

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[STB Finance Docket No. 35002]****Savage Bingham & Garfield Railroad Company—Acquisition and Operation Exemption—Union Pacific Railroad Company**

Savage Bingham & Garfield Railroad Company (SBGR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Union Pacific Railroad Company (UP) and to operate freight easements upon, over, and across: (a) UP's lines of railroad between milepost 4.66 at Welby and milepost 17.10 at Magna (Garfield Branch), and between milepost 0.00 at Kearns and milepost 2.01 at Bacchus (Bacchus Branch); (b) the UP line of railroad between milepost 0.18 at Midvale and milepost 6.60 at Bagley Spur (Bingham Industrial Lead); and (c) various UP wye, yard and team tracks in the vicinity of Midvale (Midvale Trackage), a total of 20.87 miles, all in Salt Lake County, UT.

SBGR states that it will enter into a freight operating agreement and related agreements with UP governing SBGR's operations over the Bacchus Branch, the Garfield Branch and the Midvale Trackage. In addition, as a result of a separate transaction between the Utah Transit Authority (UTA) and UP, UP will: (a) Convey the right-of-way of the Bingham Industrial Lead to UTA; (b) reserve an operating easement over the Bingham Industrial Lead; and (c) convey such operating easement to SBGR. SBGR will enter into an administration and coordination agreement with UTA governing the provision of rail services by SBGR over the Bingham Industrial Lead during specified time separated periods when the planned UTA passenger light rail services are not in operation. UP and SBGR will interchange traffic at UP's Roper, UT rail yard.

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

The earliest this transaction may be consummated is the March 29, 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 a petition to revoke will not automatically stay the transaction. Petitions for stay must be filed no later

than March 22, 2007 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35002, 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 Robert P. vom Eigen, 3000 K Street, NW., Washington, DC 20007.

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

Decided: March 7, 2007.

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

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

[FR Doc. E7-4514 Filed 3-14-07; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[STB Docket No. AB-290 (Sub-No. 292X)]****Norfolk Southern Railway Company—Discontinuance Exemption—in Mahoning County, OH**

Norfolk Southern Railway Company (NSR) has filed a verified notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over a 15.70-mile line of railroad between milepost RZ 20.20 near North Jackson and milepost RZ 35.90 near Sebring, in Mahoning County, OH. The line traverses United States Postal Service Zip Codes 44451, 44609, and 44672, and includes the stations of Ellsworth, Berlin Center, Berl, Snodes, Ring, and N. Sebring.

UP has certified that: (1) No traffic has moved over the line for at least 2 years; (2) all overhead traffic has been rerouted over other lines; (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 1105.12 (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 discontinuance of service 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 April 14, 2007, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA for continued rail service under 49 CFR 1152.27(c)(2),<sup>1</sup> must be filed by March 26, 2007.<sup>2</sup> Petitions to reopen must be filed by April 4, 2007, with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to NSR's representative: James R. Paschall, Senior General Attorney, Norfolk Southern Railway Company, Three Commercial Place, Norfolk, VA 23510.

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

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

Decided: February 28, 2007.

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

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

[FR Doc. E7-4422 Filed 3-14-07; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF THE TREASURY****Submission for OMB Review; Comment Request**

March 9, 2007.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. 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

<sup>1</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,300. See 49 CFR 1002.2(f)(25).

<sup>2</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historical documentation is required here under 49 CFR 1105.6(c) and 1105.8(b), respectively.