

materials, packaging design changes, additional mode of transportation, etc.) are described in footnotes to the application number. Application numbers with the suffix "M" denote a modification request. These applications have been separated from the new applications for special permits to facilitate processing.

**DATES:** Comments must be received on or before January 2, 2007.

**ADDRESSES:** Record Center, Pipeline and Hazardous Materials Safety

Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:**

Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 7th Street, SW.,

Washington, DC or at <http://dms.dot.gov>.

This notice of receipt of applications for modification of special permits is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on December 12, 2006.

**Delmer F. Billings,**

*Director, Office of Hazardous Materials, Special Permits & Approvals.*

### MODIFICATION SPECIAL PERMITS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
11383-M .....	.....	NASA, Washington, DC.	49 CFR 173.40(a) & (c); 173.158(b), (g), (h); 173.192(a); 173.336.	To modify the special permit to authorize additional trade names for UN1975.
11917-M .....	RSPA-2741	ITW Sexton, Decatur, AL.	49 CFR 173.304(a) ..	To modify the special permit to authorize a decrease in height of the non-DOT specification, non-refillable steel cylinders for the transportation of Division 2.1 materials.
13173-M .....	RSPA-14003	Dynetek Industries, LTD, Calgary, AB.	49 CFR 173.302(a); 175.3.	To modify the special permit to authorize the manufacture, marke, sale and use of DOT-CFFC specification fully wrapped carbon fiber reinforced aluminum lined cylinders mounted in protective enclosures for use in transporting Division 2.1 and 2.2 hazardous materials.

[FR Doc. 06-9724 Filed 12-14-06; 8:45 am]

**BILLING CODE 4909-60-M**

### DEPARTMENT OF TRANSPORTATION

#### Pipeline and Hazardous Materials Safety Administration

#### Office of Hazardous Materials Safety; Notice of Application for Special Permits

**AGENCY:** Pipeline and Hazardous Materials Safety Administration, DOT.

**ACTION:** List of Applications for Special Permits.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of

Transportation's Hazardous Material Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail Freight, 3—Cargo Vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

**DATES:** Comments must be received on or before January 16, 2007.

**ADDRESSES:** Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in

triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:**

Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 7th Street, SW., Washington, DC or at <http://dms.dot.gov>.

This notice of receipt of applications for special permits is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on December 12, 2006.

**Delmer F. Billings,**

*Director, Office of Hazardous Materials, Special Permits & Approvals.*

### NEW SPECIAL PERMIT

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
14436-N .....	.....	BNSF Railway Company, Topeka, KS.	49 CFR 174.14(a) and (b).	To authorize the transportation in commerce of hazardous materials that are toxic by inhalation by rail without meeting the requirements of 49 CFR 174.14 for expedited shipments. (mode 2)
14437-N .....	.....	The Columbiana Boiler Co., Columbiana, OH.	49 CFR 179.300 .....	To authorize the manufacture, marking, sale and use of non-DOT specification multi-unit tank car tanks similar to DOT 106A for transportation of hazardous materials. (mode 2)

## NEW SPECIAL PERMIT—Continued

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
14438-N .....	.....	Matheson Tri-Gas, Parsippany, NJ.	49 CFR 173.301(h) and 173.40.	To authorize the transportation in commerce of certain DOT 3A and 3AA cylinders containing division 2.1, 2.2 and 2.3 hazardous materials that have developed a leak and been capped with a special sealing device. (modes 1, 2, 3)
14440-N .....	.....	Aiolos Laboratories AB, Karlstad, Sweden.	49 CFR 173.306(a)(3)(v).	To authorize the transportation in commerce of Division 2.1 hazardous materials in certain non-refillable aerosol containers which are not subject to the hot water bath test. (modes 1, 2, 3, 4, 5)
14441-N .....	.....	B.J. Alan Company, Youngstown, OH.	49 CFR 173.60 .....	To authorize the transportation in commerce of certain fireworks in non-DOT specification packagings when returned to the distributor. (mode 1)
14442-N .....	.....	Trinityrail, Dallas, TX	49 CFR 179.13 and 179.100–12(c).	To authorize the manufacture, marking, sale and use of non-DOT specification tank cars similar to a DOT 105J500W for use in liquefied gas services consisting of a welded protective housing and with a maximum gross weight on rail of 286,000 pounds. (mode 2)
14443-N .....	.....	Ball Aerospace & Technologies Corp., Boulder, CO.	49 CFR 173.301(a)(1) and (a)(3).	To authorize the transportation in commerce of helium by motor vehicle in a non-DOT specification packaging. (mode 1)
14445-N .....	.....	Crown Packaging Technology Alsip, IL.	49 CFR 173.304(e) and 173.306(a).	To authorize the manufacture, marking, sale and use of a non-DOT specification inside metal container conforming in part with DOT-specification 2Q for use in transporting R-134a (1, 1, 2 tetrafluoroethane). (modes 1, 2, 3, 4)
14447-N .....	.....	California Tank Lines, Inc., Stockton, CA.	49 CFR 177.834 .....	To authorize cargo tanks to remain connected while standing without the physical presence of an unloader when using a specially designed hose. (mode 1)
14448-N .....	.....	UltraCell Corporation, Livermore, CA.	49 CFR 175.10(a) ....	To authorize passengers on aircraft to carry on fuel cells and spare cartridges as unregulated. (mode 5)
14449-N .....	.....	Applied Companies, Valencia, CA.	49 CFR 178.5 .....	To authorize the manufacture, marking, sale and use of non-DOT specification cylinder similar to a DOT 4D for the transportation of nitrogen and carbon dioxide. (modes 1, 4)

