

materials to properly classify and describe the hazardous material being offered for transportation. 49 CFR 173.22. As part of this process, proper characterization of a hazardous material (considering the material's underlying chemical properties, corrosivity, and other characteristics) is fundamental to ensuring the selection of proper packaging and that the hazards of the materials are properly described in the required shipping documentation. Proper characterization will identify properties that may not affect classification, but will affect the integrity of the packaging or present additional hazards, such as corrosivity, sulfur content and dissolved gas content. Ensuring the proper classification, characterization, and PG assignment of a hazardous material is a key building block of the HMR, and is especially important for assessing risks and developing a safety and security plan. To aid in this process, we are emphasizing key definitions and information from 49 CFR 173.120 and 173.121 regarding the proper classification and packing group assignment for petroleum crude oil, namely: The definitions of flash point, flammable liquid, combustible liquid and packing group. We are also emphasizing the following applicable shipping names and packing groups as they pertain to the transportation of petroleum products:

- i. *Crude oil*. Petroleum crude oil, UN 1267, is specifically listed in the Hazardous Materials Table (49 CFR 172.101) as a Class 3 material, in Packing Groups I, II, or III.
- ii. *Sour crude*. Petroleum sour crude, oil, flammable, toxic, UN 3494, is specifically listed in the Hazardous Materials Table (49 CFR 172.101) as a Class 3 material, in Packing Groups I, II, or III.

Offerors of hazardous materials for transportation by rail must ensure that their current practices and operations align with HMR requirements, especially in regard to existing safety and security planning requirements for Class 3 materials.

B. Carriers

EO 28 prohibits railroads from leaving trains or vehicles transporting certain types and quantities of hazardous materials unattended on a mainline track or a mainline siding outside of a yard or terminal, until the railroad develops, adopts, and complies with a plan that identifies specific locations and circumstances where the railroad has determined that such trains or vehicles may be safely left unattended. Accordingly, EO 28 requires railroads to

implement "securement plans" to leave unattended any train or vehicle transporting the identified hazardous materials on a mainline track or siding outside of a yard or terminal. FRA and PHMSA would like to clarify that although these "securement plans" are separate and distinct from the safety and security plans required by the HMR, the agencies expect rail carriers that have developed and implemented "securement plans" as provided for in EO 28 to evaluate the safety and security risks of leaving the equipment subject to the plan unattended and review and revise, as appropriate, their corresponding safety and security plans, including the required underlying risk assessment, required by the HMR to reflect the increased risk of leaving the equipment unattended.

III. PHMSA's and FRA's Enforcement Efforts

PHMSA and FRA are assessing regulated entities' compliance with the expectations outlined in the First Joint Advisory and this safety advisory to ensure the safe transportation of hazardous materials by rail. Recently, PHMSA initiated "Operation Classification." This compliance investigation initiative involves unannounced inspections and testing by PHMSA and FRA to verify the material classification and packing group assignments selected and certified by offerors of petroleum crude oil. In addition, PHMSA is accompanying FRA on audits to evaluate safety and security plans and to determine whether the plans address vulnerabilities highlighted in EO 28 and the First Joint Advisory. FRA is also conducting additional inspections to determine compliance with EO 28.

Issued in Washington, DC, on November 14, 2013.

Magdy El-Sibaie,

Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.

Robert C. Lauby,

Associate Administrator for Railroad Safety/ Chief Safety Officer, Federal Railroad Administration.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35782]

Buckeye Railroad Holdings, LLC—Continuance in Control—Buckeye Hammond Railroad, LLC, and Buckeye East Chicago Railroad, LLC

Buckeye Railroad Holdings, LLC (BRH), has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Buckeye Hammond Railroad, LLC (BHRR), and Buckeye East Chicago Railroad, LLC (BECRR), both Class III rail carriers.

In November 2012, BECRR filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Buckeye Partners, L.P. (Buckeye), a noncarrier, and to operate approximately 7,065 feet of track, existing railroad right-of-way, and bulk liquid transloading facilities in East Chicago, Ind. *Buckeye E. Chi. R.R.—Acquis. & Operation Exemption—Buckeye Partners, L.P.*, FD 35698 (STB served Nov. 30, 2012). In December 2012, BHRR filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Buckeye and to operate approximately 6,797 feet of track, existing railroad right-of-way, and bulk liquid transloading facilities in Hammond, Ind. *Buckeye Hammond R.R.—Acquis. & Operation Exemption—Buckeye Partners, L.P.*, FD 35697 (STB served Jan. 3, 2013).

According to BRH, it owned and controlled both BECRR and BHRR before each became a Class III carrier. But BRH did not file for continuance in control authority until it filed this verified notice of exemption with the Board on November 4, 2013. Thus, the effective date of the exemption is December 4, 2013 (30 days after the verified notice of exemption was filed).¹

BRH represents that: (1) BECRR and BHRR do not connect with each other or any railroads in their corporate family; (2) the continuance in control of BECRR and BHRR is not part of a series of anticipated transactions that would connect the railroads with each other or any railroads in their corporate family; and (3) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory

¹ The class exemption invoked by BRH does not provide for retroactive effectiveness. See *DMH Trust fbo Martha M. Head—Acquis. of Control Exemption—Red River Valley & W. R.R. & Rutland Line, Inc.*, FD 35649 (STB served Aug. 8, 2012).

obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here because all of the carriers involved are Class III carriers.

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. Stay petitions must be filed no later than November 27, 2013 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35782, 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 Charles A. Spitulnik, Kaplan Kirsch & Rockwell LLP, 1001 Connecticut Avenue NW., Suite 800, Washington, DC 20036.

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

Decided: November 14, 2013.

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

Derrick A. Gardner,
Clearance Clerk.

[FR Doc. 2013-27768 Filed 11-19-13; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0262]

Proposed Information Collection (Designation of Certifying Official(s)); Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection and allow 60 days for public

comment in response to the notice. This notice solicits comments for information needed to identify individuals authorized to certify reports on behalf of an educational institution or job training establishment.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before January 21, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at www.Regulations.gov or to Nancy J. Kessinger, Veterans Benefits Administration (20M33), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email to nancy.kessinger@va.gov. Please refer to "OMB Control No. 2900-0262" in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632-8924 or FAX (202) 632-8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104-13; 44 U.S.C. 3501-3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Titles:

a. Designation of Certifying Official(s), 22-8794.

b. Designated Official(s) Electronic Fund Transfer (EFT) Information, VA Form 22-8794a.

OMB Control Number: 2900-0262.

Type of Review: Revision of a currently approved collection.

Abstracts:

a. Educational institutions and job training establishments complete VA Form 22-8794 to provide the name of individuals authorized to certify reports on student enrollment and hours

worked on behalf of the school or training facility. VA will use the data collected to ensure that education benefits are not awarded based on reports from someone other than the designated certifying official.

b. Educational institution complete VA Form 22-8794a when there is a change to their financial institution.

Affected Public: State, Local or Tribal Government.

Estimated Annual Burden:

a. VA Form 22-8794-75.

b. VA Form 22-8794a-75.

Estimated Average Burden per

Respondent: 10 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents:

a. VA Form 22-8794-450.

b. VA Form 22-8794a-450.

Dated: November 15, 2013.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

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DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0068]

Proposed Information Collection (Application for Service-Disabled Veterans Insurance); Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to this notice. This notice solicits comments for information needed to determine a claimant's eligibility for service-disabled insurance.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before January 21, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System