

**Authority:** 49 U.S.C. 60118 (c)(1) and 49 CFR 1.53.

Issued in Washington, DC, on April 8, 2011.

**Jeffrey D. Wiese,**

*Associate Administrator for Pipeline Safety.*

[FR Doc. 2011-9226 Filed 4-14-11; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. AB 1043 (Sub-No. 2X)]

#### Montreal, Maine & Atlantic Railway, Ltd.—Abandonment Exemption—in Aroostook County, ME

On March 28, 2011, Montreal, Maine & Atlantic Railway, Ltd. (MMA) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a .4-mile rail line extending between milepost V 23.72 at Bridge Street and milepost V 24.12 at Main Street, in Van Buren, Aroostook County, Me. The line traverses United States Postal Service Zip Code 04785.

In addition to an exemption from the provisions of 49 U.S.C. 10903, MMA seeks exemption from 49 U.S.C. 10904 (offer of financial assistance (OFA) procedures) and 49 U.S.C. 10905 (public use conditions). MMA also seeks relief from the trail use provisions of the Board's regulations at 49 CFR 1152.29. In support, MMA states that, upon receipt of abandonment authority, it plans to sell the .4-mile rail line and its transloading yard to the United States General Services Administration (GSA). In turn, GSA plans to use the property, together with other property that GSA has acquired, to construct a new land port of entry facility for the U.S. Customs and Border Protection Agency. MMA also seeks expedited action in this proceeding. These requests will be addressed in the final decision.

The line does not contain federally granted rights-of-way. Any documentation in MMA's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by July 15, 2011.

Any OFA under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,500 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than May 5, 2011. Each trail use request must be accompanied by a \$250 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to Docket No. AB 1043 (Sub-No. 2X), and must be sent to: (1) Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001; and (2) James E. Howard, 1 Thompson Square, Suite 201, Charlestown, MA 02129. Replies to MMA's petition are due on or before May 5, 2011.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238 or refer to the full abandonment or discontinuance regulations at 49 CFR pt. 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis (OEA) at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by OEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact OEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Board decisions and notices are available on our Web site at "[www.stb.dot.gov](http://www.stb.dot.gov)."

Decided: April 8, 2011.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2011-9029 Filed 4-14-11; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35478]

#### Rocky Mountain Railcar and Repair, Inc.—Acquisition and Operation Exemption—Line of Railroad in Tooele County, UT

Rocky Mountain Railcar and Repair, Inc. (Rocky Mountain), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Utah Industrial Depot and operate 11.5 miles of rail line, located inside an existing industrial facility in Tooele County, Utah.<sup>1</sup> The rail line includes a spur that connects to the Union Pacific Railroad Company main line.

According to Rocky Mountain, the transaction is expected to be consummated on or after September 28, 2011 (180 days after the exemption was filed); this is after the May 1, 2011 effective date of the exemption (30 days after the exemption was filed).

Rocky Mountain certifies that its projected annual revenues as a result of this transaction will not result in Rocky Mountain becoming a Class II or Class I rail carrier. Rocky Mountain further certifies that its projected annual revenues upon becoming a Class III carrier will not exceed \$5 million.

If the 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 April 22, 2011 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35478, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Trent D. Stirling, Rocky Mountain Railcar and Repair, Inc., 1485 W. James Way, Tooele, UT 84074.

Board decisions and notices are available on our Web site at "[www.stb.dot.gov](http://www.stb.dot.gov)."

Decided: April 12, 2011.

<sup>1</sup> Rocky Mountain states that it currently operates a railcar repair facility, but that it seeks to become a common carrier.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2011-9167 Filed 4-14-11; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 34554 (Sub-No. 15)]

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

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Partial Revocation of Exemption.

**SUMMARY:** Under 49 U.S.C. 10502, the Board revokes the class exemption as it pertains to the trackage rights described in Docket No. FD 34554 (Sub-No. 14)<sup>1</sup> to permit the trackage rights to expire on or about December 18, 2011, in accordance with the agreement of the parties,<sup>2</sup> subject to the employee

<sup>1</sup> In that docket, on January 27, 2011, Union Pacific Railroad Company (UP) filed a verified notice of exemption under the Board's class exemption procedures at 49 CFR 1180.2(d)(7). The notice covered the agreement by BNSF Railway Company (BNSF) to extend to December 18, 2011, the expiration date of the local trackage rights granted to UP over BNSF's line of railroad extending from BNSF milepost 579.3 near Mill Creek, Okla., to BNSF milepost 631.1 near Joe Junction, Tex., a distance of approximately 52 miles. UP submits that while the trackage rights are only temporary rights, because they are "local" rather than "overhead" rights, they do not qualify for the Board's class exemption for temporary trackage rights under 49 CFR 1180.2(d)(8). See *Union Pac. R.R.—Temporary Trackage Rights Exemption—BNSF Ry.*, FD 34554 (Sub-No. 14) (STB served February 11, 2011).

