

MODIFICATIONS TO EXEMPTIONS—Continued

Application No.	Applicant	Reason for delay	Estimated date of completion
12676-M	Environmental Management, Inc., Guthrie, OK	4	02/28/2002

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 BILLING CODE 4910-60-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

International Standards on the Transport of Dangerous Goods; Public Meetings

AGENCY: Research and Special Programs Administration (RSPA), Department of Transportation.

ACTION: Notice of public meeting.

SUMMARY: This notice is to advise interested persons that RSPA will conduct a public meeting to discuss the outcome of the twentieth session of the United Nation's Sub-Committee of Experts on the Transport of Dangerous Goods (UNSCOE) held December 5-11, 2001 in Geneva, Switzerland.

DATES: January 16, 2002, 9:30 a.m.-12 p.m., Room 3328.

ADDRESSES: The meeting will be held at DOT Headquarters, Nassif Building, Room 3328, 400 Seventh Street SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Bob Richard, International Standards Coordinator, Office of Hazardous Materials Safety, Department of Transportation, Washington, DC 20590; (202) 366-0656.

SUPPLEMENTARY INFORMATION: The primary purpose of the meeting will be to discuss outcomes of proposals presented to the twentieth session of UNSCOE. Topics to be covered during the public meeting will include (1) Criteria for Environmentally Hazardous Substances, (2) Intermodal requirements for the transport of solids in bulk containers, (3) Harmonized requirements for compressed gas cylinders, (4) Portable tank requirements, (5) Classification of individual substances, (6) Requirements for packagings used to transport hazardous materials, (7) Requirements for infectious substances, and (8) Hazard communication requirements.

The public is invited to attend without prior information.

Documents

Copies of documents for the UNSCOE meeting may be obtained by downloading hem from the United Nations Transport Division web site at http://www.unece.org/trans/main/dgdb/dgsubc/c3doc_2001.html. Information concerning UN dangerous goods meetings including agendas can be downloaded at <http://www.unece.org/trans/main/dgdb/dgsubc/c3.html>. These sites may also be accessed through the international section of RSPA's Hazardous Materials Safety website at <http://hazmat.dot.gov/intstandards.htm>. RSPA's site provides information regarding the UNSCOE and the Globally Harmonized System of Classification and Labeling for Chemicals, a summary of decisions taken at the 21st session of the UN Committee of Experts, meeting dates and summary of the primary topics which are to be addressed in the 2001-2002 biennium.

Issued in Washington, DC, on December 21, 2001.

Robert A. McGuire,

Associate Administrator for Hazardous Materials Safety.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34129]

RailAmerica, Inc.—Control Exemption—StatesRail Acquisition Corp. and StatesRail, Inc.

RailAmerica, Inc. (RailAmerica), a noncarrier, has filed a verified notice of exemption to continue in control of StatesRail Acquisition Corp. (Acquisition), and to obtain control of StatesRail, Inc. (StatesRail), a holding company that controls Arizona Eastern Railway Company, Eastern Alabama Railway, Kyle Railroad Company, San Joaquin Valley Railroad Company, and SWKR Operating Co., all Class III railroads, upon the acquisition of all of the stock of StatesRail by Acquisition.

The transaction is scheduled to be consummated on or after January 1, 2002.

On November 15, 2001, RailAmerica also filed a motion for protective order

under CFR 1104.14, and the motion was granted.¹

RailAmerica states that, as of its filing of the notice of exemption, it controls one Class II and 23 Class III rail common carriers operating in 23 states.² However, in *ParkSierra, infra*, RailAmerica is acquiring control of a second Class II carrier.

RailAmerica also states that: (i) These railroads do not connect with each other; (ii) the acquisition of control is not part of a series of anticipated transactions that would connect the railroads with each other or any railroad in their corporate family; and (iii) the transaction does not involve a Class I carrier.³ Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

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. Because RailAmerica will control more than one Class II rail carrier, the transaction will be made subject to the labor protection conditions described in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

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)

¹ See *RailAmerica, Inc.—Control Exemption—StatesRail Acquisition Corp. and StatesRail, Inc.*, STB Finance Docket No. 34129 (STB served Dec. 5, 2001).

² On December 7, 2001, RailAmerica also filed: (1) A notice of exemption in STB Finance Docket No. 34128, *RailAmerica, Inc.—Control Exemption—New StatesRail Holdings, Inc. and Alabama & Gulf Coast Railway L.L.C.*, to acquire from StatesRail, L.L.C., all of the outstanding stock of New StatesRail Holdings, Inc. (New StatesRail), and through New StatesRail to acquire control of its wholly owned subsidiary, the Alabama & Gulf Coast Railway, L.L.C.; and (2) a petition for exemption in STB Finance Docket No. 34130, *RailAmerica, Inc.—Control Exemption—Kiamichi Holdings, Inc. and Kiamichi Railroad L.L.C.*, to acquire control of Kiamichi Holdings, Inc., and its subsidiary Kiamichi Railroad L.L.C.

³ RailAmerica has invoked the Board's class exemption procedures to acquire control of Class II rail carrier ParkSierra Corp. (ParkSierra) in *RailAmerica, Inc.—Control Exemption—ParkSierra Acquisition Corp. and ParkSierra Corp.*, STB Finance Docket No. 34100 (STB served Dec. 20, 2001) (*ParkSierra*). RailAmerica indicates that ParkSierra's rail properties do not connect with those of Alabama & Gulf Coast or those of RailAmerica's other rail subsidiaries.