

methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A)(i)-(iv); 5 CFR 1320.8(d)(1)(i)-(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary,

FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a "user friendly" format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Below are brief summaries of the three currently approved information collection activities that FRA will submit for clearance by OMB as required under the PRA:

*Title:* State Safety Participation Regulations and Remedial Actions.

*OMB Control Number:* 2130-0509.

*Abstract:* The collection of information is set forth under 49 CFR part 212, and requires qualified state inspectors to provide various reports to FRA for monitoring and enforcement purposes concerning state investigative, inspection, and surveillance activities regarding railroad compliance with Federal railroad safety laws and regulations. Additionally, railroads are required to report to FRA actions taken to remedy certain alleged violations of law.

*Form Number(s):* FRA F 6180.33/61/67/96/96A/109/110/111/112.

*Affected Public:* Businesses.

*Respondent Universe:* States and Railroads.

*Reporting Burden:*

CFR section	Respondent universe	Total annual esponses	Average time per response	Total annual burden hours	Total annual burden cost
Application For Participation .....	15 States .....	15 updates .....	2.5 hours .....	38	\$1,748
Training Funding Agreement .....	30 States .....	30 agreements .....	1 hour .....	30	1,380
Inspector Training Reimbursement .....	30 States .....	300 vouchers .....	1 hour .....	300	12,600
Annual Work Plan .....	30 States .....	30 reports .....	15 hours .....	450	20,700
Inspection Form (Form FRA F 6180.96) .....	30 States .....	18,000 forms .....	15 minutes .....	4,500	189,000
Violation Report—Motive, Power, and Equipment Regulations (Form FRA F 6180.109).	19 States .....	200 reports .....	4 hours .....	800	33,600
Violation Report—Operating Practices Regulations (Form FRA F 6180.67).	13 States .....	40 reports .....	4 hours .....	160	6,720
Violation Report—Hazardous Materials Regulations (Form FRA F 6180.110).	14 States .....	100 reports .....	4 hours .....	400	16,800
Violation Report—Hours of Service Law (F 6180.33).	13 States .....	21 reports .....	4 hours .....	84	3,528
Violation Report—Accident/Incident Reporting Rules (Form FRA F 6180.61).	17 States .....	10 reports .....	4 hours .....	40	1,680
Violation Report—Track Safety Regulations (Form FRA F 6180.111).	17 States .....	158 reports .....	4 hours .....	632	26,544
Violation Report—Signal and Train Control Regulations (Form FRA F 6180.112).	17 States .....	100 reports .....	4 hours .....	400	16,800
Remedial Actions Reports .....	573 Railroads .....	5,048 reports .....	15 minutes .....	1,262	80,768
Violation Report Challenge .....	573 Railroads .....	1,010 challenges .....	1 hours .....	1,010	64,640
Delayed Reports .....	573 Railroads .....	505 reports .....	30 minutes .....	253	16,192

*Total Responses:* 25,567.

*Estimated Total Annual Burden:* 10,359 hours.

*Status:* Extension of a currently approved collection.

*Title:* Certification of Glazing Materials.

*OMB Control Number:* 2130-0525.

*Abstract:* The collection of information is set forth under 49 CFR part 223, which requires the certification and permanent marking of glazing materials by the manufacturer. The manufacturer is also responsible for making available test verification data to railroads and FRA upon request.

*Form Number(s):* N/A.

*Affected Public:* Businesses.

*Respondent Universe:* 5 Manufacturers.

*Total Responses:* 25,211.

*Estimated Total Annual Burden:* 119 hours.

*Status:* Extension of a currently approved collection.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

*Authority:* 44 U.S.C. 3501-3520.

Issued in Washington, DC on May 10, 2006.

**D.J. Stadlter,**

*Director, Office of Budget, Federal Railroad Administration.*

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**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[STB Finance Docket No. 34828]

**Gregg Haug—Continuance in Control Exemption—Northern Plains Railroad, Inc., Mohall Railroad, Inc. and Mohall Central Railroad, Inc.**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of exemption.

**SUMMARY:** The Board grants an exemption, under 49 U.S.C. 10502, from the prior approval requirements of 49 U.S.C. 11323 for Gregg Haug, an individual, to continue in control of three Class III rail carriers: Northern Plains Railroad, Inc. (NPR), Mohall Railroad, Inc. (MRI), and Mohall Central Railroad, Inc. (MHC). Each of the foregoing corporations owns or operates

rail lines located in whole or in major part within the State of North Dakota.

**DATES:** This exemption will be effective on June 14, 2006. Petitions to stay must be filed by May 30, 2006. Petitions to reopen must be filed by June 9, 2006.

**ADDRESSES:** Send an original and 10 copies of all pleadings, referring to STB Finance Docket No. 34828 to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, send one copy of pleadings to Mark S. Radke, of Felhaber, Larson, Fenlon & Vogt, P.A., 220 South Sixth Street, Suite 2200, Minneapolis, MN 55402.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1609 [assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 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, e-mail or call: ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706; e-mail [asapdc@verizon.net](mailto:asapdc@verizon.net); telephone (202) 306-4004. [Assistance for the hearing impaired is available through FIRS at 1-800-877-8339].

