

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
EE 13214-N	DOT-E 13214	Union Pacific Railroad Company, Omaha, NE.	49 CFR 172.203(a), 173.242(c)(1).	Emergency request to authorize the transportation in commerce of certain Division 1.1, 1.2 and 1.3 explosives by rail without conforming to the positioning requirements of 49 CFR 174.85 for purposes of national security. (mode 1)
EE 13216-N	DOT-E 13216	Autoliv/General Motors, Corporation, Ogden, UT.	49 CFR 172.704(a)(1)	Application for an emergency exemption to authorize the shipments of airbags and seatbelt pretensioners being recalled. The applicant requests relief from section 172.704 which addresses the general awareness / familiarization training. (modes 1, 3)
EE 13217-N	DOT-E 13217	Belshire Environmental Services, Inc., Lake Forest, CA.	49 CFR 173.202	Emergency request to authorize the transportation in commerce of gasoline in equipment (gasoline dispensers) by highway. (mode 1)

DENIALS

12701-N	Request by Fuel Cell Components & Integrators, Inc. Hauppauge, NY to authorize the transportation in commerce of non-DOT specification cylinders comparable to Specification 4E for use in transporting compressed gas denied March 27, 2003.
13111-N	Request by Fisher Scientific Chemical Division Fair Lawn, NJ to authorize the transportation in commerce of 70% nitric acid, Class 8, in certain single and combination packagings which is currently forbidden denied March 18, 2003.
13162-N	Request by Exact Sciences Corporation Maynard, MA to authorize the transportation in commerce of diagnostic specimens, Division 6.2, in quantities greater than presently authorized, to be transported as unregulated denied February 13, 2003.

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 BILLING CODE 4909-60-M

DEPARTMENT OF TRANSPORTATION
Surface Transportation Board
[STB Finance Docket No. 30186 (Sub-No. 3)]
Tongue River Railroad Co.—
Construction and Operation—Western
Alignment

AGENCY: Surface Transportation Board, DOT.
ACTION: Notice of adoption of procedural schedule.

SUMMARY: The Board is giving notice of the procedural schedule it adopted in a decision served July 7, 2003. The schedule is a result of the supplemental evidence the Tongue River Railroad Company (TRRC) filed to update the transportation aspects of its Western Alignment construction application in this sub-numbered proceeding (*Tongue River III*).

DATES: The Board's decision is effective on July 7, 2003. Pleadings and notices of intent to participate must be filed in accordance with the schedule set forth in the Appendix to this notice.

ADDRESSES: Send an original and 10 copies of the notice of intent to participate in STB Finance Docket No. 30186 (Sub-No. 3) to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. All

subsequent filings must be concurrently served on the Board and all parties of record as listed in the forthcoming updated service list.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 565-1600 [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

SUPPLEMENTARY INFORMATION: Under the Board's procedural schedule, each party of record (POR) will be allowed 40 days from the issuance date of the updated service list, discussed below, to file evidence or comments responsive to TRRC's supplemental evidence. A 40-day comment period provides ample time to analyze and comment on the updated evidence, which consists of two updated pro forma charts, four verified statements, and two letters supporting the proposal. This length of time balances the PORs' need to examine the updated evidence with the need to move forward on this matter. After the 40-day comment period has ended, TRRC will have 20 days to reply to the comments and responsive evidence.

In addition, prior to the beginning of the 40-day comment period, an opportunity will be given for new participants to become PORs. It has been almost 5 years since notice of this alternative construction proposal was originally published, and there may now be additional members of the public with an interest in this matter.

Anyone interested in becoming a POR and being added to the service list must file a notice of intent to participate with the Board within 10 days of the service date of this decision (by July 17, 2003).¹ Send an original and 10 copies of the notice of intent to the address listed above. The new PORs must comply with the 40-day comment period, discussed above, for filing comments or evidence responsive to TRRC's updated evidence with the Board and serving copies on all other PORs.

After expiration of the 10-day period for filing notices of intent to participate, the Board will issue an updated service list, which will include persons who have given notice of their intent to participate pursuant to this decision, as well as those currently on the list. Within 5 days of the issuance of the updated service list, current PORs must serve the new PORs with copies of all filings submitted by that party since May 1, 2003. The current PORs will also be required to file with the Board, within 10 days of the service date of the updated list, an original plus 10 copies of a certificate of service indicating that the service required by this decision has been accomplished. The 40-day period for comments, described above, will begin running on the date the updated service list is issued.

Copies of TRRC's supplemental evidence and its original *Tongue River*

¹ Current PORs may update their addresses during this 10-day period by sending any new information to the Board.

III application are available for public inspection at the office of either the Surface Transportation Board or the applicant, TRRC.²

Board decisions and notices are available on our Web site at WWW.STB.DOT.GOV.

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

Decided: June 27, 2003.

By the Board, Vernon A. Williams,
Secretary.

Vernon A. Williams,
Secretary.

Appendix—Procedural Schedule

July 17, 2003—Due date for notices of intent to participate as a POR.

L—Date of service of updated Service List.

L + 5—Due date for current PORs to serve previously submitted filings on new PORs.

L + 10—Due date for certificates of service from current PORs.

L + 40—Due date for comments or evidence responsive to the supplemental evidence.

L + 60—Due date for replies to comments and responsive evidence.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 636X)]

CSX Transportation, Inc.— Abandonment Exemption—in St. Clair County, MI

CSX Transportation, Inc. (CSXT), has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon an approximately 2.68-mile line of railroad between milepost CBD 83.28 at Tappan, and milepost CBD 85.96 near Port Huron, in St. Clair County, MI. The line traverses United States Postal Service Zip Codes 48060 and 48061.

CSXT 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

² TRRC has filed a petition for substitution of parties, in which it requests that Tongue River Railroad Company, Inc. be substituted for Tongue River Railroad Company as the applicant in this proceeding. This petition has been contested and will be addressed in a subsequent decision by the Board. Until then, all pleadings should continue to refer to applicant as Tongue River Railroad Company. The address of the office where the copies mentioned above may be obtained has not changed.

such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 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 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. 10502(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 August 6, 2003, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29 must be filed by July 17, 2003. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by July 28, 2003, with: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to applicant's representative: Natalie S. Rosenberg, 500 Water Street, J150, Jacksonville, FL 32202.

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

CSXT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. SEA will issue an environmental assessment (EA) by July 11, 2003. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board,

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

² Each OFA must be accompanied by the filing fee, which currently is set at \$1,100. See 49 CFR 1002.2(f)(25).

Washington, DC 20423-0001) or by calling SEA, at (202) 565-1552.

[Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] 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.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by CSXT's filing of a notice of consummation by July 7, 2004, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: June 30, 2003.

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

Vernon A. Williams,
Secretary.

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DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

June 25, 2003.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

DATES: Written comments should be received on or before August 6, 2003 to be assured of consideration.

Internal Revenue Service (IRS)

OMB Number: New.

Form Number: None.

Type of Review: New collection.

Title: Electronic Sales Kit: Interview Guide.