

for the Rock Island Transfer Station project that is funded by FTA.

With certain exceptions, FTA's Buy America requirements prevent FTA from obligating an amount that may be appropriated to carry out its program for a project unless "the steel, iron, and manufactured goods used in the project are produced in the United States." 49 U.S.C. 5323(j)(1). A manufactured product is considered produced in the United States if: (1) All of the manufacturing processes for the product must take place in the United States; and (2) All of the components of the product must be of U.S. origin. A component is considered of U.S. origin if it is manufactured in the United States, regardless of the origin of its subcomponents. 49 CFR 661.5(d). If, however, FTA determines that "the steel, iron, and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality," then FTA may issue a waiver (non-availability waiver). 49 U.S.C. 5323(j)(2)(B); 49 CFR 661.7(c).

MetroLINK is requesting a non-availability waiver for its procurement of a VRF HVAC system that will be installed into its passenger transfer facility in Rock Island, Illinois, the Rock Island Transfer Station. This facility is being built to U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) standards and will incorporate a number of sustainable and energy efficient elements. One of those elements is a VRF HVAC system that, among other things, is space saving, has inverter technology, efficiency, and a non-ozone depleting refrigerant that domestic manufacturers of HVAC systems do not provide. According to MetroLINK, this VRF HVAC system is critical in obtaining the LEED points necessary to achieve the Silver certification (or better) that it is seeking. Thus, MetroLINK specified the brands Daikin AC and Mitsubishi or approved equal, but MetroLINK has been unable to identify a domestic manufacturer of the VRF HVAC system that meets its specifications and now requests that FTA grant a Buy America waiver.

A similar Buy America non-availability waiver was issued on June 22, 2010 by the U.S. Department of Energy (DOE) for the same VRF HVAC system. 75 FR 35447. According to MetroLINK, the U.S. DOE's determination of inapplicability (U.S. DOE's Buy America waiver for non-availability) of the American Reinvestment and Recovery Act of 2009 to the same VRF HVAC system indicates

the continued non-availability of this product.

The purpose of this notice is to publish NFRMPO request and seek public comment from all interested parties in accordance with 49 U.S.C. 5323(j)(3)(A). Comments will help FTA understand completely the facts surrounding the request, including the effects of a potential waiver and the merits of the request. A full copy of the request has been placed in docket number FTA-2013-0034.

**Dana Nifosi,**

*Deputy Chief Counsel.*

[FR Doc. 2014-03448 Filed 2-14-14; 8:45 am]

**BILLING CODE 4910-57-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 27590 (Sub-No. 4)]

#### **TTX Company, et al.—Application for Approval of Pooling of Car Service With Respect to Flatcars**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of Pooling Application and Request for Public Comments.

**SUMMARY:** On January 16, 2014, TTX Company (TTX) and certain participating railroads (collectively Applicants) filed an application to extend for 15 years TTX's flatcar pooling authority, which the Board's predecessor, the Interstate Commerce Commission (ICC), originally granted in 1974 and extended in 1989 and 1994, and the Board again extended in 2004. Under the Board's 2004 order, TTX's pooling authority is set to expire October 1, 2014. If the application seeking renewal or modification of pooling authority is pending before the Board but not yet decided by the existing expiration date, the pooling authority shall continue until 180 days after the Board has issued a final decision on the request and all appeals of that decision have been exhausted or the time to appeal has expired.

**DATES:** Any comments on the application must be filed by April 21, 2014. If comments are filed, Applicants' rebuttal is due by May 19, 2014.

**ADDRESSES:** An original and 10 copies of all pleadings, referring to Docket No. FD 27590 (Sub-No. 4), must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, one copy of each comment must be sent to each of Applicants' representatives: (1) Michael L. Rosenthal, Covington & Burling, 1201 Pennsylvania Avenue NW., Washington,

DC 20004; (2) David L. Meyer, Morrison Foerster, 2000 Pennsylvania Avenue NW., Suite 6000, Washington, DC 20006; and (3) Patrick B. Loftus, TTX Company, 101 North Wacker Drive, Chicago, IL 60606.

**FOR FURTHER INFORMATION CONTACT:** Jonathon Binet, (202) 245-0368. Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.

