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(Authority: 49 CFR 1.66)

By Order of the Maritime Administrator.

Dated: July 21, 2006.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. E6-12033 Filed 7-26-06; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No: MARAD-2006-25364]

#### Availability of a Draft Environmental Assessment

**AGENCY:** Department of Transportation, Maritime Administration.

**ACTION:** Notice of the Availability of a draft Environmental Assessment.

**SUMMARY:** The purpose of this Notice is to make available to the public the draft Environmental Assessment (EA) for the Removal of Non-Retention Vessels from the Suisun Bay Reserve Fleet. The draft EA analyzes the impacts associated with removal of all non-retention vessels for eventual disposal through various means such as recycling, museum donations, artificial reef creation, and/or military and civilian uses.

**DATES:** Comments on this draft Environmental Assessment must be received by August 28, 2006.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket Number MARAD-2006-25364] by any of the following methods:

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

Follow the instructions for submitting comments on the DOT electronic docket site.

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

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

*Instructions:* All submissions must include the agency name and docket number for this action. Note that all comments received will be posted without change to <http://dms.dot.gov> including any personal information provided. Please see the Privacy Act heading below.

*Docket:* For access to the docket to read background documents or comments received, go to <http://>

[dms.dot.gov](http://dms.dot.gov) at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 7th St., SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

#### FOR FURTHER INFORMATION CONTACT:

Daniel E. Yuska, Jr., Environmental Protection Specialist, Office of Environmental Activities, U.S. Maritime Administration, 400 Seventh Street, SW., Washington, DC. 20590; telephone (202) 366-0714, fax (202) 366-6988.

**SUPPLEMENTARY INFORMATION:** An electronic version of this document and all documents entered into this docket are available at <http://dms.dot.gov>. In addition, copies of the draft EA are available for public viewing at the Benicia Public Library in Benicia, California.

#### Privacy Act

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>.

(Authority: 49 CFR 1.66)

By Order of the Maritime Administrator.

Dated: July 21, 2006.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. E6-12032 Filed 7-26-06; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-98-4470]

#### Pipeline Safety: Meeting of the Technical Pipeline Safety Standards Advisory Committee

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

**ACTION:** Notice of meeting.

**SUMMARY:** This notice announces a public meeting of PHMSA's Technical Pipeline Safety Standards Committee (TPSSC) to vote on a proposed rule requiring pipeline operators to consider internal corrosion when designing and constructing new and replaced gas transmission pipelines.

**DATES:** The TPSSC will meet on Thursday, August 24, 2006, from 1 p.m. to 3 p.m., EST.

**ADDRESSES:** The Committee members will participate via telephone conference call. Members of the public may attend the meeting at the U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC, in room 3246 A.

**FOR FURTHER INFORMATION CONTACT:** For additional information regarding this meeting contact Cheryl Whetsel at (202) 366-4431, or by e-mail at [cheryl.whetsel@dot.gov](mailto:cheryl.whetsel@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### 1. Meeting Details

Members of the public may attend the meeting. PHMSA will post any additional information or changes on its Web page (<http://phmsa.dot.gov>).

Members of the public may make short statements on the topics under discussion. Anyone wishing to make an oral statement should notify Cheryl Whetsel no later than August 21 of the topic and the length of the presentation. The presiding officer at the meeting may deny any request to present an oral statement and may limit the time of any presentation.

You may submit written comments by mail or deliver them to the Dockets Facility by August 24, 2006, at the U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. The Dockets Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays. You also may submit written comments to the docket electronically by logging onto the Web page <http://dms.dot.gov>. Click on "Help & Information" for instructions on how to file a document electronically. All written comments should reference docket number PHMSA-98-4470. Anyone who would like confirmation of mailed comments must include a self-addressed stamped postcard.

*Privacy Act Statement:* Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or you may visit <http://dms.dot.gov>.

*Information on Services for Individuals with Disabilities:* For information on facilities or services for individuals with disabilities, or to request special assistance at the meeting, please contact Cheryl Whetsel at (202) 366-4431 by August 21, 2006.

## 2. TPSSC Background

The TPSSC is a statutorily mandated advisory committee that advises PHMSA on proposed safety standards for gas pipelines. The TPSSC was established under section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. 1). The committee consists of 15 members—five each representing government, industry, and the public. The TPSSC is tasked with determining reasonableness, cost-effectiveness, and practicability of regulatory initiatives.

Federal law requires PHMSA to submit cost-benefit analyses and risk assessment information on each proposed safety standard to the advisory committees. The TPSSC evaluates the merits of the data and, when appropriate, provides recommendations on the adequacy of the cost-benefit analyses.

## 3. Background on the Proposed Rule

On December 15, 2005, PHMSA published a notice of proposed rulemaking (NPRM) in the **Federal Register** (70 FR 74262) on the control of internal corrosion when designing and constructing new and replaced gas transmission pipelines. PHMSA's pipeline safety regulations now require operators to have operation and maintenance practices to control internal corrosion. The NPRM proposed to require operators to address the risk of internal corrosion at a much earlier stage; namely when designing and constructing new and replaced gas transmission pipelines.

