

issued. This chart is intended to provide more up-to-date information on the status of preemption applications than a single notice in the **Federal Register** whenever a decision has not been issued within 180 days after publication of the notice of the application.

FOR FURTHER INFORMATION CONTACT:

Edward H. Bonekemper, III, Assistant Chief Counsel for Hazardous Materials Safety and Research and Technology Law, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590-0001 (Tel. No. 202-366-4400).

SUPPLEMENTARY INFORMATION: Federal hazardous material transportation law, 49 U.S.C. 5101 *et seq.* (the law), provides an administrative procedure in § 5125(d)(1) for DOT to issue determinations whether a State, local, or Indian tribe requirement on the transportation of hazardous materials is preempted under the criteria set forth in § 5125(a), (b)(1), and (c). RSPA's Office of the Chief Counsel tracks the status of each preemption determination proceeding (both already decided and still pending) on a chart that is kept current on its internet website (<http://rspa-atty.dot.gov>) and in paper form.

Interested parties may access the current chart at any time by going to the website and clicking on "Preemption." A printed version of the current chart may also be obtained at any time by contacting Mr. Bonekemper at the address and telephone number set forth in "For Further Information Contact" above.

RSPA also uses this chart to meet the statutory requirement in 49 U.S.C. 5125(d)(1) to advise the public of the reasons for delay, and an estimate of the time when a decision will be made, whenever a decision is not issued within 180 days after the date of publication in the **Federal Register** of a notice of having received an application for a preemption determination. Because this chart will be kept current, RSPA does not intend to publish a new notice in the **Federal Register** each time the 180-day period is exceeded in a preemption proceeding. By keeping this chart up-to-date, RSPA will be providing interested parties with more current and complete information than they would have if RSPA published only a single notice in each proceeding advising that a decision would not be issued within 180 days.

Issued in Washington, DC on December 1, 2000.

Elaine E. Joost,

Acting Chief Counsel, Research and Special Programs Administration.

[FR Doc. 00-31250 Filed 12-7-00; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33962]

CSX Transportation, Inc.—Trackage Rights Exemption—Ohio Southern Railroad, Incorporated

Ohio Southern Railroad, Incorporated (OSRR) has agreed to grant overhead and local trackage rights to CSX Transportation, Inc. (CSXT), over approximately 1.5 miles of rail line and appended trackage formerly known as CSXT's Zanesville Industrial Track, located between milepost 16.7 and milepost 18.2 in Zanesville, Muskingum County, OH, as part of the sale of CSXT's interest in the line to OSRR.¹

The transaction was scheduled to be consummated on November 29, 2000, or as soon thereafter as the parties may agree and/or the time required for any necessary labor notice is given.²

The purpose of the trackage rights is to allow CSXT to continue to serve the line's existing and future rail customers after the sale of the line to OSRR.

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.

¹ OSRR's purchase of the track from CSXT was the subject of a notice of exemption in *Ohio Southern Railroad, Incorporated—Acquisition and Operation Exemption—CSX Transportation, Inc.*, STB Finance Docket No. 33955.

² Under 49 CFR 1180.4(g)(1), a trackage rights exemption is effective 7 days after the notice is filed. Although the applicant indicated that the proposed transaction would be consummated on November 27, 2000, the notice was not filed until November 22, 2000, and thus the proposed transaction could not be consummated before the November 29, 2000 effective date. CSXT's representative has been informed by telephone that the transaction may not be consummated prior to November 29, 2000.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33962, 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, one copy of each pleading must be served on Natalie S. Rosenberg, CSX Transportation, Inc., 500 Water Street (J150), Jacksonville, FL 32202.

Board decisions and notices are available on our website at <http://www.stb.dot.gov>.

Decided: December 1, 2000.

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

Vernon A. Williams,
Secretary.

[FR Doc. 00-31231 Filed 12-7-00; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 584X)]

CSX Transportation, Inc.—Discontinuance Exemption—in Hudson County, NJ¹

On November 20, 2000, CSX Transportation, Inc. (CSXT), filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from 49 U.S.C. 10903 to discontinue service over approximately 3.84 miles of the Weehawken Branch² and approximately 6.95 miles of the River Line³ in Hudson County, NJ. The

¹ The petition is related to two abandonment applications filed on November 14, 2000, by Conrail under section 308 of the Regional Rail Reorganization Act of 1973 (3-R Act), 45 U.S.C. 748, a provision added to the 3-R Act by the Northeast Rail Service Act of 1981 (Pub. L. No. 97-35). See *Conrail—Abandonment of the Weehawken Branch—in Hudson County, NJ*, STB Docket No. AB-167 (Sub-No. 766N); and *Conrail—Abandonment of the River Line—in Hudson County, NJ*, STB Docket No. AB-167 (Sub-No. 1067N). Conrail has requested that the applications be considered together because the Weehawken Branch and the River Line are operated as a single line due to changes made to track alignment and operations. Where appropriate, the two lines will be referenced as the River Line.

Notices of Insufficient Revenues were timely filed on October 31, 1983, and October 31, 1985, respectively. The Board must grant the applications within 90 days after their filing date (i.e., by February 12, 2001) unless offers of financial assistance (OFA) are filed within the 90-day period. See sections 308(c) and (d).

² The 3.84-mile segment extends from the point of switch in Jersey City (approximately MP 0.00), to the southerly R.O.W. line of Baldwin Avenue, in Weehawken (approximately MP 2.84), and includes the former DL&W Railroad Lead to the Hoboken Freight Yard in Jersey City.

³ The 6.95-mile segment is divided into in two parts: (1) from the connection to the Passaic and

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