

continue to conduct operations over the line. The line extends from milepost 145.0 near Yale, SD, to milepost 160.33 near Huron, SD, (the Yale-Huron line), in Beadle County, SD.

Concurrently, the South Dakota Railroad Authority (SDRA) and the South Dakota Department of Transportation (SDDOT), political subdivisions of the State of South Dakota and collectively a non-operating Class III rail carrier, filed a verified notice of exemption under 49 CFR 1150.41 for SDRA to acquire the Yale-Huron line from ECRRA, with ECRRA retaining leasehold rights, and, in turn, for SDDOT to immediately acquire the Yale-Huron line from SDRA.

The applicants expect to consummate the transactions on November 20, 2008.

Following consummation of the transactions, DM&E will remain the operator of the Yale-Huron line by virtue of having retained subleasehold rights in the sale agreement with ECRRA.

The applicants explain that SDDOT will become the ultimate owner of the line so that it can fund necessary rehabilitation of the line pursuant to South Dakota statutes. According to the applicants, the slightly complex transactional structure involved here is due to specific language in the applicable South Dakota statutes making it necessary that ECRRA first acquire the Yale-Huron line from DM&E and then, in turn, transfer the line to SDRA, before it can ultimately be acquired by SDDOT.

The applicants certify that their projected annual revenues as a result of these transactions will not result in the creation of a Class II or Class I rail carrier and further certify that the projected annual revenues of each of the applicants will not exceed \$5 million.

Pursuant to the Consolidated Appropriations Act, 2008, Public Law No. 110-161, § 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. Petitions to stay must be filed no later than November 12, 2008

(at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket Nos. 35184 and 35185, 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: (1) For ECRRA—Douglas E. Kludt, Churchill, Manolis, Freeman, Kludt, Shelton and Burns, 333 Dakota Avenue, South, P.O. Box 176, Huron, SD 57350; and (2) for SDRA and SDDOT—Myles L. Tobin, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606.

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

Decided: October 29, 2008.

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

**Jeff Herzig,**

*Clearance Clerk.*

[FR Doc. E8-26344 Filed 11-4-08; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35106]

#### United States Department of Energy— Rail Construction and Operation— Caliente Rail Line in Lincoln, Nye, and Esmeralda Counties, NV

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of Public Hearing.

**SUMMARY:** The Surface Transportation Board will hold a public hearing concerning the application the Department of Energy (DOE) filed in the above docket. The purpose of the hearing will be to allow interested persons to comment on the application.

**DATES/LOCATIONS:** The public hearing will take place on December 4, 2008, beginning at 9 a.m., at the Nuclear Regulatory Commission's Las Vegas Hearing Facility—Pacific Enterprise Plaza, Building No. 1, 3250 Pepper Lane, Las Vegas, NV 89120. Any person wishing to speak at the hearing must file with the Board a written notice of intent to participate, identifying (1) the party represented, (2) the proposed speaker, and (3) the number of minutes requested. Notices of intent to participate should be filed as soon as possible, but no later than November 14, 2008. Following receipt of notices of intent, the Board will release a schedule of speakers for the hearing. In the event that the Board receives more requests to participate than can reasonably be

accommodated in a one-day hearing, the Board will give priority to elected officials and current parties of record in the construction application proceeding.

**ADDRESSES:** Notices of intent to participate in the hearing may be submitted either via the Board's e-filing format or in the traditional paper format. Any person using e-filing should attach a document and otherwise comply with the Board's "<http://www.stb.dot.gov>" Web site, at the "E-FILING" link. Any person submitting a filing in the traditional paper format should send the filing to: Surface Transportation Board, Attn: STB Finance Docket No. 35106, 395 E Street, SW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION, CONTACT:**

Joseph Dettmar, (202) 245-0395.

[Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339.]

**SUPPLEMENTARY INFORMATION:** On March 17, 2008, DOE filed an application seeking authority to construct and operate an approximately 300-mile rail line. The line, to be known as the Caliente Line, would connect an existing Union Pacific Railroad Company line near Caliente, NV, to a proposed geologic repository at Yucca Mountain, Nye County, NV.<sup>1</sup> The purpose of this proposed rail line is to allow DOE to transport materials needed to construct the proposed repository as well as spent nuclear fuel and high-level radioactive waste to the completed repository for disposal. DOE has also proposed the line so that common carrier rail service can reach communities situated along the line.

