

- 11. Archeological and Historic Preservation Act of 1966, as amended, 16 U.S.C., 469–469(c).
- 12. American Indian Religious Freedom Act, 42 U.S.C. 1966.
- 13. Farmland Protection Policy Act (FPPA), 7 U.S.C. 4201–4209.
- 14. Clean Water Act, 33 U.S.C. 1251–1377 (Section 404, Section 401, Section 319).
- 15. Coastal Barrier Resources Act, 16 U.S.C. 3501–3510.
- 16. Coastal Zone Management Act, 16 U.S.C. 1451–1465.
- 17. Safe Drinking Water Act (SDWA), 42 U.S.C., 300f–300j–6.
- 18. Rivers and Harbors Act of 1899, 33 U.S.C., 401–406.
- 19. Wild and Scenic Rivers Act, 16 U.S.C., 1271–1287.
- 20. Emergency Wetlands Resources Act, 16 U.S.C., 3921–3931.
- 21. TEA–21 Wetlands Mitigation, 23 U.S.C., 103(b)(6)(m), 133(b)(11).
- 22. Flood Disaster Protection Act, 42 U.S.C. 4001–4128.
- 23. Land and Water Conservation Fund (LWCF), 16 U.S.C., 4601–4 (known as section 6(f)).
- 24. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601–9675.
- 25. Superfund Amendments and Reauthorization Act of 1986 (SARA).
- 26. Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901–6992k.
- 27. Landscaping and Scenic Enhancement (Wildflowers), 23 U.S.C. 319.
- 28. Executive Orders Relating to Highway Projects (E.O. 11990, Protection of Wetlands; E.O. 11988, Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593, Protection and Enhancement of Cultural Resources; E.O. 13007, Consultation and Coordination with Indian Tribal Governments; E.O. 13112, Invasive Species).

The MOU would allow the State to act in the place of the FHWA in carrying out the functions described above, except with respect to government-to-government consultations with federally-recognized Indian tribes. The

FHWA will retain responsibility for conducting formal government-to-government consultation with federally-recognized Indian tribes, which is required under some of the listed laws and executive orders. The State will continue to handle routine consultations with the tribes and understands that a tribe has the right to direct consultation with the FHWA upon request. The State also may assist the FHWA with formal consultations, with consent of a tribe, but the FHWA remains responsible for the consultation. This assignment includes transfer to the State of Utah the obligation to fulfill the assigned environmental responsibilities on any proposed projects meeting the criteria in Stipulation I(B) of the MOU that were determined to be CEs prior to the effective date of the proposed MOU but that have not been completed as of the effective date of the MOU.

A copy of the proposed MOU may be viewed on the DOT DMS Docket, as described above, or may be obtained by contacting the FHWA or the State at the addresses provided above. A copy also may be viewed online at the following URL: <http://www.udot.utah.gov/go/environmental>. Once the FHWA makes a decision on the proposed MOU, the FHWA will place in the DOT DMS Docket, a statement describing the outcome of the decision-making process and a copy of the final MOU, if any. Copies of those documents also may be obtained by contacting the FHWA or the State at the addresses provided above, or by viewing the documents at <http://www.udot.utah.gov/go/environmental>.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 326; 42 U.S.C. 4331, 4332; 23 CFR 771.117; 40 CFR 1507.3, 1508.4.

Issued on: April 4, 2008.

Walter C. Waidelich, Jr.,
Division Administrator, Salt Lake City, Utah.
 [FR Doc. E8–7572 Filed 4–9–08; 8:45 am]

BILLING CODE 4910–22–P

MODIFICATION TO SPECIAL PERMITS

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Office of Hazardous Materials Safety; Notice of Delays in Processing of Special Permits Applications

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: List of Applications Delayed more than 180 days.

SUMMARY: In accordance with the requirements of 49 U.S.C. 5117(c), PHMSA is publishing the following list of special permit applications that have been in process for 180 days or more. The reason(s) for delay and the expected completion date for action on each application is provided in association with each identified application.

FOR FURTHER INFORMATION CONTACT: Delmer F. Billings, Director, Office of Hazardous Materials Special Permits and Approvals, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH–30, 1200 New Jersey Avenue, Southeast, Washington, DC 20590–0001, (202) 366–4535.

Key to “Reason for Delay”

- 1. Awaiting additional information from applicant.
- 2. Extensive public comment under review.
- 3. Application is technically complex and is of significant impact or precedent-setting and requires extensive analysis.
- 4. Staff review delayed by other priority issues or volume of special permit applications.

