: Send pleadings referring to Finance Docket No. 32826 to: (1) Office of the Secretary, Surface Transportation Board, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Robert L. Calhoun, Sullivan & Worcester, Suite 1000, 1025 Connecticut Avenue, N.W., Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call or pick up in person from: D.C. News and Data, Inc., Room 2229, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289-4357. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: February 26, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,
Secretary.

[FR Doc. 96-5514 Filed 3-7-96; 8:45 am]

BILLING CODE 4915-00-P

[Finance Docket No. 32866]

Rail Link, Incorporated—Continuance in Control Exemption—Talleyrand Terminal Railroad Company, Inc.

Rail Link, Incorporated (Rail Link), has filed a verified notice under 49 CFR

before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10502 and 10902. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on

1180.2(d)(2) to continue in control of the Talleyrand Terminal Railroad Company, Inc. (TTRC) upon TTRC becoming a Class III rail carrier. The transaction was to have been consummated on or after February 14, 1996.

TTRC, a noncarrier, has concurrently filed a notice of exemption in STB Finance Docket No. 32865, *Talleyrand Terminal Railroad Company, Inc.—Operation Exemption—Lines of Municipal Docks Railway*, in which TTRC seeks to operate approximately 10-miles of rail line owned by Municipal Docks Railway in Duval County, FL.

Rail Link also controls two nonconnecting Class III rail carriers: (1) the Commonwealth Railway, Incorporated and the Carolina Coastal Railway, Inc. (CCR).²

The transaction is exempt from the prior approval requirements of 49 U.S.C. 11323 because Rail Link states that: (1) the railroads will not connect with each other or with any railroad in their corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or with any railroad in their corporate family; and (3) the transaction does not involve a Class I carrier.

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

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 stay the exemption's effectiveness. An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32866, must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Robert A. Wimbish, Rea, Cross & Auchincloss, Suite 420, 1920 N Street, N.W., Washington, DC 20036.

Decided: March 1, 1996.

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.

² See *Rail Link Incorporated—Continuance in Control Exemption—Commonwealth Railway Incorporated*, Finance Docket No. 31531 (ICC served Sept. 15, 1989).