

MODIFICATION EXEMPTIONS

| Application No. | Docket No. | Applicant | Regulation(s) affected | Modification of exemption | Nature of exemption thereof |
|-----------------|----------------|---|--|---------------------------|--|
| 11691-M | | PepsiCo International, Valhalla, NY. | 49 CFR 176.83(d); 176.331; 176.800(a). | 11691 | To modify the exemption to update a proper shipping description and authorize the transportation of a Class 9 material with Class 3 and Class 8 materials not subject to the segregation requirements for vessel storage when shipped in the same transport vehicle. |
| 11917-M | RSPA-97-2741 | Sexton Can Company, Inc., Decatur, AL. | 49 CFR 173.304(a) .. | 11917 | To modify the exemption to authorize an increased water capacity limit to 40.4 cubic inches and the transportation of an additional Division 2.1 material in non-DOT specification, non-refillable steel cylinders. |
| 11970-M | RSPA-97-2993 | ExxonMobil Chemical Company, Mont Belvieu, TX. | 49 CFR 172.101; 178.245-1(c). | 11970 | To modify the exemption to authorize an additional portable tank configuration and dimension drawing for transporting Division 4.2 materials and rail freight as a mode of transportation. |
| 12384-M | RSPA-99-6561 | OilAir Hydraulics, Inc., Houston, TX. | 49 CFR 173.302(a)(1); 175.3. | 12384 | To modify the exemption to authorize an increased design pressure not to exceed 10,000 psig and a minimum 3:1 design service to burst ratio for the steel hydraulic accumulators transporting Division 2.2 materials. |
| 12643-M | RSPA-01-9066 | Northrup Grumman Space Technology, Redondo Beach, CA. | 49 CFR 173.302 and 175.3. | 12643 | To modify the exemption to authorize and additional design change to the pulse tube cooler with an increased volume to 1100 cc and test pressure to 915 psig shipped inside a strong, foam filled shipping container. |
| 13580-M | RSPA-04-18506. | Carleton Technologies Inc., Orchard Park, NY. | 40 CFR 178.65 | 13580 | To modify the exemption to authorize a larger non-DOT specification pressure vessel with increased service, test and burst pressures for the transportation of Division 2.2 materials. |

[FR Doc. 05-3373 Filed 2-18-05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34657]*

BNSF Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company

Union Pacific Railroad Company (UP) has agreed to grant overhead trackage rights to BNSF Railway Company, f/k/a The Burlington Northern and Santa Fe Railway Company (BNSF), over: (1) A line of railroad between UP's milepost 1.7 at a station known as Tower 30, on UP's Glidden Subdivision and Strang yard, TX, and UP's milepost 21.5 on UP's Strang Subdivision; and (2) portions of a line of railroad between Tower 30 and Strang yard that are

owned by the Port of Houston (PHA), maintained by the Port Terminal Railroad Association (PTRA), and jointly operated by PTRA and UP pursuant to UP's contractual arrangements with PHA and PTRA.¹ The line is located in the State of Texas. The total distance of the trackage rights granted to BNSF is approximately 15.6 miles.

The transaction was scheduled to be consummated on February 1, 2005, and operations under this exemption were scheduled to begin on that date. The purpose of the trackage rights is to allow BNSF access to a limited subset of facilities on the Bayport Loop, southeast of Houston, TX, and BNSF's system trackage in the Houston terminal, including, without limitation, access to BNSF's existing rights between Tower 30 and the East and West Belts.

¹ A redacted version of the trackage rights agreement between BNSF and UP was filed with the notice of exemption. The full version of the agreement, as required by 49 CFR 1180.6(a)(7)(ii), was filed under seal along with a motion for protective order on January 28, 2005. A protective order is being served on February 4, 2005.

As a condition to this exemption, any employees affected by the acquisition of 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. 34657, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Sarah W. Bailiff, Senior General Attorney, BNSF Railway Company, P.O. Box 961039, Fort Worth, TX 76161-0039.

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

* This notice corrects one served and published in the *Federal Register* on February 11, 2005, in this proceeding, to remove the references to "temporary" found in the second and third paragraphs of the notice.

Decided: February 4, 2005.

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

Vernon A. Williams,
Secretary.

[FR Doc. 05-3344 Filed 2-18-05; 8:45 am]

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DEPARTMENT OF THE TREASURY

Community Development Financial Institutions Fund

Notice of Funds Availability Inviting Applications for the Community Development Financial Institutions Program—Technical Assistance Component: New Application Deadline

AGENCY: Community Development Financial Institutions Fund, Department of the Treasury.

