

- Is there a gap in understanding ILI tool data submitted by vendors of this technology?

- Do ILI technology vendors educate their clients about the limitations of the tool being recommended for the application?

- What defect detection and report criteria are used? Is it developed jointly by the vendor and the pipeline operator?

- How are tool defect identification tolerances applied in reported criteria?

- Is there a formal detection, validation, and mitigation process used to evaluate defects? How is it communicated to the pipeline operator?

- What process is used to arrive at the number of confirmatory digs to corroborate the data extracted by the ILI device?

- Are the standards developed for ILI technology appropriate for the current state ILI deployment? Does the guidance meet the needs of the large or small pipeline operator who is the first-time user of such technology?

OPS expects at this public meeting to inform on the following:

- The technique and criteria used to report defects;

- Information exchange between the ILI vendor and pipeline operator during the secondary and tertiary stages of flaw characterization;

- The currency and adequacy of performance standards for vendors of assessment technologies;

- Sufficiency and relevance of performance standards for ILI assessment technology; and

- Stages in data discrimination: Detection, validation, and mitigation.

Issued in Washington, DC, on June 10, 2005.

**Joy Kadnar,**

*Director of Engineering and Emergency Support, Office of Pipeline Safety.*

[FR Doc. 05-11866 Filed 6-15-05; 8:45 am]

BILLING CODE 4910-60-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-70 (Sub-No. 5X)]

#### Florida East Coast Railway, L.L.C.— Abandonment Exemption—in Brevard County, FL

Florida East Coast Railway, L.L.C. (FEC) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 9.8-mile line of railroad known as the Titusville Branch, extending from milepost TB 0.0 in Titusville to milepost TB 9.8 in Aurantia, in Brevard County, FL. The

line traverses United States Postal Service Zip Codes 32754 and 32796.

FEC has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic to be rerouted; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line, either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on July 16, 2005, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by June 27, 2005. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by July 6, 2005, with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to FEC's representative: Marlene Hammock, Assistant Secretary, Florida East Coast Railway, L.L.C., One Malaga Street, St. Augustine, FL 32085-1048.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C. 2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,200. See 49 CFR 1002.2(f)(25).

FEC has filed an environmental and historic report which addresses the abandonment's effects, if any, on the environment and historic resources. SEA will issue an environmental assessment (EA) by June 21, 2005. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), FEC shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by FEC's filing of a notice of consummation by June 16, 2006, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: June 6, 2005.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 05-11640 Filed 6-15-05; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

### FEDERAL RESERVE SYSTEM

### FEDERAL DEPOSIT INSURANCE CORPORATION

## DEPARTMENT OF THE TREASURY

### Office of Thrift Supervision

#### Agency Information Collection Activities; Submission for OMB Review; Comment Request Concerning the Interagency Bank Merger Act Application

**AGENCIES:** Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve

System (Board); Federal Deposit Insurance Corporation (FDIC); and Office of Thrift Supervision (OTS), Treasury.

**ACTION:** Notice of information collections to be submitted to OMB for review and approval under the Paperwork Reduction Act of 1995.

**SUMMARY:** In accordance with requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the OCC, Board, FDIC, and OTS (Agencies) hereby give notice that they plan to submit to the Office of Management and Budget (OMB) a request for OMB review and approval of the information collection systems described below.

**DATES:** Comments must be submitted on or before July 18, 2005.

**ADDRESSES:** Interested parties are invited to submit comments to any or all of the Agencies. All comments, which should refer to the OMB control number, will be shared among the Agencies:

**OCC:** Comments should be sent to Communications Division, Office of the Comptroller of the Currency, Public Information Room, Mailstop 1-5, Attention: 1557-0014, 250 E Street, SW., Washington, DC 20219. In addition, comments may be sent by fax to (202) 874-4448, or by electronic mail to [regs.comments@occ.treas.gov](mailto:regs.comments@occ.treas.gov). You can inspect and photocopy the comments at the OCC's Public Information Room, 250 E Street, SW., Washington, DC 20219. You can make an appointment to inspect the comments by calling (202) 874-5043.

**Board:** You may submit comments, identified by FR 2070; OMB No. 7100-0171, by any of the following methods:

- **Agency Web Site:** <http://www.federalreserve.gov>. Follow the instructions for submitting comments on the <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm>.

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.

**E-mail:** [regs.comments@federalreserve.gov](mailto:regs.comments@federalreserve.gov). Include docket number in the subject line of the message.

- **FAX:** 202/452-3819 or 202/452-3102.

- **Mail:** Jennifer J. Johnson, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, NW., Washington, DC 20551.

