

information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: The target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

The Agency received no comments in response to the 60-day notice published in the **Federal Register** of December 22, 2010 (75 FR 80542).

Below we provide the Surface Transportation Board's projected average estimates for the next three years:¹

Current Actions: New collection of information.

Type of Review: New Collection.

Affected Public: Individuals and Households, Businesses and Organizations, State, Local or Tribal Government.

Average Expected Annual Number of activities: 5.

Respondents: 15 (for one focus group), 150 (for each of two surveys), 200 (for each of two comments card requests).

Annual responses: 15 (for focus groups), 300 (for surveys), 400 (for comment cards)

Frequency of Response: Once per request.

Average minutes per response: 24 minutes (2 hours per focus group, 36 minutes per survey, 10 minutes per comment card).

Burden hours: 277.

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

¹ The 60-day notice included the following estimate of the aggregate burden hours for this generic clearance Federal-wide:

Average Expected Annual Number of activities: 25,000.

Average number of Respondents per Activity: 200.

Annual responses: 5,000,000.

Frequency of Response: Once per request.

Average minutes per response: 30.

Burden hours: 2,500,000.

Office of Management and Budget control number.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2011-14784 Filed 6-14-11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35524]

Canexus Chemicals Canada L.P. v. BNSF Railway Company

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice of Oral Argument.

SUMMARY: In a decision served on June 8, 2011, the Board announced that it has tentatively scheduled an oral argument in this complaint proceeding.

Dates/Location: The oral argument is tentatively scheduled to be held Thursday, June 23, 2011, at 2 p.m., or at a later time that afternoon designated by the Board, in the hearing room at the Board's headquarters located at 395 E Street, SW., Washington, DC.

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: Canexus Chemicals Canada L.P. (Canexus) has filed a complaint with a request for expedited consideration. The complaint asks the Board to issue an order compelling BNSF Railway Company (BNSF) to establish common carrier rates and service terms effective July 1, 2011, between North Vancouver, B.C., and Kansas City, Mo., and between Marshall, Wash., and Kansas City, Mo.

Currently, BNSF is hauling Canexus shipments of chlorine from North Vancouver and Marshall to Kansas City in joint line service under temporary rates that terminate on June 30, 2011. According to the complaint, BNSF interchanges with Union Pacific Railroad Company (UP) in Kansas City and the shipments are hauled by UP to their final destinations in Illinois, Texas, and Arkansas. Canexus states that BNSF will terminate the interline service with UP through Kansas City after the temporary rates expire. Instead, BNSF has offered to interchange with UP at Spokane, Wash. (for movements originating from Marshall), and Portland, Or. (for movements originating from North Vancouver).

In the June 8, 2011 decision, the Board directed BNSF by June 15, 2011, to submit its argument as to whether BNSF has a legal obligation to provide the specific service to Kansas City that Canexus has requested and to establish an appropriate rate. The Board noted that UP has an interest in this matter as a carrier involved in these movements. Accordingly, the Board also directed UP by June 15, 2011, to submit a pleading addressing its legal obligation, if any, to interchange with BNSF at Spokane and Portland. Lastly, in the decision, the Board advised Canexus, BNSF, and UP that the Board may, following the receipt of the pleadings, convene an oral hearing to receive testimony from Canexus and the two railroads during the afternoon of June 23, 2011, at the Board's headquarters. If the Board determines that a hearing is necessary, it will issue a subsequent notice setting the time no later than June 16, 2011.

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

Decided: June 10, 2011.

By the Board.

Rachel D. Campbell,

Director, Office of Proceedings.

Jeffrey Herzig,

Clearance Clerk.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

Release of Waybill Data

The Surface Transportation Board has received a request from Sidley Austin LLP on behalf of Norfolk Southern Railway Company (WB484-1-6/7/11), for permission to use certain data from the Board's 2000-2009 Carload Waybill Samples. A copy of the request may be obtained from the Office of Economics.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

Contact: Scott Decker, (202) 245-0330.

Jeffrey Herzig,

Clearance Clerk.

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