

the Unified Carrier Registration Plan and Agreement and to that end, may consider matters properly before the Board.

FOR FURTHER INFORMATION CONTACT: Mr. Avelino Gutierrez, Chair, Unified Carrier Registration Board of Directors at (505) 827-4565.

Dated: May 22, 2007.

William A. Quade,

Acting Associate Administrator for Enforcement and Program Delivery.

[FR Doc. 07-2644 Filed 5-23-07; 1:26 pm]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

The Red River Valley & Western Railroad

[Waiver Petition Docket Number FRA-2005-21037]

The Red River Valley & Western Railroad (RRVW) has petitioned the FRA to grant a waiver of compliance of the Safety Glazing Standards, 49 CFR Part 223, for a change within the waiver above. The request is to allow Locomotive Number RRVW 1276 to service new business within an extended 25 mile radius of Breckenridge, Minnesota. There has been no record of vandalism or any record of any accident/incident or injury to any railroad employee prior to the issuance of the present glazing waiver and up to present time. The track speed will remain the same and will not exceed 25 miles per hour. Most of the area is remote and not heavily populated.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA in writing before the

end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2005-21037) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC on May 21, 2007.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. E7-10153 Filed 5-24-07; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroad has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR Part 236, as detailed below.

Docket Number FRA-2007-28095

Applicant: Union Pacific Railroad Company, Mr. Mark Barnum, Senior

Director of Operating Practices, 1400 Douglas Street, Stop 1050, Omaha, Nebraska 68179-1050.

The Union Pacific Railroad Company (UP) seeks relief from the requirements of the Rules, Standards and Instructions of 49 CFR Section 236.566, to the extent that UP be permitted to operate "light" locomotive consists, where the lead locomotive is either not equipped with an automatic cab signal apparatus or is equipped with an automatic cab signal apparatus that is inoperative, on two short segments of main tracks between Milepost 146.9 and Milepost 146.5 and between Milepost 149.1 and Milepost 149.7 on the Marysville Subdivision near Marysville, Kansas.

Applicant's justification for relief: The relief would be limited to light locomotive consists (i.e., locomotive consists without cars attached), and is solely for the purpose of allowing these locomotives to move to or from trains or yard movements. Movements made under the waiver would be at restricted speed, regardless of a more favorable signal indication.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and include a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

All communications concerning this proceeding should be identified by Docket Number FRA-2007-28095 and may be submitted by one of the following methods:

- *Web site:* <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic site;

- *Fax:* 202-493-2251;
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 400 7th Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001; or

• *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 7th Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as

practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.—5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

FRA wishes to inform all potential commenters that anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or you may visit <http://dms.dot.gov>.

Issued in Washington, DC on May 21, 2007.

Grady C. Cothen, Jr.

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. E7–10152 Filed 5–24–07; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35027]

United States Steel Corporation— Acquisition of Control Exemption— Texas & Northern Railway Company

United States Steel Corporation (USS), a noncarrier,¹ has filed a verified notice of exemption to acquire from Lone Star Technologies, Inc. (LST), control of Texas & Northern Railway Company (T&NR), a Class III rail carrier, operating in Texas. According to USS, USS and LST have entered into an agreement and plan of merger, submitted to the Board, for USS to control certain subsidiaries of LST, including Lone Star Steel Company, LP (LSS).² USS states that by this agreement with LST, USS will indirectly control T&NR and through Transtar, continue to control six common carriers.

The transaction will be consummated on or about June 14, 2007.

¹ USS controls Transtar Inc. (Transtar), a noncarrier holding company, which owns one Class II carrier, the Elgin, Joliet, and Eastern Railway Company, and the following five Class III carriers: Birmingham Southern Railroad Company; Delray Connecting Railroad Company; The Lake Terminal Railroad Company; McKeesport Connecting Railroad Company; and Union Railroad Company.

² T&NR is a wholly owned subsidiary of LSS that provides rail services for LSS and others.

The parties represent and warrant that: (1) T&NR does not connect with any of the Transtar railroads; (2) the acquisition and continuance in control is not part of a series of anticipated transactions that would connect the T&NR with any of the railroads in the Transtar corporate family; and (3) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Because the transaction involves the control of one Class II and one or more Class III carriers, the exemption is subject to the labor protection requirements of 49 U.S.C. 11326(b).

If the notice 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. 35027, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001. In addition, a copy of all pleadings must be served on Brian M. McShea, United States Steel Corporation, 600 Grant Street, Room 1500, Pittsburgh, PA 15219–2800; John A. Vuono, Vuono & Gray, LLC, 2310 Grant Building, Pittsburgh, PA 15219; and Robert F. Spears, Texas & Northern Railway Company, Lone Star Technologies, Inc., 15660 N. Dallas Parkway, Suite 500, Dallas, TX 75248.

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

Decided: May 18, 2007.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. E7–10114 Filed 5–24–07; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB–55 (Sub-No. 678X)]

CSX Transportation, Inc.— Abandonment Exemption-in Clay County, IL

CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49

CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 0.86-mile line of railroad on its Northern Region, Louisville Division, Illinois Subdivision, from milepost BXO 74.14 to milepost BXO 75.0, known as the Flora North Branch, City of Flora, in Clay County, IL. The line traverses United States Postal Service Zip Code 62839.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic handled on the line can be rerouted over other lines; (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 such user) regarding cessation of service over the line either is pending with the Surface Transportation 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 June 27, 2007, unless stayed pending reconsideration.¹ Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an

¹ Pursuant to 49 CFR 1152.50(d)(2), the railroad must file a verified notice with the Board at least 50 days before the abandonment or discontinuance is to be consummated. CSXT initially indicated in its notice of exemption a proposed consummation date of June 25, 2007, but because the verified notice was filed on May 8, 2007, consummation may not take place prior to June 27, 2007. By filing made on May 11, 2007, CSXT has revised its notice to show that consummation may not take place until June 27, 2007.

² 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.