

skills and enhancing productivity (for training projects), and the economic circumstances and conditions of the surrounding community. The economic circumstances and conditions description will be based on the unemployment rate of the county in which the shipyard is located and whether that county is an economically distressed area, supplemented by any special economic circumstances and conditions identified by the applicant. The Maritime Administration will award grants in its sole discretion in such amounts and under such conditions it determines will best further the statutory purposes of the small shipyard grant program. Projects that may require additional environmental assessments such as those including waterside improvements (dredging, bulkheading, pier work, pilings, etc.) will not be considered for funding. Preference will be given to funding applications: (1) That propose matching funds greater than a 25% share of the project; (2) that impact existing operations and/or product lines rather than expand the capabilities of the shipyard into new product lines or capabilities; and (3) that result in a geographic diversity of grant recipients.

Potential applicants are advised that it is expected, based on past experience, that application requests will far exceed the funds available and that only a small percentage of applications will be funded. It is anticipated that about 10 applications will be selected for funding with an average grant amount of about \$1 million.

Conditions Attached to Awards: The grant agreement will set out the records to be maintained by the recipient that must be available for review and audit by the Maritime Administration, as well as any other conditions and requirements.

Dated: April 26, 2011.

By Order of the Maritime Administrator.

Murray Bloom,

Acting Secretary, Maritime Administration.

[FR Doc. 2011-10511 Filed 4-27-11; 4:15 pm]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35485]

Nittany & Bald Eagle Railroad Company—Temporary Trackage Rights Exemption—Norfolk Southern Railway Company

Norfolk Southern Railway Company (NSR), pursuant to a written trackage rights agreement dated February 25, 2011, has agreed to grant nonexclusive overhead temporary trackage rights to Nittany & Bald Eagle Railroad Company (N&BE) over a portion of NSR's line of railroad between Lock Haven, PA (milepost BR 194.2), and Driftwood, PA (milepost BR 139.2), a distance of 55 miles.¹

The transaction is scheduled to be consummated on or after May 15, 2011, the effective date of the exemption (30 days after the exemption was filed). The temporary trackage rights are scheduled to expire on December 15, 2011. The purpose of the temporary trackage rights is to allow N&BE to operate bridge train service for temporary, seasonal traffic originating on N&BE for delivery to an off-line destination.

As a condition to this exemption, any employees affected by the acquisition of the temporary trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway, Inc.—Lease & Operate—California Western Railroad*, 360 I.C.C. 653 (1980), and any employees affected by the discontinuance of those trackage rights will be protected by the conditions set out in *Oregon Short Line Railroad & The Union Pacific Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979).

This notice is filed under 49 CFR 1180.2(d)(8). If it 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. Petitions for stay must be filed no later than May 6, 2011 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD

¹ A redacted, executed trackage rights agreement between NSR and N&BE was filed with the notice of exemption. The unredacted version was concurrently filed under seal along with a motion for protective order, which will be addressed in a separate decision.

35485, 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 Richard R. Wilson, 518 N. Center Street, Suite 1, Ebensburg, PA 15931.

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

Decided: April 26, 2011.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Andrea Pope-Matheson,
Clearance Clerk.

[FR Doc. 2011-10414 Filed 4-28-11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35492]

Atlantic and Western Railway, Limited Partnership—Trackage Rights Exemption—Norfolk Southern Railway Company

Pursuant to a written trackage rights agreement, Norfolk Southern Railway Company (NSR) has agreed to grant limited local trackage rights to Atlantic and Western Railway, Limited Partnership (ATW)¹ over approximately 13.8 miles of NSR's rail line between milepost NS-279.9, NSR's connection with ATW, at Cumnock, NC and milepost 266.1 at Brickhaven, NC (the line).²

The transaction is scheduled to be consummated on May 13, 2011, the effective date of the exemption (30 days after the exemption was filed).

The purpose of the transaction is to allow ATW to extend its existing rail service to the three customers located on the line.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease and Operate—*

¹ By letter filed April 15, 2011, ATW corrects two places in its initial filing in which its corporate name was incorrectly identified as Atlantic and Western Railway Company, Limited Partnership.

² These trackage rights also include sufficient head/tail room at both ends of the line to safely conduct operations. According to the agreement, ATW's trackage rights are limited to providing local service to Noble Oil at Colon, NC, Lee Brick & Tile at Leebrick, NC, and General Shale Brick at Brickhaven, or their respective successors. In addition, the written trackage agreement does not permit ATW to handle coal.