

its decision to exempt these 23 individuals from the vision requirement in 49 CFR 391.41(b)(10). That final decision to grant the exemption to each of these individuals was based on the merits of each case and only after careful consideration of the comments received to its Notices of applications. Those Notices of applications stated in detail the qualifications, experience, and medical condition of each applicant for an exemption from the vision requirements. That information is available by consulting the above cited **Federal Register** publications.

Interested parties or organizations possessing information that would otherwise show that any, or all of these drivers, are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

Issued on October 17, 2006.

Rose A. McMurray,

Associate Administrator, Policy and Program Development.

[FR Doc. E6-17679 Filed 10-20-06; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Ex Parte No. 552 (Sub-No. 10)]

Railroad Revenue Adequacy—2005 Determination

AGENCY: Surface Transportation Board.

ACTION: Notice of decision.

SUMMARY: On October 23, 2006, the Board served a decision announcing the 2005 revenue adequacy determinations for the Nation's Class I railroads. The decision found one carrier, Norfolk Southern Railway Company, to be revenue adequate for the year 2005.

DATES: *Effective Date:* This decision is effective October 23, 2006.

FOR FURTHER INFORMATION CONTACT: Paul Aguiar, (202) 565-1527. (Federal Information Relay Service (FIRS) for the hearing impaired: 1 (800) 877-8339).

SUPPLEMENTARY INFORMATION: The Board is required to make an annual determination of railroad revenue adequacy. A railroad will be considered to have been revenue adequate under 49 U.S.C. 10704(a) for the year 2005 if it achieved a rate of return on net

investment equal to at least the current cost of capital for the railroad industry for 2005. The 2005 cost of capital was determined to be 12.2% in *Railroad Cost of Capital—2005*, STB Ex Parte No. 558 (Sub-No. 9) (STB served Sept. 20, 2006). Applying this revenue adequacy standard to each Class I railroad, one carrier was found to be revenue adequate for 2005.

The Board's decision is posted on the Board's Web site, <http://www.stb.dot.gov>. In addition, copies of the decision may be purchased from ASAP Document Solutions by calling 202-306-4004 (assistance for the hearing impaired is available through FIRS at 1-800-877-8339), or by e-mail at asapdc@verizon.net.

Environmental and Energy Considerations

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

Regulatory Flexibility Analysis

Pursuant to 5 U.S.C. 603(b), we conclude that our action in this proceeding will not have a significant economic impact on a substantial number of small entities. The purpose and effect of the action are merely to update the annual railroad industry revenue adequacy finding. No new reporting or other regulatory requirements are imposed, directly or indirectly, on small entities.

Decided October 17, 2006.

By the Board, Chairman Nottingham, Vice Chairman Mulvey, and Commissioner Buttrey.
Vernon A. Williams,
Secretary.

[FR Doc. E6-17684 Filed 10-20-06; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34906]

City of Tacoma, Department of Public Utilities, Belt Line Division—Operation Exemption—Union Pacific Railroad Company

The City of Tacoma, Department of Public Utilities, Belt Line Division, d/b/a Tacoma Rail, Tacoma Municipal Belt Line or TMBL (TMBL), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to operate, pursuant to a nonexclusive trackage rights agreement with Union Pacific Railroad Company, approximately 602 feet of rail line between the former Dempsey Mill Spur

and the Port of Tacoma's Belt Line Lead, in Pierce County, WA.

Because TMBL's projected annual revenues will exceed \$5 million, TMBL certified to the Board on July 24, 2006, that it had complied with the requirements of 49 CFR 1150.42(e) providing for notice to employees and their labor unions on the affected line. TMBL also certified that its projected revenues as a result of this transaction would not result in the creation of a Class II or Class I rail carrier.

The transaction was scheduled to be consummated on or after the October 17, 2006 effective date of the exemption.¹

If the verified 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 transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34906, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of any pleading filed with the Board must be sent to TMBL's representatives: Paula Henry, 2601 SR 509 North Frontage Rd., Tacoma, WA 98421, and William C. Fosbre, 3628 South 35th Street, Tacoma, WA 98409-3115.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: October 16, 2006.

By the Board, David M. Konschnick, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. E6-17696 Filed 10-20-06; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

October 16, 2006.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed

¹ By amendment filed on October 11, 2006, TMBL noted that the correct effective date for the exemption was October 17, 2006.