All public comments are available from the Board's Web site at <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm> as submitted,

except as necessary for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper in Room MP-500 of the Board's Martin Building (20th and C Streets, NW.) between 9 a.m. and 5 p.m. on weekdays.

**FDIC:** All comments should refer to "Bank Merger Application, 3064-0015." Comments may be submitted by any of the following methods:

- **http:** <http://www.FDIC.gov/regulations/laws/federal/propose.html>.

- **E-mail:** [comments@fdic.gov](mailto:comments@fdic.gov). Include "Bank Merger Application, 3064-0015." in the subject line of the message.

- **Mail:** Gary A. Kuiper (202.942.3824), Counsel, Federal Deposit Insurance Corporation, PA1730-3000, 550 17th Street, NW., Washington, DC 20429.

- **Hand Delivery:** Comments may be hand-delivered to the guard station at the rear of the 550 17th Street Building (located on F Street), on business days between 7 a.m. and 5 p.m.

**OTS:** You may submit comments to Information Collection Comments, Chief Counsel's Office, Office of Thrift Supervision, ATTN: 1550-0016, 1700 G Street, NW., Washington, DC 20552; send a facsimile transmission to (202) 906-6518; or send an e-mail to [infocollection.comments@ots.treas.gov](mailto:infocollection.comments@ots.treas.gov). OTS will post comments and the related index on the OTS Internet Site at <http://www.ots.treas.gov>. In addition, interested persons may inspect comments at the Public Reading Room, 1700 G Street, NW., by appointment. To make an appointment, call (202) 906-5922, send an e-mail to [publicinfo@ots.treas.gov](mailto:publicinfo@ots.treas.gov), or send a facsimile transmission to (202) 906-7755.

A copy of the comments should also be submitted to the OMB desk officer for the agencies: Mark Menchik, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, DC 20503, or by electronic mail to [mmenchik@omb.eop.gov](mailto:mmenchik@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** You may request additional information from:

**OCC:** Mary Gottlieb, OCC Clearance Officer, (202) 874-4824, or Camille Dixon, (202) 874-5090, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219. For subject matter information, you may contact Cheryl Martin at (202) 874-4614, Licensing Activities Division,

Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219.

**Board:** Michelle Long, Federal Reserve Board Clearance Officer, (202) 452-3829, Division of Research and Statistics, Board of Governors of the Federal Reserve System, 20th and C Streets, NW., Washington, DC 20551. Telecommunications Device for the Deaf (TDD) users may contact Capria Mitchell, (202) 872-4984, Board of Governors of the Federal Reserve System, 20th and C Streets, NW., Washington, DC 20551.

**FDIC:** Gary A. Kuiper, Counsel, (202) 942-3824, Federal Deposit Insurance Corporation, PA1730-3000, 550 17th Street, NW., Washington, DC 20429.

**OTS:** Marilyn K. Burton, OTS Clearance Officer, (202) 906-6467; Frances C. Augello, Senior Counsel, Business Transactions Division, (202) 906-6151; or Patricia D. Goings, Regulatory Analyst, Examination Policy, (202) 906-5668, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

**SUPPLEMENTARY INFORMATION:** Proposal to extend for three years, with clarifications, the following currently approved collection of information:

**FRB, FDIC, and OTS Report Title:** Interagency Bank Merger Act Application.

**OCC Title:** Comptroller's Licensing Manual (Manual). The specific portions of the Manual covered by this notice are those that pertain to clarifying changes to the instructions.

**OMB Numbers:**

OCC: 1557-0014.  
Board: 7100-0171.  
FDIC: 3064-0015.  
OTS: 1550-0016.

**Form Numbers:**

OCC: None.  
Board: FR 2070.  
FDIC: None.  
OTS: 1639.

**Affected Public:** Individuals or households; businesses or other for-profit.

**Type of Review:** Review of a currently approved collection.

**Estimated Number of Respondents:**

OCC: Nonaffiliate—90; Affiliate—106.  
Board: Nonaffiliate—62; Affiliate—18.  
FDIC: Nonaffiliate—190; Affiliate—172.

OTS: Nonaffiliate—16; Affiliate—0.

**Frequency of Response:** On occasion.

**Estimated Annual Burden Hours per Response:**

OCC: Nonaffiliate—30; Affiliate—18.  
Board: Nonaffiliate—30; Affiliate—18.  
FDIC: Nonaffiliate—30; Affiliate—18.