On April 11, 2008, the Board published a **Federal Register** notice (74 FR 20748) announcing DOE's application. The Board, on its own motion, established a procedural schedule with filing due dates longer than those set forth in the Board's regulations. See 49 CFR 1150.10(g) and (h). Pursuant to the schedule, parties submitted comments on the transportation aspects of DOE's proposed line, and DOE submitted a reply to the comments. As the transportation record has developed in this proceeding, so has the environmental record. Both records are currently under review at the Board.

At the hearing, the Board will hear testimony concerning DOE's application to construct and operate the rail line. Speakers at the hearing may, but are not required to, bring written copies of their

<sup>1</sup> The proposed repository is not subject to the Board's jurisdiction, and DOE does not seek this agency's authority to construct and operate it.

testimony to the hearing and offer those statements for the record in the proceeding.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Dated: October 31, 2008.

**Kulunie L. Cannon,**

*Clearance Clerk.*

[FR Doc. E8-26381 Filed 11-4-08; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

October 30, 2008.

The Department of the Treasury will submit the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13 on or after the date of publication of this notice. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, and 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before December 5, 2008 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-1811.

*Type of Review:* Extension.

*Title:* REG-150313-01 (NPRM)  
Redemptions Taxable as Dividends.

*Description:* This information is necessary to ensure that the redeemed shareholder's suspended basis account is properly taken into account as a loss under the Code or regulations to the extent of the lesser of the amount of the suspended basis account or the gain recognized upon a disposition of other stock in the redeeming corporation.

*Respondents:* Individuals or Households.

*Estimated Total Burden Hours:* 1,500 hours.

*Clearance Officer:* Glenn P. Kirkland, (202) 622-3428, Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Nicholas A. Fraser, (202) 395-5887, Office of Management and Budget, Room 10235, New

Executive Office Building, Washington, DC 20503.

**Celina Elphage,**

*Treasury PRA Clearance Officer.*

[FR Doc. E8-26408 Filed 11-4-08; 8:45 am]

**BILLING CODE 4810-01-P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0580]

### Agency Information Collection (Request for Transportation Expense Reimbursement Activities Under OMB Review

**AGENCY:** Veterans Benefits Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

**DATE:** Comments must be submitted on or before December 5, 2008.

**ADDRESSES:** Submit written comments on the collection of information through <http://www.Regulations.gov> or to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503 (202) 395-7316. Please refer to "OMB Control No. 2900-0580" in any correspondence.

**FOR FURTHER INFORMATION CONTACT:** Denise McLamb, Records Management Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 461-7485, FAX (202) 273-0443 or e-mail [denise.mclamb@mail.va.gov](mailto:denise.mclamb@mail.va.gov). Please refer to "OMB Control No. 2900-0580."

#### SUPPLEMENTARY INFORMATION:

*Title:* Request for Transportation Expense Reimbursement (38 CFR 21.8370).

*OMB Control Number:* 2900-0580.

*Type of Review:* Extension of a currently approved collection.

*Abstract:* Children of Vietnam veterans born with spina bifida and receiving vocational training or seeking employment may request reimbursement for transportation expenses. To be eligible, the child must

provide supportive documentation of actual expenses incurred for the travel. VA uses the information collected to determine if the child is unable to pursue a vocational training or employment without travel assistance.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on August 27, 2008, at pages 50673-50674.

*Affected Public:* Individuals or households.

*Estimated Annual Burden:* 63 hours.

*Estimated Average Burden per*

*Respondent:* 6 minutes.

*Frequency of Response:* Monthly.

*Estimated Number of Respondents:*

50.

*Estimated Total Annual Responses:*

600.

Dated: October 28, 2008.

By direction of the Secretary.

**Denise McLamb,**

*Program Analyst, Records Management Service.*

[FR Doc. E8-26356 Filed 11-4-08; 8:45 am]

**BILLING CODE 8320-01-P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0519]

### Agency Information Collection (Locality Pay System for Nurses and Other Health Care Personnel) Under OMB Review

**AGENCY:** Veterans Health Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-21), this notice announces that the Veterans Health Administration (VHA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before December 5, 2008.

**ADDRESSES:** Submit written comments on the collection of information through <http://www.Regulations.gov>; or to VA's OMB Desk Officer, OMB Human