

In reference to the notice published in 70 FR 20800, PHMSA intends to publish an Advisory Bulletin specifying the methodology for reporting calendar year 2007 MIS contractor data to PHMSA. Therefore, operators must ensure records on contract employees continue to be maintained in calendar year 2007.

**Authority:** 49 U.S.C. 5103, 60102, 60104, 60108, 60117, and 60118; 49 CFR 1.53.

Issued in Washington, DC on December 20, 2006.

**Thomas Barrett,**

*Administrator, Pipeline and Hazardous Materials Safety Administration.*

[FR Doc. E6-22295 Filed 12-27-06; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34943]

#### Beaufort Railroad Company, Inc.— Modified Rail Certificate

On December 1, 2006, Beaufort Railroad Company, Inc. (BRC), a subsidiary of the South Carolina Division of Public Railways (SCDPR), filed a notice for a modified certificate of public convenience and necessity under 49 CFR part 1150, Subpart C, *Modified Certificate of Public Convenience and Necessity*, to operate approximately 25.05 miles of rail line extending from milepost AMJ-443.26, in Yemassee, to milepost AMJ-468.31, in Port Royal, SC.

BRC states that the line was formerly owned by the Seaboard System Railroad, Inc., and was authorized for abandonment by the Interstate Commerce Commission in *Seaboard System Railroad, Inc.—Abandonment—in Beaufort County, SC*, Docket No. AB-55 (Sub-No. 110) (ICC served Aug. 23, 1984). Although authorized for abandonment, the line was subsequently acquired by the South Carolina State Ports Authority (SCSPA) and leased to the South Carolina Public Railways Commission (SCPRC), which is now under SCDPR.<sup>1</sup> Tangent Transportation Company, Inc., a wholly owned subsidiary of SCPRC, operated the line until 2003. Since then, SCSPA has maintained the right-of-way (ROW).

As operator of the line, BRC will provide freight services on an “as required basis,” pursuant to an operating agreement with SCSPA and

SCDPR.<sup>2</sup> Under the agreement, BRC and SCSPA agree to a 1-year period for operation, commencing from October 12, 2006, and continuing from year to year thereafter, until terminated in accordance with the operating agreement and Board regulations. According to BRC, it does not expect to make any interchange or interline connections with any connecting railroads.

The rail segment qualifies for a modified certificate of public convenience and necessity. See *Common Carrier Status of States, State Agencies and Instrumentalities and Political Subdivisions*, Finance Docket No. 28990F (ICC served July 16, 1981).

BRC indicates that commencement of operations will be contingent upon shippers entering into binding written commitments for a sufficient volume of carloads per year (an amount judged adequate to cover all costs associated with maintenance, track materials, and operations of the line).

BRC states that SCSPA will maintain third party liability insurance coverage in an amount of not less than \$5,000,000 to cover any and all claims arising solely from the existence of hazards presented by the rail line or the property upon which the rail line is located. BRC also states that, prior to commencement of railroad operations, it will acquire and maintain third party liability insurance coverage in an amount of not less than \$5,000,000 to cover any and all claims arising solely from its acts, works, and operations with respect to the rail line and the property upon which the rail line is located.

This notice will be served on the Association of American Railroads (Car Service Division) as agent for all railroads subscribing to the car-service and car-hire agreement: Association of American Railroads, 50 F Street, N.W., Washington, DC 20001; and on the American Short Line and Regional Railroad Association: American Short Line and Regional Railroad Association, 50 F Street, N.W., Suite 7020, Washington, DC 20001.

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

Decided: December 20, 2006.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. E6-22289 Filed 12-27-06; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34973]

#### Burlington Shortline Railroad, Inc., d/b/ a Burlington Junction Railway—Lease and Operation Exemption—BNSF Railway Company

Burlington Shortline Railroad, Inc., d/b/a Burlington Junction Railway (BJRY), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to lease and operate, pursuant to an agreement with BNSF Railway Company (BNSF), approximately 1.2 miles of railroad properties consisting of certain trackage, real property, and railroad operating rights. The rail properties consist of five tracks, numbered 2001, 2002, 2003, 2012, and 2013, located at Ottumwa, IA. There are no mileposts.

Based on projected revenues for the line, BJRY expects to remain a Class III rail carrier. BJRY certifies that its projected annual operating revenues as a result of the transaction will not exceed \$5 million. The transaction is expected to be consummated on January 14, 2007.

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 transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34973, must be filed with the Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on: (1) for BJRY, John D. Heffner, John D. Heffner, PLLC, 1920 N Street, N.W., Suite 800, Washington, DC 20036; and (2) for BNSF, Sarah Bailiff, 2650 Lou Menk Drive, Fort Worth, TX 76131.

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available on our Web site at  
[www.stb.dot.gov](http://www.stb.dot.gov).**

Decided: December 20, 2006.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. E6-22137 Filed 12-27-06; 8:45 am]

**BILLING CODE 4915-01-P**

<sup>1</sup> According to BRC, SCDPR is a division of the South Carolina Department of Commerce, and SCSPA is also an instrumentality of the State of South Carolina.

<sup>2</sup> According to BRC, both SCSPA and SCDPR intend to maintain the ROW, with SCDPR providing service through BRC.