

incorporate the EIS into their permitting processes.

Construction of the deepwater port is expected to take approximately 11 months with startup of commercial operations following construction, should a license be issued. The deepwater port would be designed, constructed and operated in accordance with applicable codes and standards.

#### Privacy Act

The electronic form of all comments received by the Federal Docket Management System can be searched by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). The DOT Privacy Act Statement can be viewed in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70, pages 19477–78) or you may visit <http://regulations.gov>.

(Authority: 49 CFR 1.66)

By Order of the Maritime Administrator.

Dated: April 11, 2008.

**Christine Gurland,**

*Acting Secretary, Maritime Administration.*

[FR Doc. E8–8343 Filed 4–16–08; 8:45 am]

BILLING CODE 4910–81–P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35129]

#### SSP Railroad Holding LLC— Acquisition and Operation Exemption—Mittal Steel USA— Railways Inc

SSP Railroad Holding LLC (SSP), a newly formed noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Mittal Steel USA—Railways Inc. (Mittal Railways) and to operate approximately 183 miles of rail lines in and around Sparrows Point, MD.<sup>1</sup> Previously, BIP

<sup>1</sup> SSP is a wholly owned subsidiary of Severstal U.S. Holdings, LLC, which in turn is a wholly owned subsidiary of OAO Severstal, a publicly owned Russian steel company. ArcelorMittal USA Inc. (ArcelorMittal USA) is the U.S. subsidiary of ArcelorMittal, an international steel company. ArcelorMittal USA and its subsidiaries, including Mittal Railways, own various properties in the United States, including a steel plant at Sparrows Point and an extensive rail network serving the plant.

SSP states that, pursuant to a 2007 consent decree resulting from an action brought by the U.S. Department of Justice, ArcelorMittal USA has agreed to divest its properties at Sparrows Point, including the rail lines that are the subject of this notice. As provided in the sale agreement, OAO Severstal has agreed to purchase the non-rail properties at Sparrows Point and SSP has agreed to

Acquisition Sub, Inc. obtained Board authority to acquire and operate the subject lines as part of a proposed sale of the Sparrows Point properties; however, that proposed sale of the properties was terminated and the line sale transaction was never consummated.<sup>2</sup>

SSP has certified that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III railroad. SSP states that it intends to consummate the transaction as soon as possible after May 1, 2008.<sup>3</sup>

Pursuant to the Consolidated Appropriations Act, 2008, Pub. L. 110–161, section 193, 121 Stat. 1844 (2007), nothing in this decision authorizes the following activities at any solid waste rail transfer facility: collecting, storing or transferring solid waste outside of its original shipping container; or separating or processing solid waste (including baling, crushing, compacting and shredding). The term “solid waste” is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

If the verified 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 effectiveness of the exemption. Stay petitions must be filed by April 24, 2008 (at least 7 days before the exemption may become effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35129, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Richard A. Allen, Zuckert, Scouff & Rasenberger L.L.P., 888 Seventeenth Street, NW., Suite 700, Washington, DC 20006.

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

Decided: April 9, 2008.

acquire the rail properties, which SSP intends to operate as a common carrier.

<sup>2</sup> See *BIP Acquisition Sub, Inc.—Acquisition and Operation Exemption—Mittal Steel USA—Railways Inc.*, STB Finance Docket No. 35074 (STB served Aug. 24, 2007).

<sup>3</sup> SSP states that its projected annual revenues following the transaction will exceed \$5 million. On April 1, 2008, SSP concurrently filed a certification of labor notice compliance and a petition for partial waiver of the 60-day advance labor notice requirements at 49 CFR 1150.32(e). That request is being addressed by the Board in a separate decision. Unless the Board grants the waiver request, the earliest this transaction may be consummated will be May 31, 2008.

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

**Anne K. Quinlan,**

*Acting Secretary.*

[FR Doc. E8–7962 Filed 4–16–08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB–882; STB Docket No. AB–884]

#### Minnesota Commercial Railway Company—Adverse Discontinuance— In Ramsey County, MN; M T Properties, Inc.—Adverse Abandonment—In Ramsey County, MN

On March 28, 2008, The City of New Brighton, MN (the City), filed an application under 49 U.S.C. 10903, requesting that the Surface Transportation Board (Board) authorize the third-party or adverse abandonment and discontinuance of service over an approximately 0.69-mile line of rail, extending from a junction switch near milepost 10.5 on Minnesota Commercial Railway’s (MCRC) main industrial lead track and terminating at the western right-of-way of Interstate Highway 35W (the Line).<sup>1</sup> The Line is owned by M T Properties, Inc. and operated by MCRC. The line traverses United States Postal Service Zip Code 55112, and includes no stations.

The line sought to be abandoned does not contain federally granted rights-of-way. Any documentation in the City’s possession will be made available promptly to those requesting it.

The City states that there are no existing or potential railroad customers located on the line. The City also states that the shippers who last used the Line have relocated and continue to be served by MCRC.

In a decision served in these proceedings on January 25, 2008, the City was granted exemptions from certain statutory provisions as well as waivers of certain Board regulations at 49 CFR part 1152 that were not relevant to its adverse abandonment and discontinuance application or that sought information not available to it. Specifically, the City was granted, as pertinent, waivers of and exemptions from the notice requirements at 49 U.S.C. 10903(c), 49 CFR 1152.10–14, 49 CFR 1152.21, 49 CFR 1152.22(a)(5), and 49 CFR 1152.24(e)(1), and waiver of the regulatory requirement that the application be executed and verified by

<sup>1</sup> The line is a stub-ended track and has no mileposts.