OTS: Nonaffiliate—30; Affiliate—18.  
*Estimated Total Annual Burden Hours:*

OCC: Nonaffiliate—2,700; Affiliate—1,908. Total: 4,608 burden hours.  
 Board: Nonaffiliate—1,860; Affiliate—324. Total: 2,184 burden hours.  
 FDIC: Nonaffiliate—5,700; Affiliate—3,096. Total: 8,796 burden hours.  
 OTS: Nonaffiliate—480; Affiliate—0. Total: 480 burden hours.

*General Description of Report:* This information collection is mandatory. 12 U.S.C. 1828(c) (OCC, FDIC, and OTS), and 12 U.S.C. 321, 1828(c), and 4804 (Board). Except for select sensitive items, this information collection is not given confidential treatment. Small businesses, that is, small institutions, are affected.

*Abstract:* This submission covers a renewal of the Agencies' merger application form, which may include clarified instructions for both affiliated and nonaffiliated institutions. The Agencies need the information to ensure that the proposed transactions are permissible under law and regulation and are consistent with safe and sound banking practices. The Agencies are required, under the Bank Merger Act, to consider financial and managerial resources, future prospects, convenience and needs of the community, community reinvestment, competition, bank secrecy, and anti-money laundering efforts.

Some agencies collect limited supplemental information in certain cases. For example, the OCC and OTS collect information regarding CRA commitments; the Federal Reserve collects information on debt servicing from certain institutions; and the FDIC requires additional information on the competitive impact of proposed mergers.

*Current Actions:* On March 30, 2005, the Agencies published in the **Federal Register** (70 FR 16331) a notice on the proposed clarifications to this information collection. The comment period expired on May 31, 2005. The Agencies received no public comments, and each Agency is now submitting its request to OMB for approval of this information collection, as proposed.

The General Information and Instructions section of the merger application form would be modified to clarify the first subsection (Preparation and Use), which explains more clearly the range of merger transactions that may require use of the application. The remaining clarifications include a new paragraph in the Preparation and Use subsection noting that applications must be submitted to the appropriate

regulatory agency. Also, a new Compliance subsection would inform applicants of compliance expectations and of the potential that some very large transactions may be subject to the Hart-Scott-Rodino Antitrust Improvement Act. These additional paragraphs, which would provide further practical advice that is generally included in the other recently approved interagency forms, are intended to highlight certain elements of the applications process to prevent confusion or delay, and add no additional burden.

The Federal Reserve approved extending for three years, with minor revisions, its current supplemental form. The two revisions are intended to facilitate the applications review process and provide further practical guidance to the applicant. The first revision recognizes the possible need of biographical or financial information from any individual that, as a consequence of the proposed transaction, becomes a new principal, shareholder, director, or senior executive officer of a state member bank. While all of the Agencies agree that a significant change in management or ownership must be evaluated under the statutory factors of the Bank Merger Act, they have elected to deal with this information need on a case-by-case basis. The second revision eliminates the need for any formal certification from a target institution. This certification is unique to the bank merger application, and is not specifically required by the Bank Merger Act. As the FRB generally waives this requirement if objected to by the target institution and as the applicant is the party to which bank merger authority is granted, the FRB believes that only the applicant need provide the requested certification. The other agencies believe that the target institution should certify to the accuracy of the information and that the institutions will notify the agency if any material changes occur prior to a decision. Also, the target institution certifies that any communications with the agency do not constitute a contract.

*Comments:* No comments were received in response to the first notice. Comments submitted in response to this second notice will be analyzed to determine the extent to which the instructions for the collection should be modified. All comments will become a matter of public record.

Written comments are invited on:  
 a. Whether the information collection is necessary for the proper performance of the Agencies' functions, and how the instructions can be clarified so that

information gathered has more practical utility;

b. The accuracy of the Agencies' estimates of the burden of the information collection, including the validity of the methodology and assumptions used;

c. Ways to enhance the quality, utility, and clarity of the information to be collected;

d. Ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or start up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: June 13, 2005.

**Stuart Feldstein,**

*Assistant Director, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency.*

Dated: June 8, 2005.

By order of the Board of Governors of the Federal Reserve System,

**Jennifer J. Johnson,**

*Secretary of the Board.*

Dated at Washington, DC, this 13th day of June, 2005.

**Robert E. Feldman,**

*Executive Secretary, Federal Deposit Insurance Corporation.*

Dated: June 10, 2005.

By the Office of Thrift Supervision.

**Richard M. Riccobono,**

*Acting Director.*

[FR Doc. 05-11925 Filed 6-15-05; 8:45 am]

BILLING CODE 4810-33-P, 6210-01-P, 6714-01-P, 6720-01-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

[REG-124667-02, EE-35-85]

### Proposed Collection; Comment Request for Regulation Project

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning existing