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

Decided: May 9, 2006.

By the Board, Chairman Buttrey and Vice Chairman Mulvey.

**Vernon A. Williams,**  
Secretary.

[FR Doc. E6-7329 Filed 5-12-06; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-290 (Sub-No. 254X);  
STB Docket No. AB-290 (Sub-No. 274X);  
STB Docket No. AB-149 (Sub-No. 2X)]

#### **Norfolk Southern Railway Company— Discontinuance of Service Exemption—in Stanly County, NC; Yadkin Railroad Company— Discontinuance of Service Exemption—in Stanly County, NC; Winston-Salem Southbound Railway Company—Discontinuance of Service Exemption—in Stanly County, NC**

On April 25, 2006 Norfolk Southern Railway Company (NSR), Yadkin Railroad Company (YRC), a wholly owned subsidiary of NSR, and Winston-Salem Southbound Railway Company (WSSB), a Class III switching carrier owned equally by NSR and CSX

Transportation, Inc., jointly filed with the Board an amended petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903: (1) For NSR to discontinue service over 11.11 miles of rail line (the Line) between milepost WF-0.00 at Halls Ferry Junction and milepost WF-11.11 at Badin in Stanly County, NC, which it operates under lease from YRC; (2) for YRC to discontinue service over the Line, which it leases from Alcoa, Inc. (Alcoa), the owner of the Line's right-of-way, track, and improvements;<sup>1</sup> and (3) for WSSB to discontinue service over the 5.21-mile portion of the Line between milepost WF-5.90 at Whitney, NC, and milepost WF-11.11 at Badin, which it and YRC jointly lease from Alcoa. The Line traverses United States Postal Service Zip Code 28001 and serves the station of Badin. NSR will continue to serve the Halls Ferry Junction station, and WSSB will continue to serve the Whitney station.

The Line was constructed by Tallassee Power Company (Tallassee), an Alcoa predecessor. In March 1916, shortly after the Line's construction was completed, Tallassee leased the 5.90-mile segment of the Line between Halls Ferry Junction and Whitney to YRC and the 5.21-mile segment between Whitney and Badin jointly to YRC and WSSB. The leases, which have no fixed term, provide that the lessees are to operate and maintain (except for extraordinary maintenance and capital improvements) the Line as common carriers providing motive power and equipment as needed to serve Alcoa's aluminum smelting facility at Badin and local traffic.

Alcoa is the Line's only shipper. One other shipper, Yadkin Brick Company (Yadkin Brick), has used the Line. According to petitioners, Yadkin Brick was located on the Halls Ferry Junction-Whitney segment in the mid to late 1990s and perhaps for some time earlier.

NSR is the only carrier that has conducted operations over the Line since 1996. In that year, NSR entered into a haulage agreement to move cars for CSXT over the Whitney-Badin segment, replacing the switching service WSSB was providing for CSXT.

YRC ceased operations over the Line in 1951 when its property was leased to the Carolina and Northwestern Railway Company (CNR), a subsidiary of Southern Railway Company (SOR). *Carolina & Northwestern Railway Company, Control, Etc.*, 282 I.C.C. 802 (1951). In 1988, CNR was merged into

SOR, which became successor lessee of YRC's properties, *Southern Railway Company—Merger Exemption—Carolina and Northwestern Railway Company*, Finance Docket No. 31255 (ICC served May 12, 1988). SOR changed its name to NSR in 1990, and in 2000 NSR renewed its lease of, and authority to operate, YRC's properties. *Norfolk Southern Railway Company—Corporate Family Transaction Exemption—Yadkin Railroad Company*, STB Finance Docket No. 33951 (STB served Dec. 12, 2000).

The line does not contain federally granted rights-of-way. Any documentation in petitioners' possession will be made available promptly to those requesting it.<sup>2</sup>

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by August 11, 2006.

Petitioners assert that the Line will revert to Alcoa as private line or real estate following the discontinuances and will not be subject to offers of financial assistance (OFA). Under 49 U.S.C. 10904, any person may file an OFA to subsidize NSR's operation of the Line for up to a year. Any OFA to subsidize the Line under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each offer must be accompanied by a \$1,300 filing fee. *See Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—2006 Update*, STB Ex Parte No. 542 (Sub-No. 13) (STB served Mar. 20, 2006); 49 CFR 1002.2(f)(25).

All filings in response to this notice must refer to STB Docket Nos. AB-290 (Sub-No. 254X), AB-290 (Sub-No. 274X) and AB-149 (Sub-No. 2X) and must be sent to: (1) Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001, and (2) James R. Paschall, Three Commercial Place, Norfolk, VA 23510. Replies to the joint petition are due on or before June 5, 2006.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152.

<sup>1</sup> Interested persons, including Alcoa, are invited to comment on whether Alcoa or another entity requires abandonment authorization before the Line can be abandoned.

<sup>2</sup> Petitioners state that such documentation is unlikely to exist because Alcoa owns the right-of-way.