

River I.⁴ As explained in more detail in that decision, the Board required TRRC to file a revised application that would present the its current plans to build a rail line between Miles City and Ashland. In addition, the Board announced that it would conduct a new environmental review, rather than a supplemental environmental review based on the three prior environmental reviews conducted in *Tongue River I*, *Tongue River II*, and *Tongue River III*.

In its revised application filed on October 16, 2012, TRRC proposed to go forward with the *Tongue River I* project, although in modified form.⁵ After reviewing the submission, the Board, in a decision served on November 1, 2012, clarified that the Board's review in this proceeding would include not only the new environmental review of the entire construction project, but also an examination of the transportation merits supporting the entire *Tongue River I* line.⁶ The November 1 decision also directed TRRC to supplement the revised application to provide a sufficient record for the Board's review, including additional evidence and argument in support of the transportation merits. Finally, the decision established a new procedural schedule for filings on the transportation merits appropriate for this proceeding and required that TRRC publish notices consistent with that decision.

On December 17, 2012, TRRC filed a supplemental application intended to supersede the October 16 filing. TRRC explained that, in its October 16 application, it had proposed the construction of a line between Miles City, Mont., and Ashland/Otter Creek, Mont., following a line similar to that approved by the ICC in 1986. However, TRRC now proposes a different routing, known as the Colstrip Alignment, as its preferred alignment.⁷

According to TRRC, it would construct the line, and the line would be operated solely by BNSF Railway

Company (BNSF), which owns a one-third interest in TRRC's parent company, Tongue River Holding Company, LLC. TRRC states that, if selected as the preferred route, the 42-mile Colstrip Alignment would provide rail transportation for low sulfur, sub-bituminous coal from proposed mines in Rosebud and Powder River Counties, Mont., to an existing BNSF line, and consequently to the rest of the national rail network. Specifically, the line would connect at the north end with an existing and lightly used BNSF line known as the Colstrip Subdivision, which currently connects with the Forsyth Subdivision at Nichols Wye, a point approximately 6 miles west of Forsyth and approximately 50 miles west of Miles City. At its southern end, the Colstrip Alignment would have the same two termini south of Ashland as those proposed by TRRC in its October 16 filing. Terminus Point 1 would, therefore, be at the previously proposed Montco Mine location, and Terminus Point 2 would lie along the Otter Creek drainage. TRRC claims that the Colstrip Alignment offers the shortest, most cost effective, and least environmentally impactful routing for the proposed line.

Comments on the transportation aspects of TRRC's supplemental application may be filed on or before March 1, 2013. Interested persons need not be on the service list to file comments on TRRC's supplemental application, but they must serve a copy of their filing on TRRC and those on the service list. At that point, the commenting party will be added to the service list. TRRC may file a reply to the comments on or before April 15, 2013.

The Board's environmental review for this rail construction project is proceeding separately from our review of its transportation merits. Because the construction and operation of this project has the potential to result in significant environmental impacts, the Board's Office of Environmental Analysis (OEA) has determined that the preparation of an Environmental Impact Statement (EIS) is appropriate. OEA issued a notice to stakeholders and the public on October 22, 2012, announcing its intent to prepare the EIS and requesting comments on a draft scope of study. In November, OEA held scoping meetings in the project area to assist in defining the range of issues and alternatives to be considered in the EIS. Comments on the scope of the EIS must be submitted to OEA by January 11, 2013. Subsequently, OEA will issue a final scope of study for the EIS. Following the completion of scoping, OEA will prepare and issue a Draft EIS for public review and comment. The

comments received will be addressed in a Final EIS. The Draft and Final EISs (including the public comments) will serve as the basis for OEA's recommendations to the Board regarding whether, from an environmental perspective, TRRC's supplemental application should be granted, granted with environmental conditions, or denied.

The Board's decision on TRRC's supplemental application then will take into consideration both the transportation merits and the environmental impacts of constructing and operating the proposed line.

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

Board decisions and notices are available on our Web site at www.stb.dot.gov.

Decided: January 4, 2013.

By the Board, Chairman Elliott, Vice Chairman Begeman, and Commissioner Mulvey.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2013-00242 Filed 1-8-13; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF THE TREASURY

Proposed Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork burdens, invites the general public and other Federal agencies to comment on a currently approved information collection that is due for extension approval by the Office of Management and Budget. The Terrorism Risk Insurance Program Office within the Department of the Treasury is soliciting comments concerning the Record Keeping Requirements set forth in 31 CFR part 50.8.

DATES: Written comments must be received on or before March 11, 2013.

ADDRESSES: Submit comments by email to triacomments@do.treas.gov or by mail (if hard copy, preferably an original and two copies) to: Terrorism Risk Insurance Program, Public Comment Record, Suite 2100, Department of the Treasury, 1425 New York Ave. NW., Washington, DC 20220. Because paper mail in the Washington DC area may be subject to delay, it is recommended that comments be submitted electronically.

⁴ See *Tongue River R.R.—Rail Constr. and Operation—In Custer, Powder River and Rosebud Cntys., Mont.*, FD 30186, et al., slip op. at 2 (STB served June 18, 2012).