ACTION: New application deadline.

SUMMARY: On December 3, 2004, the Community Development Financial Institutions Fund (the "Fund") announced in a Notice of Funds Availability ("NOFA") for the Technical Assistance Component of the CDFI Program (69 FR 70307) that the deadline for applications for Technical Assistance grants for the FY 2005 funding round of the Technical Assistance Component was 5 p.m. ET on January 25, 2005.

This notice is to announce that the Fund has established a new application deadline for the FY 2005 funding round of the Technical Assistance Component of the CDFI Program: Technical Assistance Component applications may be submitted up to 5 p.m. ET on March 7, 2005.

Interested parties should review the December 3, 2004 NOFA for details on the FY 2005 funding round of the Technical Assistance Component and the application process. The December 3, 2004 NOFA, the Technical Assistance Component application, and other related documents may be found on the Fund's Web site at <http://www.cdfifund.gov>. Interested parties also must note the following information that is specific to

applications that are submitted in response to this NOFA amendment:

Any entity that submitted a Technical Assistance Component application in response to the December 3, 2004 NOFA may not submit another application in response to this notice unless the application was rejected by the Fund for reason of incompleteness or lateness. If the Fund rejected the application due to incompleteness or lateness, it may be submitted in response to this notice and will be reviewed for funding so long as it meets the Fund's requirements as set forth in the December 3, 2004 NOFA.

The Fund will review applications in accordance with the policies, procedures and requirements set forth in the December 3, 2004 NOFA. Applications that were submitted in response to the December 3, 2004 NOFA will be reviewed first. Applications submitted in response to this notice will be reviewed after applications submitted in response to the December 3, 2004 NOFA are reviewed. The Fund will make its funding decisions for applications submitted in response to this notice after funding decisions are made regarding applications made in response to the December 3, 2004 NOFA, subject to funding availability.

If an applicant under this notice is required to submit a "Certification of Material Change Form," it must do so by February 28, 2005. Refer to the December 3, 2004 NOFA for further information.

All other information and requirements set forth in the December 3, 2004 NOFA for the FY 2005 funding round of the Technical Assistance Component shall remain effective, as published.

FOR FURTHER INFORMATION CONTACT: The Fund will respond to applicants' reporting, compliance or disbursement phone calls or e-mail inquiries that are received on or before 5 p.m. ET on March 2, 2005 (2 business days before the new application deadline). The Fund will not respond to reporting or compliance telephone calls or e-mail inquiries that are received after 5 p.m. ET on March 2, 2005 until after the funding application deadline of March 7, 2005.

1. *Information technology support:* Technical support can be obtained by calling (202) 622-2455 or by e-mail at ithelpdesk@cdfi.treas.gov. People who have visual or mobility impairments that prevent them from creating maps using the Fund's Web site should call (202) 622-2455 for assistance. These are not toll free numbers.

2. *Programmatic support:* If you have any questions about the programmatic requirements, contact a member of the program staff by e-mail at cdfihelp@cdfi.treas.gov, by telephone at (202) 622-6355, by facsimile at (202) 622-7754, or by mail at CDFI Fund, 601 13th Street, NW., Suite 200 South, Washington, DC 20005. These are not toll-free numbers.

3. *Administrative support:* If you have any questions regarding administrative requirements, contact the Fund's Grants Manager by e-mail at gmc@cdfi.treas.gov, by telephone at (202) 622-8226, by facsimile at (202) 622-9625, or by mail at CDFI Fund, 601 13th Street, NW., Suite 200 South, Washington, DC 20005. These are not toll free numbers.

4. *Compliance support:* If you have any questions regarding compliance issues, contact the Fund's Compliance Manager by e-mail at cme@cdfi.treas.gov, by telephone at (202) 622-8226, by facsimile at (202) 622-9625, or by mail at CDFI Fund, 601 13th Street, NW., Suite 200 South, Washington, DC 20005. These are not toll free numbers.

5. *Legal counsel support:* If you have any questions or matters that you believe require response by the Fund's Office of Legal Counsel, please refer to the document titled "How to Request a Legal Review," found on the Fund's Web site at <http://www.cdfifund.gov>.

Authority: 12 U.S.C. 4703; Chapter X, Pub. L. 104-19, 109 Stat. 237.

Dated: February 14, 2005.

Arthur A. Garcia,

Director, Community Development Financial Institutions Fund.

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