

LLC. In that proceeding, Steven C. May, has filed a verified notice of exemption to continue in control of LRWY upon LRWY's becoming a Class III rail carrier.

LRWY certifies that its projected annual revenues as a result of the transaction will not result in LRWY becoming a Class II or Class I rail carrier and further certifies that its projected annual revenues will not exceed \$5 million.

The transaction is expected to be consummated on or soon after November 29, 2008, the effective date of the exemption.

Pursuant to the Consolidated Appropriations Act, 2008, Public Law 110-161, section 193, 121 Stat. 1844 (2007), nothing in this decision authorizes the following activities at any solid waste rail transfer facility: Collecting, storing or transferring solid waste outside of its original shipping container; or separating or processing solid waste (including baling, crushing, compacting and shredding). The term "solid waste" is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

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 November 21, 2008 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35192, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Janie Sheng, K&L Gates LLP, 1601 K Street, NW., Washington, DC 20006.

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

Decided: November 7, 2008.

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

**Jeff Herzig,**

*Clearance Clerk.*

[FR Doc. E8-27045 Filed 11-13-08; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

November 6, 2008.

The Department of Treasury will submit the following public information

collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13 on or after the date of publication of this notice. 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 and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, and 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before December 15, 2008 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-1209.

*Type of Review:* Extension.

*Title:* IA-83-90 (Final) Disclosure of Tax Return Information for Purposes of Quality or Peer Review; Disclosure of Tax Return Information Due to Incapacity or Death of Tax Return Preparer.

*Description:* These regulations govern the circumstances under which tax return information may be disclosed for purposes of conducting quality or peer reviews, and disclosures that are necessary because of the tax return preparer's death or incapacity.

*Respondents:* Private Sector.

*Estimated Total Burden Hours:* 250,000 hours.

*OMB Number:* 1545-1661.

*Type of Review:* Extension.

*Title:* REG-106010-98 (Final)

Qualified Lessee Construction Allowance for Short-Term Leases.

*Description:* The regulations provide guidance with respect to Sec. 110, which provides a safe harbor whereby it will be assumed that a construction allowance provided by a lessor to a lessee is used to construct or improve lessor property when long-term property is constructed or improved and used pursuant to a short-term lease. The regulations also provide a reporting requirement that ensures that both the lessee and lessor consistently treat the property subject to the construction allowance as nonresidential real property owned by the lessor.

*Respondents:* Private Sector.

*Estimated Total Burden Hours:* 10,000 hours.

*OMB Number:* 1545-1418.

*Type of Review:* Extension.

*Title:* REG-154000-04 (Notice of Proposed Rulemaking Final and Temporary Regulations) Diesel Fuel and Kerosene Excise Tax; Dye Injection.

*Description:* In order for diesel fuel and kerosene that is used in a

nontaxable use to be exempt from tax under section 4082(a), it must be indelibly dyed by use of a mechanical dye injection system that satisfies the requirement in the regulations.

*Respondents:* Private Sector.

*Estimated Total Burden Hours:* 1,400 hours.

*OMB Number:* 1545-1791.

*Type of Review:* Extension.

*Form:* 12339-A, 12339, 12339-B.

*Title:* Tax Check Waiver.

*Description:* The tax check waiver is necessary for the purpose of ensuring that all panel members are tax compliant. Information provided will be used to qualify or disqualify individuals to serve as panel members. The information will be used as appropriate by the Taxpayer Advocate service staff, and other appropriate IRS personnel.

*Respondents:* Individuals or households.

*Estimated Total Burden Hours:* 417 hours.

*OMB Number:* 1545-1941.

*Type of Review:* Extension.

*Form:* 3491.

*Title:* Consumer Cooperative Exemption Application.

*Description:* A cooperative uses Form 3491 to apply for exemption from filing information returns (Forms 1099-PATR) on patronage distributions of \$10 or more to any person during the calendar year.

*Respondents:* Private Sector.

*Estimated Total Burden Hours:* 148 hours.

*OMB Number:* 1545-0295.

*Type of Review:* Extension.

*Title:* Notice 210 Preparation Instruction for Media Labels.

*Description:* Notice 210, Preparation Instructions for Media Labels, instructs the filers on how to prepare their own pressure sensitive label. This label must be attached to each and every piece of magnetic media to identify specific items needed so that the media can be processed by the Internal Revenue Service.

*Respondents:* Private Sector.

