

October 3, 2008. Interested persons may obtain a copy of the EA by writing to SEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 245-0305. [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), BNSF 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 BNSF's filing of a notice of consummation by September 26, 2009, 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: September 22, 2008.

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

**Anne K. Quinlan,**  
*Acting Secretary.*

[FR Doc. E8-22657 Filed 9-25-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-6 (Sub-No. 463X)]

#### **BNSF Railway Company— Abandonment Exemption—in King County, WA**

BNSF Railway Company (BNSF) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 7.30-mile rail line<sup>1</sup> located between milepost 0.00 at Woodinville and milepost 7.30 at

<sup>1</sup> The rail line at issue is a branch line which connects with another BNSF line at Woodinville, WA. That BNSF line is the subject of three pending proceedings before the Board. For information regarding these proceedings see: *BNSF Railway Company—Abandonment Exemption—in King County, WA*, STB Docket No. AB-6 (Sub-No. 465X) (STB served Aug. 29, 2008), *The Port of Seattle—Acquisition Exemption—Certain Assets of BNSF Railway Company*, STB Finance Docket No. 35128 (STB served June 20, 2008), and *BNSF Railway Company—Abandonment Exemption—in King County, WA*, STB Docket No. AB-6 (Sub-No. 464X) (STB served Sept. 26, 2008).

Redmond, King County, WA.<sup>2</sup> The line traverses United States Postal Service Zip Codes 98011, 98034, 98052, and 98072.

BNSF has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be 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 Surface Transportation 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 OFA has been received, this exemption will be effective on October 28, 2008, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>3</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>4</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by October 6, 2008. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by October 16, 2008, with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

<sup>2</sup> By petition filed on September 8, 2008, BNSF is also seeking an exemption from the offer of financial assistance (OFA) requirements of 49 U.S.C. 10904. The merits of the petition will be addressed in a separate decision.

<sup>3</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>4</sup> Effective July 18, 2008, the filing fee for an OFA increased to \$1,500. See *Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—2008 update*, STB Ex Parte No. 542 (Sub-No. 15) (STB served June 18, 2008).

A copy of any petition filed with the Board should be sent to BNSF's representative: Kristy D. Clark, BNSF Railway Company, 2500 Lou Menk Drive, AOB-3, Fort Worth, TX 76131.

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

BNSF has filed both an environmental report and a historic report that address the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by October 3, 2008. Interested persons may obtain a copy of the EA by writing to SEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 245-0305. [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), BNSF 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 BNSF's filing of a notice of consummation by September 26, 2009, 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: September 22, 2008.

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

**Anne K. Quinlan,**  
*Acting Secretary.*

[FR Doc. E8-22677 Filed 9-25-08; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35176]

#### **Georgia Southwestern Railroad, Inc.— Acquisition Exemption—CSX Transportation, Inc.**

Georgia Southwestern Railroad, Inc. (GSWR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire by purchase from CSX Transportation, Inc. (CSXT),

approximately 1.6 miles of rail line, extending from milepost SLC-96.66 to the end of the line, near Lynn, GA, and consisting of Tracks SV 4 (6,875 feet), SV 12 (1,360 feet), and SV 14 (400 feet), in Decatur County, GA.<sup>1</sup>

GSWR certifies that its projected annual revenues as a result of this transaction will not result in GSWR's becoming a Class II or Class I rail carrier. Because GSWR's projected annual revenues will exceed \$5 million, GSWR is required, at least 60 days before an exemption is to become effective, to send notice of the transaction to the national and local offices of the labor unions with employees on the affected lines and post a copy of the notice at the workplace of the employees on the affected lines and certify to the Board that it has done so. 49 CFR 1150.42(e).

On September 2, 2008, GSWR certified to the Board that, on August 29, 2008, it posted a notice at the workplace of the employees on the affected lines, as required under 49 CFR 1150.42(e). GSWR does not specifically address whether it sent the required notice of the transaction to the national and local offices of the labor unions with employees on the affected lines, as also required under section 1150.42(e), but states that no employees working on the affected lines are members of a labor union. However, concurrently with its notice of exemption, GSWR filed a petition for waiver of the 60-day advance labor notice requirement under section 1150.42(e), asserting that no CSXT employee will be affected by the sale because no CSXT employee has performed operations or maintenance on the line in nearly 20 years and that no GSWR employee will be affected because GSWR will continue to provide the same service and perform the same maintenance as it has for nearly 20 years. GSWR's waiver request will be handled in a subsequent decision.

GSWR states that it intends to consummate the transaction on or

shortly after the effective date of this exemption. The Board will establish in the decision on the waiver request the earliest this transaction may be consummated.

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 transaction. Petitions for stay must be filed no later than 7 days before the exemption becomes effective.

Pursuant to the Consolidated Appropriations Act, 2008, Public Law 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. 35176, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Karl Morell, Of Counsel, Ball Janik LLP, Suite 225, 1455 F Street, NW., Washington, DC 20005.

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

Decided: September 19, 2008.

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

**Anne K. Quinlan,**  
Acting Secretary.

[FR Doc. E8-22588 Filed 9-25-08; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

September 19, 2008.

The Department of Treasury will submit the following public information collection requirement(s) to OMB for review and clearance under the

Paperwork Reduction Act of 1995, Public Law 104-13 on or after the date of publication of this notice. 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 Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before October 27, 2008 to be assured of consideration.

### Alcohol and Tobacco Tax and Trade Bureau (TTB)

*OMB Number:* 1513-0119.

*Type of Review:* Extension.

*Title:* Certification of Proper Cellar Treatment for Imported Natural Wine.

*Description:* TTB is requiring importers of natural wine to certify compliance with proper cellar treatment standards. This certification is necessary to comply with statutory requirements.

*Respondents:* Businesses or other for-profit institutions.

*Estimated Total Burden Hours:* 6,600 hours.

*OMB Number:* 1513-0092.

*Type of Review:* Extension.

*Title:* Marks on Wine Containers, TTB REC 5120/3.

*Description:* TTB requires that wine on wine premises be identified by statements of information on labels or contained in marks. TTB uses this information to validate the receipts of excise tax revenue by the Federal government.

*Respondents:* Businesses or other for-profit institutions.

*Estimated Total Burden Hours:* 1 hour.

*Clearance Officer:* Frank Foote (202) 927-9347, Alcohol and Tobacco Tax and Trade Bureau, Room 200 East, 1310 G Street, NW., Washington, DC 20005.

*OMB Reviewer:* Alexander T. Hunt (202) 395-7316, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

**Robert Dahl,**

*Treasury PRA Clearance Officer.*

[FR Doc. E8-22647 Filed 9-25-08; 8:45 am]

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<sup>1</sup> According to GSWR, since 1989, GSWR and its predecessor, South Carolina Central Railroad Company, have maintained and operated the line. See *South Carolina Central Railroad Company, Inc.—Purchase and Lease—CSX Transportation, Inc., Lines in Georgia and Alabama*, Finance Docket No. 31360 (ICC served May 4, 1989). GSWR also states that it currently leases and operates the line, and, after the acquisition, will continue to be the operator of the line.