PHMSA presented the NPRM to the TPSSC at a meeting on June 28, 2006. Members expressed concern about the enforceability of the NPRM and the extent of its recordkeeping requirements. The TPSSC requested postponement of consideration of the NPRM and additional information before a vote on it. The TPSSC will be voting on the reasonableness, cost-effectiveness, and practicability of the NPRM at the meeting scheduled in this notice. PHMSA will provide additional information to the members prior to the meeting.

PHMSA will issue a final rule based on the proposed rule, the comments received from the public, and the vote and comments of the advisory committee.

**Authority:** 49 U.S.C. 60102, 60115.

Issued in Washington, DC on July 21, 2006.

**Stacey L. Gerard,**

*Associate Administrator for Pipeline Safety.*  
[FR Doc. E6-12034 Filed 7-26-06; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34813]

#### New York New Jersey Rail LLC and New York Cross Harbor Railroad Terminal Corp.—Corporate Family Transaction Exemption

New York New Jersey Rail LLC (NYNJRR) and New York Cross Harbor Railroad Terminal Corp. (NYCH) (collectively, petitioners) have filed a verified notice of exemption under 49 CFR 1180.2(d)(3) for a transaction within a corporate family.<sup>1</sup> Under the proposed transaction, NYCH will transfer its operating rights and common carrier obligations to NYNJRR. NYNJRR will assume all of NYCH's rights and obligations to provide rail service as a common carrier.

NYCH, a Class III short line railroad, owns, leases and operates railroad tracks and facilities at Greenville, NJ,<sup>2</sup> Jersey City, NJ, and Brooklyn, NY, and operates between these points by means of a car float across New York Harbor. NYNJRR is a newly formed limited liability company established and owned by Mid Atlantic New England Rail, LLC (MANER),<sup>3</sup> an entity owned and controlled by Gordon Reger (Mr. Reger), a noncarrier individual. Entities controlled by Mr. Reger own a majority of NYCH's outstanding stock and, by reason of that ownership, indirectly control NYCH. Mr. Reger currently controls one other short line railroad, New Amsterdam & Seneca Railroad Company, LLC.<sup>4</sup>

<sup>1</sup> Petitioners originally filed their notice of exemption on December 22, 2005. By decision served on January 10, 2006, the Board, at the request of petitioners, held the proceeding in abeyance until further notice to allow Consolidated Rail Corporation (Conrail) to discuss its concerns with petitioners regarding the effect of the proposed transaction on NYCH's contractual obligations to Conrail. After reaching an agreement with Conrail, petitioners filed an amended notice on February 24, 2006. Subsequently, the New York City Economic Development Corp. (NYCEDC), acting in its capacity as contractor to the City of New York (the City), filed a motion to request that the Board hold the proceeding in abeyance until the City had confirmation from petitioners that the City's rights, pursuant to a permit dated September 1, 1984, would not be compromised, altered or otherwise modified by the proposed transaction. On July 11, 2006, NYCEDC withdrew its request to hold the proceeding in abeyance. By letter filed on July 12, 2006, petitioners indicated that their exemption request is now unopposed and request that the Board proceed with notice of the proposed transaction.

<sup>2</sup> NYCH leases Conrail's Greenville Yard, pursuant to an agreement dated December 15, 2002.

<sup>3</sup> MANER established NYNJRR to facilitate the acquisition of and/or investment in short line and regional railroad companies, such as NYNJRR.

<sup>4</sup> See *Gordon Reger—Continuance in Control Exemption—New Amsterdam & Seneca Railroad*

The transaction was scheduled to be consummated on or after March 3, 2006 (7 days after the amended notice of exemption was filed).

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). According to the parties, the transaction will not result in adverse changes in service levels, significant operational changes, or changes in the competitive balance with carriers outside the corporate family. Petitioners state that the proposed corporate changes will be limited to entities controlled by Mr. Reger.<sup>5</sup> Petitioners also state that the proposed transfer of NYCH's rights and obligations to NYNJRR will facilitate better access to equity and debt capital which will enable the improvement of the Greenville, NJ, and Brooklyn, NY rail yards and the condition of NYCH's equipment, create a safer working environment for railroad employees, and increase the railroad's ability to serve the freight transportation needs of the public in the New York, New Jersey, New England, and Mid Atlantic markets.

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. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the amended 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 transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34813, 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 John D. Heffner, Esq., John D. Heffner, PLLC, 1920 N Street, NW., Suite 800, Washington, DC 20036.

*Company, LLC*, STB Finance Docket No. 34825 (STB served Feb. 23, 2006).

<sup>5</sup> NYCH states that it will not transfer to NYNJRR its Greenville Yard lease until it obtains Conrail's consent. Furthermore, NYCH's ability to transfer its assets to NYNJRR is subject to the terms of its 2002 Greenville Yard lease with Conrail and its settlement agreement with Conrail.