

future Oregon, Washington and Hawaii”.

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).

Dated: February 10, 2009.

By order of the Maritime Administrator.

Leonard Sutter,

Secretary, Maritime Administration.

[FR Doc. E9–3474 Filed 2–17–09; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Office of Hazardous Materials Safety; Notice of Delays in Processing of Special Permits Applications

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: List of Applications Delayed more than 180 days.

SUMMARY: In accordance with the requirements of 49 U.S.C. 5117(c), PHMSA is publishing the following list of special permit applications that have been in process for 180 days or more. The reason(s) for delay and the expected completion date for action on each application is provided in association with each identified application.

FOR FURTHER INFORMATION CONTACT: Delmer F. Billings, Director, Office of Hazardous Materials Special Permits and Approvals, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East

Building, PHH–30, 1200 New Jersey Avenue, Southeast, Washington, DC 20590–0001, (202) 366–4535.

Key to Reason for Delay

1. Awaiting additional information from applicant.
2. Extensive public comment under review.
3. Application is technically complex and is of significant impact or precedent-setting and requires extensive analysis.
4. Staff review delayed by other priority issues or volume of special permit Applications.

Meaning of Application Number Suffixes

N—New application
M—Modification request
PM—Party to application with modification request

Issued in Washington, DC, on February 11, 2009.

Delmer F. Billings,
Director, Office of Hazardous Materials, Special Permits and Approvals.

Application No.	Applicant	Reason for delay	Estimated date of completion
Modification to Special Permits			
14167–M	Trinityrail Dallas, TX	4	03–31–2009
8723–M	Alaska Pacific Powder Company Anchorage, AK	1	02–28–2009
12412–M	Brenntag Southwest Sand Springs, OK	3, 4	02–28–2009
New Special Permit Applications			
14689–N	Trinity Industries, Inc. Dallas, TX	2, 3	02–28–2009
14733–N	GTM Technologies, Inc. San Francisco, CA	1, 3	03–31–2009

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Office of Hazardous Materials Safety; Notice of Applications for Modification of Special Permit

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA).

ACTION: List of Applications for Modification of Special Permit.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of

Transportation's Hazardous Material Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Request of modifications of special permits (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) are described in footnotes to the application number. Application numbers with the suffix “M” denote a modification request. There applications have been separated from the new

application for special permits to facilitate processing.

DATES: Comments must be received on or before March 5, 2009.

Address Comments to: Record Center, Pipeline and Hazardous Materials Safety Administration U.S. Department of Transportation Washington, DC 20590

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available for inspection in the Records Center, East Building, PHH–30, 1200 New Jersey Avenue, Southeast, Washington DC or at <http://dms.dot.gov>.

This notice of receipt of applications for modification of special permit is

published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on February 10, 2009.

Delmer F. Billings,
Director, Office of Hazardous Materials
Special Permits and Approvals.

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
MODIFICATION SPECIAL PERMITS				
11624-M		Pacific Commercial Services, LLC Honolulu, HI.	49 CFR 173.173(b)(2)	To modify the special permit to authorize the transportation in commerce of household hazardous wastes identified as paint or paint related material, Class 3, in quantities greater than those presently authorized.
12571-M		AirProducts and Chemicals, Inc. Allentown, PA.	49 CFR 173.304(a)(2); 180.209	To modify the special permit to authorize the addition of Silane a Division 2.1 hazardous material and to add fill density for Silane.
13961-M		3AL Testing Corporation Denver, CO.	49 CFR 172.203(a); 172.301(c); 180.205(f), (g); 180.209(a).	To modify the special permit to reduce the number of calibration cylinders required for UE testing.
14149-M		Digital Wave Corporation Centennial, CO.	49 CFR 180.205, 180.209	To modify the special permit to reduce the number of calibration cylinders required for UE testing.
14436-M		BNSF Railway Company Topeka, KS.	49 CFR 174.14(a) and (b)	To modify the special permit to authorize additional unsignaled (dark) carrier lines.
14510-M		Clean Earth Systems, Inc. Tampa, FL.	49 CFR 173.12(b), 173.12(b)(2)(i)	To modify the special permit to add cargo vessel as an additional mode of transportation.
14773-M		Pacific Northwest National Laboratory (PNNL) Richland, WA.	49 CFR 173.416	To reissue the special permit originally issued on an emergency basis to authorize transportation in commerce of fissile material in a non DOT specification packaging.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-43 (Sub-No. 182X)]

Illinois Central Railroad Company— Abandonment Exemption—in Grenada County, MS

Illinois Central Railroad Company (IC) ¹ has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 1.20-mile line of railroad between milepost 311.90 and milepost 313.10, in Grenada, Grenada County, MS.² The line traverses United States Postal Service Zip Code 38901.

IC has certified that: (1) No local traffic has moved over the line for at

least 2 years; (2) there is no overhead traffic to 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 (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 report), 49 CFR 1105.8 (historic report), 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 March 20, 2009, unless stayed pending reconsideration.³ Petitions to stay that do not involve environmental issues,⁴ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),⁵ and trail use/rail banking requests under 49 CFR 1152.29 must be filed by March 2, 2009.⁶ Petitions to reopen or requests

³ 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. A Board staff member has informed IC that, because the official filing date of the notice is now January 29, 2009, consummation may not take place prior to March 20, 2009.

⁴ 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.

⁵ Effective July 18, 2008, the filing fee for an OFA increased to \$1,500. See *Regulations Governing Fees for Services Performed in Connection With Licensing and Related Services—2008 Update*, STB Ex Parte No. 542 (Sub-No. 15) (STB served June 18, 2008).

⁶ IC notes, however, that it does not believe that the right-of-way would be of interest to the State of Mississippi or any other entity for public use

Continued

¹ IC is a wholly owned subsidiary of Canadian National Railway Company.

² IC originally filed its verified notice of exemption on January 8, 2009. However, the notice did not contain all of the information required under 49 CFR 1152.50. At the request of Board staff, on January 29, 2009, IC filed a supplement to its notice. Accordingly, January 29, 2009, will be considered the official filing date.