*Estimated Total Burden Hours:* 12,765 hours.

*OMB Number:* 1545-1275.

*Type of Review:* Extension.

*Form Number:*

*Title:* Limitations on Corporate Net Operating Loss Carryforwards (CO-45-91 Final).

*Description:* Section 1.382-9(d)(2)(iii) and (d)(4)(iv) allow a loss corporation to rely on a statement by beneficial owners of indebtedness in determining whether the loss corporation qualifies under section 382(l)(1)(5). Section 1.382-9(d)(6)(ii) requires a loss corporation to

file an election if it wants to apply the regulations retroactively, or revoke a prior section 382(l)(1)(6) election.

*Respondents:* Private Sector.

*Estimated Total Burden Hours:* 200 hours.

*Clearance Officer:* Glenn P. Kirkland, (202) 622-3428, Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Nicholas A. Fraser, (202) 395-5887, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

**Celina Elphage,**

*Treasury PRA Clearance Officer.*

[FR Doc. E8-27017 Filed 11-13-08; 8:45 am]

**BILLING CODE 4810-01-P**

## DEPARTMENT OF THE TREASURY

### Open Meeting of the President's Advisory Council on Financial Literacy

**AGENCY:** Office of Financial Education, Treasury.

**ACTION:** Notice of meeting.

**SUMMARY:** The President's Advisory Council on Financial Literacy will convene its sixth meeting on Thursday, December 4, 2008, via teleconference beginning at 2 p.m. Eastern Time. The telephone meeting will be open to the public. Members of the public interested in listening to the meeting should e-mail the Treasury Department at [FinancialLiteracyCouncil@do.treas.gov](mailto:FinancialLiteracyCouncil@do.treas.gov) to obtain the information on how to listen to the call. Individuals needing special accommodations to take part

because of a disability should notify the contact person listed below.

**DATES:** The telephone meeting will be held on Thursday, December 4, 2008 at 2 p.m. Eastern Time.

*Submission of Written Comments:* The public is invited to submit written statements to the President's Advisory Council on Financial Literacy by any one of the following methods:

#### Electronic Statements

E-mail

[FinancialLiteracyCouncil@do.treas.gov](mailto:FinancialLiteracyCouncil@do.treas.gov); or

#### Paper Statements

Send paper statements in triplicate to President's Advisory Council on Financial Literacy, Office of Financial Education, Room 1332, Department of the Treasury, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

In general, the Department will post all statements on its Web site (<http://www.treasury.gov/offices/domestic-finance/financial-institution/financial-education/council/index.shtml>) without change, including any business or personal information provided such as names, addresses, e-mail addresses, or telephone numbers. The Department will make such statements available for public inspection and copying in the Department's library, Room 1428, Main Department Building, 1500 Pennsylvania Avenue, NW., Washington, DC 20220, on official business days between the hours of 10 a.m. and 5 p.m. You can make an appointment to inspect statements by telephoning (202) 622-0990. All statements, including attachments and

other supporting materials, received are part of the public record and subject to public disclosure. You should submit only information that you wish to make available publicly.

**FOR FURTHER INFORMATION CONTACT:** Tom Kurek, Office of Financial Education, Department of the Treasury, Main Department Building, 1500 Pennsylvania Avenue, NW., Washington, DC 20220, at (202) 622-0204 or [Thomas.Kurek@do.treas.gov](mailto:Thomas.Kurek@do.treas.gov).

**SUPPLEMENTARY INFORMATION:** In accordance with section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. 2 and the regulations thereunder, Dubis Correal, Designated Federal Officer of the Advisory Council, has ordered publication of this notice that the President's Advisory Council on Financial Literacy will convene its sixth meeting on Thursday, December 4, 2008, via teleconference beginning at 2 p.m. Eastern Time. The meeting will be open to the public. Members of the public who wish to listen to the meeting should contact the Office of Financial Education at [FinancialLiteracyCouncil@do.treas.gov](mailto:FinancialLiteracyCouncil@do.treas.gov) by 5 p.m. Eastern Time on November 25, 2008. The primary purpose of this telephone meeting is for the President's Advisory Council on Financial Literacy to discuss the preliminary draft of the President's Advisory Council on Financial Literacy's Annual Report to the President.

Dated: November 3, 2008.

**Taiya Smith,**

*Executive Secretary, Treasury Department.*

[FR Doc. E8-27018 Filed 11-13-08; 8:45 am]

**BILLING CODE 4810-25-P**