#### **SUPPLEMENTARY INFORMATION:**

Applicants seek the Board's approval of a 15-year extension of their pooling of flatcar service. Under 49 U.S.C. 11322(a), the Board may approve a pooling agreement if it finds that the proposal: (1) Will be in the interest of better service to the public or of economy of operation, and (2) will not unreasonably restrain competition. The proposed pooling agreement was originally approved by the ICC in *American Rail Box Car Co.—For Approval of the Pooling of Car Service with Respect to Box Cars*, 347 I.C.C. 862 (1974). The agency subsequently approved a five-year extension of TTX's pooling authority in *Trailer Train Co.—Pooling of Car Service with Respect to Flatcars*, 5 I.C.C. 2d 552 (1989); a 10-year extension in *TTX Co.—Application for Approval of the Pooling of Car Service with Respect to Flat Cars*, FD 27590 (Sub-No. 2) (ICC served Aug. 31, 1994); and another 10-year extension in *TTX Co.—Application for Approval of Pooling of Car Service with Respect to Flatcars*, 7 S.T.B. 778 (2004). The present application seeks to extend TTX's authority to continue the flatcar pool under substantively the same pooling agreement—with certain technical updates—for an additional 15 years.

In addition to TTX, Applicants are: BNSF Railway Company; Grand Trunk Western Railroad Company & Illinois Central Railroad Company (Canadian National Railway Company); Soo Line Railroad (Canadian Pacific Railway Company); CSX Transportation, Inc.; Ferrocarril Mexicano S.A. de C.V.; Kansas City Southern Railway Company; Central of Georgia Railroad Company & Norfolk Southern Railway Company; Boston & Maine Corporation (Pan Am Railways); and Union Pacific Railroad Company.

Applicants contend that, because the proposed transaction does not involve any changes in rail operations or service to shippers, neither environmental documentation nor an historic report is required. See 49 CFR 1105.6(c)(2) & 1105.8(b)(2).

Filings and Board decisions and notices are available on the Board's Web site at "[WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV)." Copies of the application may also be obtained free of charge by contacting one of Applicants' representatives, Michael L. Rosenthal, at (202) 662-6000. A copy of this notice will be served on the Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue NW., Washington, DC 20530.

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

Decided: February 12, 2014.

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

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

[FR Doc. 2014-03456 Filed 2-14-14; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35582]

#### Rail-Term Corp.—Petition for Declaratory Order

**AGENCY:** Surface Transportation Board.

**ACTION:** Request for public comments.

**SUMMARY:** On December 13, 2013, Rail-Term Corp. (Rail-Term) filed a petition for reconsideration of the Board's November 19, 2013 decision which found Rail-Term to be a "rail carrier," as defined in the Interstate Commerce Act at 49 U.S.C. 10102(5), and, therefore, subject to the Board's jurisdiction. In response to filings by the Association of American Railroads (AAR), the American Short Line and Regional Railroad Association (ASLRRA), and the National Railroad Construction and Maintenance Association, Inc. (NRC), the Board is allowing the public to file comments as *amicus curiae* and allowing AAR,

ASLRRA, and NRC to participate as *amicus curiae*.

**DATES:** Comments in support of reconsideration are due by March 10, 2014. Replies in opposition to reconsideration are due by March 31, 2014.

**ADDRESSES:** Comments and replies 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 instructions at the E-FILING link on the Board's Web site, at <http://www.stb.dot.gov>. Any person submitting a filing in the traditional paper format should send an original and 10 copies, referring to Docket No. FD 35582, to: Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION CONTACT:** Jonathon Binet, (202) 245-0368.

Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at (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: February 12, 2014.

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

**Derrick A. Gardner,**  
*Clearance Clerk.*

[FR Doc. 2014-03417 Filed 2-14-14; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Fiscal Service

#### Surety Companies Acceptable on Federal Bonds: Termination, Kansas Bankers Surety Company

**AGENCY:** Bureau of the Fiscal Service, Fiscal Service, Department of the Treasury.

**ACTION:** Notice.

**SUMMARY:** This is Supplement No. 3 to the Treasury Department Circular 570, 2013 Revision, published July 1, 2013, at 78 FR 39440.

**FOR FURTHER INFORMATION CONTACT:** Surety Bond Branch at (202) 874-6850.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the Certificate of Authority issued by the Treasury to Kansas Bankers Surety Company (NAIC# 15962) under 31 U.S.C. 9305 to qualify as an acceptable surety on Federal bonds is terminated immediately. Federal bond-approving officials should annotate their reference copies of the Treasury Department Circular 570 ("Circular"), 2013, Revision, to reflect this change.

With respect to any bonds currently in force with this company, bond-approving officers may let such bonds run to expiration and need not secure new bonds. However, no new bonds should be accepted from this company and bonds that are continuous in nature should not be renewed.

The Circular may be viewed and downloaded through the Internet at [www.fms.treas.gov/c570](http://www.fms.treas.gov/c570).

Questions concerning this notice may be directed to the U.S. Department of the Treasury, Bureau of the Fiscal Service, Surety Bond Branch, 3700 East-West Highway, Room 6F01, Hyattsville, MD 20782.

Dated: February 5, 2014.

**Kevin McIntyre,**  
*Manager, Financial Accounting and Services,  
Bureau of the Fiscal Service.*

[FR Doc. 2014-03237 Filed 2-14-14; 8:45 am]

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