

from providing the notification of the noncompliance that would be required by 49 U.S.C. 30118, and from remedying the noncompliance, as would be required by 49 U.S.C. 30120. (49 U.S.C. 30118, 301120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: November 9, 2001.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 01-28675 Filed 11-15-01; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34002]

#### **Alamo North Texas Railroad Corporation—Construction and Operation Exemption—Wise County, TX**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of exemption.

**SUMMARY:** Under 49 U.S.C. 10502, the Board conditionally exempts from the prior approval requirements of 49 U.S.C. 10901 the construction and operation by Alamo North Texas Railroad Corporation of a 2.25-mile line of railroad in Wise County, TX.

**DATES:** The exemption will not become effective until the environmental review process is completed. Once that process is completed, the Board will issue a further decision addressing the environmental matters and establishing an exemption effective date at that time, if appropriate. Petitions to reopen must be filed by December 6, 2001.

**ADDRESSES:** Send pleadings, referring to STB Finance Docket No. 34002, to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001; and (2) Richard Allen, Zuckert Scoutt & Rasenberger, L.L.P., 888 Seventeenth Street, NW., Washington, DC 20006-3309.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 565-1600. [TDD for the hearing impaired: 1-800-877-8339.]

#### **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: Da 2 Da Legal, Room 405, 1925 K Street, NW., Washington, DC 20006. Telephone: (202) 293-7776. [TDD for the hearing impaired: 1-800-877-8339.]

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: November 8, 2001.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 01-28657 Filed 11-15-01; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34069]

#### **Central Montana Rail, Inc.—Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company**

The Burlington Northern and Santa Fe Railway Company (BNSF) has agreed to grant temporary overhead trackage rights to Central Montana Rail, Inc. (CMR) over BNSF's lines between milepost 134.4 and milepost 134.57, in the vicinity of Mocassin, MT, a distance of 0.17 miles.

The parties reported that they intended to consummate the transaction as soon as practicable under this exemption. The earliest the transaction could have been consummated was November 5, 2001, the effective date of the exemption (7 days after the notice of exemption was filed).<sup>1</sup> The temporary trackage rights are to allow CMR to serve the United Harvest grain elevator located at milepost 134.4 until such time that CMR can construct its own track.

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. 34069 must be filed with the

<sup>1</sup> On October 29, 2001, CMR concurrently filed a petition for exemption in STB Finance Docket No. 34069 (Sub-No. 1), *Central Montana Rail, Inc.—Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company*, wherein CMR requests that the Board permit the proposed temporary overhead trackage rights arrangement described in the present proceeding to expire on January 1, 2003. That petition will be addressed by the Board in a separate decision.

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 Tammy Wyatt-Shaw, Esq., Phillips & Bohyer, P.C., P.O. Box 8569, Missoula, MT 59807.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: November 7, 2001.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 01-28656 Filed 11-15-01; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Finance Docket No. 34040]

#### **Riverview Trenton Railroad Company—Acquisition and Operation—In Wayne County, MI**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of extended comment period.

**SUMMARY:** The Riverview Trenton Railroad Company (RTRR) has petitioned the Surface Transportation Board (Board) for authority to acquire and operate a rail line approximately 1.5 miles in length in Wayne County, Michigan, to serve a proposed intermodal facility. The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) for public review and comment on this project on October 15, 2001. Comments were originally due by November 14, 2001. Due to recent events involving a principal postal facility in Washington, DC, timely receipt of materials mailed to the Board has been disrupted. The Board has therefore decided to extend the comment period until November 26, 2001. SEA requests that individuals filing comments, as well as individuals who have previously filed comments regarding this EA, take the following additional steps to ensure receipt of their correspondence during the comment period:

1. Telephone or e-mail the environmental contact prior to the close of the comment period and inform them that you have mailed a comment.

2. If the comment has not been received, the environmental contact will discuss alternative modes of delivery.

3. Retain a copy of your comment for your records should alternative modes of delivery be necessary.