⁵ Although the decision granting *Tongue River I* authorized the construction of an 89-mile line, TRRC described the line in its October 16 filing as being approximately 83 miles in length, based on refinements that would straighten and shorten the alignment.

⁶ The Board's review of construction applications is governed by 49 U.S.C. 10901, its regulations at 49 CFR 1150.1–1150.10, and the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. 4321–4370f (and related environmental laws).

⁷ The ICC had examined a variation on the Colstrip Alignment as a potential route in *Tongue River I*.

All comments should be captioned with "PRA Comments—Recoupment Procedures of the Terrorism Risk Insurance Act (TRIA)". Please include your name, affiliation, address, email address and telephone number in your comment. Comments will be available for public inspection by appointment only at the Reading Room of the Treasury Library. To make appointments, call (202) 622-0990 (not a toll-free number).

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to: Terrorism Risk Insurance Program Office at (202) 622-6770 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

OMB Number: 1505-0190.

Title: Terrorism Risk Insurance Program-Conflict of Interest Rebuttal Procedures of the Terrorism Risk Insurance Act.

Abstract: Sections 103 (a) and 104 of the Terrorism Risk Insurance Act of 2002 (Pub. L. 107-297) (as extended by the Terrorism Risk Insurance Extension Act of 2005 (Pub.L. 109-144) and the Terrorism Risk Insurance Program Reauthorization Act of 2007 (Pub.L. 110-160) authorize the Department of the Treasury to administer and implement the Terrorism Risk Insurance Program established by the Act. Section 102 (2) of the Terrorism Risk Insurance Act of 2002 defines an "affiliate" with respect to an insurer as "* * * any entity that controls, is controlled by, or is under common control with the insurer". Section 102 (3) of the Act defines "Control". Section 102(6) defines "insurer" to include "* * * any affiliate thereof". Taken together these definitions comprise one element in calculating costs and payments to the insurer under the Program. As such, there could be questions as to whether an affiliate relation exists between specific insurers. The referenced Regulation sets forth information which, if provided by an insurer on its initiative, could rebut presumptions that, if not refuted, would lead to a determination that an affiliate relationship exists. This clearance action is for the data submission specified in 31 CFR 50.8.

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

Affected Public: Business/Financial Institutions.

Estimated Number of Respondents: 10
Estimated Average Time per Respondent: 4 hours.

Estimated Total Annual Burden Hours: 400 hours.

Request for Comments: An agency may not conduct or sponsor, and a

person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collections; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Jeffrey S. Bragg,

Director, Terrorism Risk Insurance Program.

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BILLING CODE 4810-25-P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Unblocking of One Individual and One Entity Blocked Pursuant to Executive Order 13315 of August 28, 2003

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The Treasury Department's Office of Foreign Assets Control ("OFAC") is removing the names of 1 individual and 1 entity whose property and interests in property were blocked pursuant to Executive Order 13315 of August 28, 2003, "Blocking Property of the Former Iraqi Regime, Its Senior Officials and Their Family Members, and Taking Certain Other Actions" from the list of Specially Designated Nationals and Blocked Persons ("SDN List").

DATES: The removal of the individual and entity from the SDN List is effective as of January 3, 2013.

FOR FURTHER INFORMATION CONTACT: Assistant Director, Compliance Outreach & Implementation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, tel.: 202/622-2490.

SUPPLEMENTARY INFORMATION:

Electronic and Facsimile Availability

This document and additional information concerning OFAC are available from OFAC's Web site (www.treas.gov/ofac) or via facsimile through a 24-hour fax-on-demand service, tel.: 202/622-0077.

Background

On August 28, 2003, the President issued Executive Order 13315 (the "Order") pursuant to the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq.*, the National Emergencies Act, 50 U.S.C. 1601 *et seq.*, section 5 of the United Nations Participation Act, as amended, 22 U.S.C. 287c, section 301 of title 3, United States Code, and in view of United Nations Security Council Resolution 1483 of May 22, 2003. In the Order, the President expanded the scope of the national emergency declared in Executive Order 13303 of May 22, 2003, to address the unusual and extraordinary threat to the national security and foreign policy of the United States posed by obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in that country, and the development of political, administrative, and economic institutions in Iraq. The Order blocks the property and interests in property of, *inter alia*, persons listed on the Annex to the Order.

On July 30, 2004, the President issued Executive Order 13350, which, *inter alia*, replaced the Annex to Executive Order 13315 with a new Annex that included the names of individuals and entities, including individuals and entities that had previously been designated under Executive Order 12722 and related authorities.

The Department of the Treasury's Office of Foreign Assets Control has determined that the following individual and entity should be removed from the SDN List:

Individual

1. SPECKMAN, Jeanine, United Kingdom (individual) [IRAQ2].

Entity

1. EUROMAC EUROPEAN MANUFACTURER CENTER SRL, Via Ampere 5, Monza 20052, Italy [IRAQ2].

The removal of the individual's and entity's names from the SDN List is effective as of January 3, 2013. All property and interests in property of the individual and entity that are in or hereafter come within the United States or the possession or control of United States persons are now unblocked.