Meaning of Application Number Suffixes

- N—New application.
- M—Modification request.
- PM—Party to application with modification request.

Issued in Washington, DC, on April 3, 2008.

Delmer F. Billings,
Director, Office of Hazardous Materials, Special Permits and Approvals.

Application No.	Applicant	Reason for delay	Estimated date of completion
11579–M	Austin Powder Company, Cleveland, OH	3, 4	04–30–2008
10964–M	Kidde Aerospace & Defense, Wilson, NC	4	04–30–2008
11650–M	Autoliv ASP, Inc., Ogden, UT	4	04–30–2008

MODIFICATION TO SPECIAL PERMITS—Continued

Application No.	Applicant	Reason for delay	Estimated date of completion
13173-M	Dynetek Industries Ltd., Calgary Alberta, Canada	1	04-30-2008
New Special Permit Applications			
14385-N	Kansas City Southern Railway Company, Kansas City, MO	4	04-30-2008
14566-N	Nantong CIMC Tank Equipment Co. Ltd., Nantong City	3	04-30-2008
14584-N	WavesinSolids LLC, State College, PA	3, 4	04-30-2008

[FR Doc. E8-7499 Filed 4-9-08; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35124]

**R.J. Corman Railroad Company/
Central Kentucky Lines, LLC—
Trackage Rights Exemption—CSX
Transportation, Inc.**

Pursuant to an oral agreement, CSX Transportation, Inc. (CSXT), has agreed with R.J. Corman Railroad Company/Central Kentucky Lines, LLC (RJCC), to modify an existing limited overhead trackage rights agreement¹ regarding RJCC's use of a CSXT line of railroad from the parties' connection at CSXT milepost T1.8, at the end of CSXT's line known as the Water Street Lead, in Louisville, KY, to another point of connection at CSXT milepost 12.49, at HK Tower, near Anchorage, KY, a distance of approximately 10.75 miles.²

The earliest this transaction can be consummated is April 24, 2008, the effective date of the exemption (30 days after the exemption is filed).

¹ The original rights were obtained by R.J. Corman Railroad Property, LLC (RJCP) as incidental trackage rights to a lease of another line exempted under 49 CFR 1150.41 in *R.J. Corman Railroad Property, LLC—Lease Exemption—Line of CSX Transportation, Inc.*, STB Finance Docket No. 34625 (STB served Mar. 4, 2005). RJCP assigned the trackage rights to RJCC, its corporate affiliate. The assignment was exempted under 49 CFR 1150.41 in *R.J. Corman Railroad Company/Central Kentucky Lines, LLC—Acquisition and Operation Exemption—Line of R.J. Corman Railroad Property, LLC*, STB Finance Docket No. 34624 (STB served Feb. 23, 2005).

² RJCC originally filed its verified notice of exemption on March 25, 2008. That notice covered agreements for trackage rights modifications over two lines, the subject line and a line of railroad from the point of the parties' connection at CSXT milepost VB 113.81 near Winchester in Clark County, KY, to the industry track at CSXT milepost KC 131.0 near Berea, in Garrard County, KY, a distance of approximately 35 miles (the Berea Line). In a March 28, 2008 amendment to the original filing, RJCC withdrew the Berea Line agreement from what was sought to be exempted by this notice. RJCC states that it will file a separate verified notice of exemption with respect to the agreement modification for that segment.

The purpose of the amendment is to relax the restrictions in the original agreement to permit two new types of direct service by RJCC over portions of its own track and CSXT's line. Specifically, the modification would allow RJCC to move carloads of cement and general merchandise cars between the Water Street Lead and its main line at Anchorage.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If the 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. Stay petitions must be filed by April 17, 2008 (at least 7 days before the exemption becomes effective).

Pursuant to the Consolidated Appropriations Act, 2008, Pub. L. No. 110-161, 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.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35124, 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 Ronald A. Lane, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832.

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

Decided: April 2, 2008.

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

Anne K. Quinlan,

Acting Secretary.

[FR Doc. E8-7398 Filed 4-8-08; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

**Proposed Collection; Comment
Request for Form 12885**

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 Form 12885, Supplement to OF-612, Optional Application for Federal Employment.

DATES: Written comments should be received on or before June 9, 2008 to be assured of consideration.

ADDRESSES: Direct all written comments to Glenn P. Kirkland Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Carolyn N. Brown at Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or at (202) 622-6688, or through the Internet at (Carolyn.N.Brown@irs.gov).

SUPPLEMENTARY INFORMATION:

Title: Supplement to OF-612, Optional Application for Federal Employment.