<sup>2</sup> The trackage rights were originally granted in *Union Pacific Railroad—Temporary Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway*, FD 34554 (STB served Oct. 7, 2004). Subsequently, the parties filed several notices of exemption based on their agreements to extend expiration dates of the same trackage rights. See FD 34554 (Sub-No. 2) (STB served February 11, 2005); FD 34554 (Sub-No. 4) (STB served March 3, 2006); FD 34554 (Sub-No. 6) (STB served January 12, 2007); FD 34554 (Sub-No. 8) (STB served January 4, 2008); FD 34554 (Sub-No. 10) (STB served January 8, 2009); and FD 34554 (Sub-No. 12) (STB served December 31, 2009). Because the original and subsequent trackage rights were filed under the class exemption at 49 CFR 1180.2(d)(7), under which trackage rights normally remain effective indefinitely, in each instance the Board granted partial revocation of the class exemption to permit the authorized trackage rights to expire. See FD 34554 (Sub-No. 1) (STB served November 24, 2004); FD 34554 (Sub-No. 3) (STB served March 25, 2005); FD 34554 (Sub-No. 5) (STB served March 23, 2006); FD 34554 (Sub-No. 7) (STB served March 13, 2007); FD 34554 (Sub-No. 9) (STB served March 20, 2008); FD 34554 (Sub-No. 11) (STB served March 11, 2009); and FD 34554 (Sub-No. 13) (STB served March 15, 2010). At the time

protective conditions set forth in *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth and Ammon, in Bingham and Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979).

**DATES:** This decision is effective on May 15, 2011. Petitions to stay must be filed by April 25, 2011. Petitions for reconsideration must be filed by May 5, 2011.

**ADDRESSES:** Send an original and 10 copies of all pleadings, referring to Docket No. FD 34554 (Sub-No. 15) to: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on UP's representative: Elisa B. Davies, General Attorney, Union Pacific Railroad Company, 1400 Douglas Street, Mail Stop 1580, Omaha, NE 68179.

**FOR FURTHER INFORMATION CONTACT:** Julia Farr, (202) 245-0359. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. Board decisions and notices are available on our Web site at "[www.stb.dot.gov](http://www.stb.dot.gov)."

Decided: April 7, 2011.

By the Board, Chairman Elliott and Commissioner Mulvey.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2011-9057 Filed 4-14-11; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### Proposed Collection; Comment Request

**ACTION:** Notice and request for comments.

**SUMMARY:** The U.S. Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed

of the extension authorized in Docket No. FD 34554 (Sub-No. 12), the parties anticipated that the authority to allow the rights to expire would be exercised by December 18, 2010. However, the parties filed on January 27, 2011, in Docket No. FD 34554 (Sub-No. 14) their most recent notice of exemption so that the trackage rights could be extended to December 18, 2011, and in Docket No. FD 34554 (Sub-No. 15) their latest petition to partially revoke the class exemption to permit expiration, which we are addressing here.

information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Community Development Financial Institutions (CDFI) Fund, Department of the Treasury, is soliciting comments concerning the Capital Magnet Fund (CMF) Environmental Review Notification Report (ERNR).

**DATES:** Written comments should be received on or before June 14, 2011 to be assured of consideration.

**ADDRESSES:** Direct all comments to David Dworkin, Program Manager, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, by e-mail to [cdfihelp@cdfi.treas.gov](mailto:cdfihelp@cdfi.treas.gov) or by facsimile to (202) 622-7754. This is not a toll free number.

**FOR FURTHER INFORMATION CONTACT:** The CMF Environmental Review Notification Report may be obtained from the CMF page of the CDFI Fund's Web site at <http://www.cdfifund.gov>. Requests for additional information should be directed to David Dworkin, Program Manager, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, or call (202) 622-6355. This is not a toll free number.

**SUPPLEMENTARY INFORMATION:**  
*Title:* Capital Magnet Fund Environmental Review Notification Report.

*Abstract:* The purpose of the CMF is to competitively award grants to certified CDFIs and qualified nonprofit housing organizations to finance affordable housing and related community development projects. The CMF was authorized in July of 2008 under Section 1339 of the Housing and Economic Recovery Act of 2008 (Pub. L. 110-289), and \$80 million was appropriated for this initiative under the Consolidated Appropriations Act of 2010 (Pub. L. 111-117). Successful CMF Applicants who receive awards must enter into assistance agreements with the CDFI Fund. The assistance agreement will set forth certain required terms and conditions of the award, including reporting and data collection requirements. The assistance agreement also requires the awardee to complete and submit the ERNR each time the awardee identifies a new CMF project for which (i) a categorical exclusion does not apply, or (ii) the awardee determines that the proposed project does involve actions that normally require an Environmental Impact Statement; as described in the CDFI