

is hereby granted NHTSA Temporary Exemption 97-1, expiring September 1, 1998, from the following requirements incorporated in 49 CFR 571.122 Motor Vehicle Safety Standard No. 122 *Motorcycle Brake Systems*: S5.4.1 *Baseline check—minimum and maximum pedal forces*, S5.4.2 *Fade*, S5.4.3 *Fade recovery*, S5.7.2 *Water recovery test*, and S6.10 *Brake actuation forces*. As provided in 49 CFR § 555.6, under this grant of temporary exemption no more than 2,500 motorcycles exempted from Standard No. 122 may be sold in the United States in the period for which the exemption is granted.

(Authority: 49 U.S.C. 30113; delegations of authority at 49 CFR 1.50. and 501.8)

Issued on: October 1, 1997.

Ricardo Martinez,

Administrator.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Finance Docket No. 33388 (Sub-Nos. 1-7)]

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

AGENCY: Surface Transportation Board.

ACTION: Notice of Availability of the Environmental Assessments for Three Norfolk Southern Railway Company (NS) Rail Line Constructions and Four CSX Transportation, Inc. (CSX) Rail Line Constructions Prior to the Surface Transportation Board's Decision on the Acquisition and Division of the Consolidated Rail Corporation (Conrail).

SUMMARY: The Surface Transportation Board (Board) gives notice of the availability of the environmental assessments (EA) and public comment period for three NS rail line constructions and four CSX rail line constructions. Although the EAs recommend several mitigation measures to off-set specific environmental effects, the EAs generally conclude that there will be no significant environmental impacts associated with the construction of these rail lines.

DATES: Written comments on the environmental impacts of Finance Docket No. 33388 (Sub-Nos. 1-7) are due October 27, 1997.

ADDRESSES: If you wish to file comments on the EAs, send an original and 10 copies to: Vernon A. Williams, Secretary, Surface Transportation Board, 1925 K Street, NW, Suite 700, Washington, DC 20423-0001. Mark the lower left corner of the envelope: Attention: Dana White, Environmental Comments, Finance Docket No. 33388 (Sub-Nos. 1-7).

FOR FURTHER INFORMATION CONTACT: Dana White, Section of Environmental Analysis, Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423-0001; (202) 565-1552. TDD for the hearing impaired: (202) 565-1695. Copies of the EAs may also be obtained by contacting Ms. White.

SUPPLEMENTARY INFORMATION: On April 10, 1997, CSX, NS and Conrail filed their notice of intent to file an application seeking the Board's authorization for: (1) The acquisition by CSX and NS of control of Conrail, and (2) the division of Conrail's assets. Shortly afterwards, NS and CSX requested and received approval from the Board to seek the Board's authority to construct and operate seven rail line connections prior to the Board's decision on the acquisition and division of Conrail.

The seven rail line constructions are each relatively short (a total length of under 4 miles), would provide connections between two rail carriers, and would take place within existing rights-of-way. Early authorization to construct these connections, CSX and NS contended, would allow them to provide efficient service in competition with each other. However, no construction can occur until the Board completes its environmental review of each of the construction projects. Further, the Board advised CSX and NS that they were proceeding at their own risk in expending resources prior to the Board's decision on the acquisition transaction.

In seven separate EAs, the Board considered the environmental aspects of these proposed constructions and the railroads' proposed operations over these lines. The operational implications of the acquisition as a whole, including operations over the roughly 4 miles of line embraced by the seven connection projects, will be examined in the environmental impact statement being prepared to assess the impacts of the entire acquisition transaction.

On October 7, 1997, the Board served the EAs on Federal, state and local agencies and members of the affected communities. Although the EAs recommend several mitigation measures

to off-set specific environmental effects, the EAs generally conclude that there will be no significant environmental impacts. There is a 20-day public comment period ending October 27, 1997. The Board will consider the findings of the EAs as well as any comments on the EAs in its decision to approve or deny the construction of each of these lines.

The following is a list of the EAs, the locations of the proposed rail line constructions, the railroads, and their sub-docket numbers within the primary Finance Docket Number 33388 for the proposed acquisition:

ENVIRONMENTAL ASSESSMENTS FOR SEVEN RAIL LINE CONSTRUCTIONS

Location	Railroad	Finance docket 33388
Crestline, OH	CSX	(Sub No. 1)
Willow Creek, IN	CSX	(Sub No. 2)
Greenwich, OH	CSX	(Sub No. 3)
Sidney Junction, OH.	CSX	(Sub No. 4)
Sidney, IL	NS	(Sub No. 5)
Alexandria, IN	NS	(Sub No. 6)
Bucyrus, OH	NS	(Sub No. 7)

By the Board, Elaine K. Kaiser, Chief, Section of Environmental Analysis.

Vernon A. Williams,

Secretary.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Ex Parte No. 573]

Rail Service in the Western United States

AGENCY: Surface Transportation Board.

ACTION: Notice of proceeding and public hearing.

SUMMARY: The Surface Transportation Board (Board) is instituting a proceeding and will hold a public hearing on October 27, 1997, at its offices in Washington, DC, to provide interested persons the opportunity to report on the status of rail service in the western United States and to review proposals for solving the service problems that exist.

DATES: Persons wishing to appear at the hearing and make a statement must submit their request to speak at the hearing, and their requested time allotment, by October 9, 1997. The Board will issue a schedule for the hearing, along with a list of speakers