

owned by Indian Tribal Governments. Typically, the respondents would collect information each year for the portion of their system. Burden estimates have been developed using this assumption combined with an estimate of the time needed to collect and provide the information.

**Respondents:** The estimated average annual number of respondents for the management systems for each of the agencies addressed by this information collection is: The NPS management systems consist of 75 respondents. The breakdown is 35 States and 40 Metropolitan Planning Organizations (MPOs), regional transportation planning agencies, counties, local or tribal governments.

The BIA management system consists of 85 respondents. The breakdown is 35 States and 50 MPOs, regional transportation planning agencies, counties, local or tribal governments. The FWS management system consists of 75 respondents. The breakdown is 35 States and 40 MPOs, regional transportation planning agencies, counties, local or tribal governments. The FS management system consists of 85 respondents. The breakdown is 35 States and 50 MPOs, regional transportation planning agencies, counties, local or tribal governments.

**Frequency:** Annual.

**Estimated Average Annual Burden per Response:**

NPS management systems—  
Approximately 40 hours per respondent.

BIA management systems—  
Approximately 60 hours per respondent.

FWS management systems—  
Approximately 20 hours per respondent.

FS management systems—  
Approximately 60 hours per respondent.

**Estimated Total Annual Burden Hours:** Total estimated average annual burden is 14,700 hours.

Issued on: April 17, 2007.

**James R. Kabel,**

*Chief, Management Programs and Analysis Division.*

[FR Doc. E7-7561 Filed 4-19-07; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-97-3001]

#### Pipeline Safety: Notice of Availability of a Study on Burial of Submerged Pipelines

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

**ACTION:** Notice of availability of study and request for comments.

**SUMMARY:** This notice announces the availability of PHMSA's study titled "Burial of Submerged Pipelines", which addresses the hazards to navigation from offshore submerged pipelines. PHMSA requests comments on the study to assist in evaluating the need for further analysis due to anticipated changes in the offshore environment.

**DATES:** Comments must be submitted by May 21, 2007.

**ADDRESSES:** The study is located in docket number PHMSA-97-3001. To submit comments, reference the docket number and use one of the following:

- **DOT Web site:** <http://dms.dot.gov>.

To submit comments on the DOT electronic docket site, click "Comment/Submissions," click "Continue," fill in the requested information, click "Continue," enter your comment, then click "Submit."

- **Fax:** 1-202-493-2251.

• **Mail:** Docket Management System: U.S. Department of Transportation, 400 Seventh Street, SW, Nassif Building, Room PL-401, Washington, DC 20590-0001.

• **Hand Delivery:** DOT Docket Management System; Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW, Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

• **E-Gov Web site:** <http://www.Regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency.

**Instructions:** Identify the docket number, PHMSA-97-3001, at the beginning of your comments. If you mail your comments, send two copies. If you wish to receive confirmation that PHMSA received your comments, include a self-addressed stamped postcard. Online submit comments at <http://www.regulations.gov>, and may access all comments received by DOT at <http://dms.dot.gov> by performing a simple search for the docket number.

**Note:** PHMSA posts all comments without changes or edits to <http://dms.dot.gov>, including any personal information provided.

#### Privacy Act

Anyone can search the electronic form for comments received in response to any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). DOT's complete Privacy Act Statement is published in the **Federal Register** on April 11, 2000 (65 FR 19477), and on the Web at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Joy Kadnar at (202) 366-0568, or by e-mail at [joy.kadnar@dot.gov](mailto:joy.kadnar@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

In July 1987, a fishing vessel struck and ruptured an eight-inch natural gas liquid pipeline in the Gulf of Mexico. The resulting explosion killed two crewmembers. In October 1989, a similar accident occurred in the Gulf of Mexico when a vessel struck a 16-inch gas pipeline. The resulting fire caused 11 fatalities.

The National Transportation Safety Board (NTSB) investigated these incidents and in 1990 issued safety recommendation number PS-90-29 to PHMSA, in 1990. The NTSB recommended PHMSA "develop and implement effective methods and requirements to bury, protect, and inspect the burial depth of, and maintain, all submerged pipelines in areas subject to damage by surface vessels and their operations."

PHMSA took immediate actions in response to this recommendation. In April 1990, PHMSA issued an Alert Notice to warn pipeline operators and the commercial fishing industry about the dangers of submerged pipelines. After completing extensive research, PHMSA developed a risk management profile for submerged pipelines. PHMSA also issued regulations requiring operators to develop and follow a procedure to identify and conduct periodic inspections of submerged pipelines in the Gulf of Mexico that pose a hazard to navigation (69 FR 48400; August 17, 2004).

