

MODIFICATION EXEMPTIONS—Continued

Application No.	Docket No.	Applicant	Regulation(s) affected	Modification of exemption	Nature of exemption thereof
11646-M		Barton Solvents, Inc. Des Moines, IA.	49 CFR 172.203(a); 172.301(c); 177.834(h).	11646	To modify the special permit to authorize the discharge of a Class 8 and an additional Class 3 material from a DOT Specification drum without removing the drum from the vehicle.
12561-M	RSPA-00-8305	Rhodia Inc. Cranbury, NJ.	49 CFR 172.203(a); 173.31; 179.13.	12561	To modify the special permit to authorize the use of 60 additional DOT Specification tank cars for the transportation of Class 8 materials.
13182-M	RSPA-02-14023	Cytec Industries Inc. West Paterson, NJ.	49 CFR 173.192(a); 173.304a(b).	13182	To modify the special permit to authorize the maximum fill density to 45% for the DOT Specification and non-DOT specification cylinders transporting a Division 2.3 material.
13245-M	RSPA-03-15985	Piper Metal Forming Corporation New Albany, MS.	49 CFR 173.302(a)(1); 175.3.	13245	To modify the special permit to authorize a new neck configuration design for the non-refillable, non-DOT specification cylinders transporting Division 2.2 materials.
13481-M		Onyx Environmental Services, L.L.C. Ledgewood, NJ.	49 CFR 172.320; 173.54(a), (e) and (j); 173.56(b); 173.57; 173.58; 173.60; 173.62.	13481	To modify the exemption to authorize the transportation of solid explosive substances in special shipping containers.
13583-M	RSPA-04-18507	Structural Composites Industries Pomona, CA.	49 CFR 178.35	13583	To modify the special permit to authorize an alternative test method and extend the service life of each non-DOT specification composite cylinder for up to 30 years.
13599-M	RSPA-04-18712	Air Products & Chemicals, Inc. Allentown, PA.	49 CFR 173.304a(a)(2).	13599	To modify the special permit to authorize an increase in fill densities/ratios for the DOT Specification seamless steel cylinders transporting a Division 2.2 material.
13738-M	RSPA-04-18889	Department of Energy Washington, DC.	49 CFR 173.420(a)(4).	13738	To modify the special permit to provide relief from the marking requirements for shipment of cylinders with missing or illegible nameplates containing a Class 7 material.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Ex Parte No. 552 (Sub-No. 9)]

Railroad Revenue Adequacy—2004 Determination

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice of decision.

SUMMARY: On November 23, 2005, the Board served a decision announcing the 2004 revenue adequacy determinations for the Nation's Class I railroads. One carrier, Norfolk Southern Railway Company, is found to be revenue adequate.

DATES: *Effective Date:* This decision is effective November 23, 2005.

FOR FURTHER INFORMATION CONTACT: Leonard J. Blistein, (202) 565-1529.

(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 is considered revenue adequate under 49 U.S.C. 10704(a) if it achieves a rate of return on net investment equal to at least the current cost of capital for the railroad industry for 2004, determined to be 10.1% in *Railroad Cost of Capital—2004*, STB Ex Parte No. 558 (Sub-No. 8) (STB served June 30, 2005). This revenue adequacy standard was applied to each Class I railroad, and one carrier was found to be revenue adequate for 2004.

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 is 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: November 17, 2005.

By the Board, Chairman Nober, Vice Chairman Buttrey, and Commissioner Mulvey.

Vernon A. Williams,
Secretary.

[FR Doc. 05-23259 Filed 11-22-05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34770]

D&W Railroad, LLC—Acquisition Exemption—Rail Lines of D&W Railroad, Inc.

D&W Railroad, LLC (D&W, LLC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire approximately 29 miles of rail line, including incidental trackage rights, known as the Waterloo Industrial Lead, from D&W Railroad, Inc. The lines to be acquired are located in Black Hawk, Buchanan and Fayette Counties, IA, as follows: (1) between milepost 332.0 at Dewar, IA, and milepost 354.3 at Oelwein, IA; (2) between milepost 245.58 and milepost 245.0 at Oelwein; (3) .32 miles of wye track at Oelwein; and (4) incidental trackage rights over Union Pacific Railroad Company's track between milepost 332.0 at Dewar and milepost 326.2 at Linden Street, Waterloo, IA.¹

D&W, LLC certifies that its projected revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier.

D&W, LLC reported that the parties intend to consummate the transaction no earlier than October 31, 2005 (the effective date of the exemption).

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 transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34770, must be filed with the Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Thomas F. McFarland, 208 South LaSalle Street, Suite 1890, Chicago, IL 60604-1112.

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

Decided: November 16, 2005.

¹ According to D&W, LLC, the lines have been operated by Iowa Northern Railway Company (Iowa Northern) and Iowa Northern will continue to operate the lines under D&W, LLC's ownership.

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

Vernon A. Williams,
Secretary.

[FR Doc. 05-23094 Filed 11-22-05; 8:45 am]

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DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless the information collection displays a currently valid OMB control number. The OCC is soliciting comment concerning its proposed information collection titled, "Customer Complaint Form." The OCC also gives notice that it has sent the information collection to OMB for review and approval.

DATES: You should submit written comments by: December 23, 2005.

ADDRESSES: You should direct your comments to: Communications Division, Office of the Comptroller of the Currency, Public Information Room, Mailstop 1-5, Attention: 1557-NEW, 250 E Street, SW., Washington, DC 20219. In addition, comments may be sent by fax to (202) 874-4448, or by electronic mail to regs.comments@occ.treas.gov. You can inspect and photocopy the comments at the OCC's Public Information Room, 250 E Street, SW., Washington, DC 20219. You can make an appointment to inspect the comments by calling (202) 874-5043. Additionally, you should send a copy of your comments to OCC Desk Officer, 1557-NEW, by mail to U.S. Office of Management and Budget, 725, 17th Street, NW., #10235, Washington, DC 20503, or by fax to (202) 395-6974.

FOR FURTHER INFORMATION CONTACT: You can request additional information or a copy of the collection from Mary Gottlieb, OCC Clearance Officer, or Camille Dixon, (202) 874-5090,

Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219.

SUPPLEMENTARY INFORMATION: On September 7, 2005, the OCC published in the **Federal Register** (70 FR 53274) a notice concerning the renewal of this information collection. The OCC received no public comments and is now submitting its request to OMB for approval.

Title: Customer Complaint Form.

OMB Number: 1557-NEW.

Description: The customer complaint form was developed as a courtesy for those that contact the Office of the Comptroller of the Currency's Customer Assistance Group and wish to file a formal, written complaint. The form allows the consumer to focus its issues and provide a complete picture of their concerns, but is entirely voluntary. It is designed to prevent having to go back to the consumer for additional information, which delays the process. Completion of the form allows the Customer Assistance Group (CAG) to process the complaint more efficiently. The CAG will use the information to create a record of the consumer's contact, including capturing information that can be used to resolve the consumer's issues and provide a database of information that is incorporated into the OCC's supervisory process.

Type of Review: New collection.

Affected Public: Businesses or other for-profit.

Number of Respondents: 2,149.

Total Annual Responses: 2,149.

Frequency of Response: On occasion.

Total Annual Burden Hours: 142.

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 to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.