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BILLING CODE 4909–60–M

## DEPARTMENT OF TRANSPORTATION

## Surface Transportation Board

[STB Finance Docket No. 34972]

**Fortress Investment Group LLC, et al.—Control Exemption—RailAmerica, Inc., et al.**

Fortress Investment Group LLC, on behalf of certain private equity funds managed by it and its affiliates (Fortress), and RR Acquisition Holding LLC (RR Acquisition) (collectively, applicants),<sup>1</sup> both noncarriers, have filed a verified notice of exemption to acquire control of RailAmerica, Inc. (RailAmerica), Palm Beach Rail Holding, Inc., RailAmerica Transportation Corp., and RailAmerica's 30 freight rail carrier subsidiaries located in the United States (RailAmerica Railroads).

RailAmerica controls one Class II carrier, the Central Oregon & Pacific Railroad, Inc., and the following Class

III carriers in the United States: Alabama & Gulf Coast Railway LLC, Arizona & California Railroad Company, Bauxite & Northern Railway Company, California Northern Railroad Company, Cascade and Columbia River Railroad Company, The Central Railroad Company of Indiana, Central Railroad Company of Indianapolis, Connecticut Southern Railroad, Inc., Dallas, Garland & Northeastern Railroad, Inc., Eastern Alabama Railway, Huron & Eastern Railway Company, Inc., Indiana & Ohio Railway Company, Indiana Southern Railroad, Inc., Kiamichi Railroad LLC, Kyle Railroad Company, Massena Terminal Railroad Company, Mid-Michigan Railroad, Inc., Missouri & Northern Arkansas Railroad Company, Inc., New England Central Railroad, Inc., North Carolina & Virginia Railroad Company, Inc., Otter Tail Valley Railroad Company, Point Comfort and Northern Railway Company, Puget Sound & Pacific Railroad Company, Rockdale, Sandow & Southern Railroad Company, San Diego & Imperial Valley Railroad Company, Inc., San Joaquin Valley Railroad Company, South Carolina Central Railroad Company, Inc., Toledo, Peoria & Western Railway

Corporation, and Ventura County Railroad Company.<sup>2</sup>

According to applicants, the proposed transaction will be carried out through a merger of RailAmerica with a wholly owned subsidiary of RR Acquisition (known as RR Acquisition Sub Inc.), with RailAmerica the surviving corporation. RailAmerica's shareholders will receive \$16.35 in cash for each share of RailAmerica's common stock. The total value of the transaction, including the refinancing of RailAmerica's existing debt, is approximately \$1.1 billion. Upon completion of the transaction, RailAmerica will become a wholly owned subsidiary of RR Acquisition, and RR Acquisition and (indirectly) Fortress will thereby acquire control of the RailAmerica Railroads. RailAmerica will become a privately held company, and its common stock will no longer be publicly traded.

The transaction is scheduled to be consummated during the 1st Quarter of

<sup>1</sup> Fortress is a global investment and asset management firm with \$26 billion of capital under management. RR Acquisition is owned by private equity funds that are managed by Fortress.

<sup>2</sup> The RailAmerica Railroads operate in the states of Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Illinois, Indiana, Kansas, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New York, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, Texas, Vermont, Virginia and Washington.