The NTSB expressed concern that the 2004 final rule did not address offshore submerged pipelines outside the Gulf of Mexico, and requested that PHMSA further study these submerged pipelines. PHMSA recently completed the study to address the NTSB's concern. The study found that since

1990 there have been 58 reported instances of a vessel or its equipment striking a submerged pipeline offshore, and 64 reported instances where a submerged pipeline was either uncovered or presented a hazard to navigation. No incidents were found outside of the Gulf of Mexico.

The study addresses the impact of pipeline depth of burial and vessels in waters less than 15 feet of depth. PHMSA anticipates there will be changes in the offshore environment, such as liquefied natural gas import facilities. PHMSA is working with the Federal Energy Regulatory Commission to ensure adequate protection of LNG lines. PHMSA provides FERC with findings from our safety analysis for consideration of conditional terms for granting permits. Therefore, PHMSA has the ability to get safety concerns addressed through FERC by adding them as conditions of a permit. In addition, climate change may adversely affect offshore pipeline infrastructure by causing shifts in weather patterns, water depth or vessel traffic. PHMSA requests comments on the study to assist in evaluating the need for further analysis due to these anticipated changes in the offshore environment.

**Authority:** 49 U.S.C. 60102, 60115.

Issued in Washington, DC on April 16, 2007.

**Joy Kadnar,**

*Acting Associate Administrator for Pipeline Safety.*

[FR Doc. E7-7482 Filed 4-19-07; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35017]

#### **Mark K. Smith—Continuance in Control Exemption—Rock River Railroad, Inc.**

Mark K. Smith (applicant) has filed a verified notice of exemption to continue in control of Rock River Railroad, Inc. (RRR), upon RRR's becoming a Class III rail carrier.

The earliest this transaction may be consummated is the May 6, 2007 effective date of the exemption (30 days after the exemption was filed).

This transaction is related to the concurrently filed notice of exemption in STB Finance Docket No. 35016, *Rock River Railroad, Inc.—Acquisition and Operation Exemption—Rail Lines of Renew Energy, LLC*. In that proceeding, RRR seeks to acquire and operate approximately 2,100 feet of rail line,

located within the plant site of Renew Energy, LLC (RE), in Jefferson, Jefferson County, WI (the line). RRR will provide common carrier rail operations over the line and interchange with Union Pacific Railroad Company.

Applicant is a noncarrier and currently controls Rail & Transload, Inc. (R&T), a Class III rail carrier.

Applicant states that: (1) The rail properties operated by R&T and those to be operated by RRR do not connect with each other or any railroads in their corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect the rail lines of R&T and RRR with each other or any railroads in their corporate family; and (3) the transaction does not involve a Class I railroad. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2). The purpose of this transaction is to allow applicant to continue in control of RRR after RRR becomes a Class III rail carrier.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under section 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 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 effectiveness of the exemption. Petitions for stay must be filed no later than April 27, 2007 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35017, 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 Thomas F. McFarland, 208 South LaSalle St., Suite 1890, Chicago, IL 60604-1112.

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

Decided: April 13, 2007.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. E7-7586 Filed 4-19-07; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35016]

#### **Rock River Railroad, Inc.—Acquisition and Operation Exemption—Rail Lines of Renew Energy, LLC**

Rock River Railroad, Inc. (RRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Renew Energy, LLC (RE), and to operate approximately 2,100 feet of rail line, located within the plant site of RE, in Jefferson, Jefferson County, WI (the line).<sup>1</sup>

This transaction is related to the concurrently filed notice of exemption in STB Finance Docket No. 35017, *Mark K. Smith—Continuance in Control Exemption—Rock River Railroad, Inc.*, wherein Mark K. Smith seeks to continue in control of RRR upon its becoming a Class III rail carrier.

RRR states that the line connects with Union Pacific Railroad Company at both of its termini. RRR further states that, although the line has been owned and operated by RE as private track and might otherwise be considered to be spur, industrial, or switching track exempt from the Board's acquisition and operation authority under 49 U.S.C. 10906, it constitutes a line of railroad for which an exemption from the Board is required because it is RRR's initial rail acquisition and operation.<sup>2</sup>

RRR certifies that its projected annual revenues as a result of the transaction will not exceed those that would qualify it as a Class III rail carrier and will not exceed \$5 million.

The earliest this transaction may be consummated is the May 6, 2007 effective date of the exemption (30 days after the exemption was filed).

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

<sup>1</sup> According to RRR, the line does not have mileposts.

<sup>2</sup> See *Effingham RR Co.—Pet. For Declaratory Order*, 2 S.T.B. 606 (1997), *aff'd sub nom.*, *United Transp. Union v. Surface Transp. Bd.*, 183 F.3d 606 (7 Cir. 1999); see also *Bulkmatic Railroad Corporation—Acquisition & Operation Exemption—Bulkmatic Transport Company*, STB Finance Docket No. 34145 (STB served Nov. 19, 2002).