

DEPARTMENT OF TRANSPORTATION**Office of the Secretary****Agency Information Collection:
Activity for OMB Review: Advisory
Committee Candidate Biographical
Information Request Form**

AGENCY: Office of the Secretary, DOT.
Docket: DOT-OST-2009-0054.

ACTION: Notice and request for comment.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request, abstracted below, is being forwarded to the Office of Management and Budget for an extension without change of currently approved Advisory Committee Candidate Biographical Information Request Form. A **Federal Register** Notice with a 60-day comment period was published on November 18, 2008 (FR Vol. 73, No. 223, page 68491-68491). The agency did not receive any comments to its previous notice.

DATES: Written comments should be submitted by April 10, 2009.

FOR FURTHER INFORMATION CONTACT: Lisa L. Hough, Committee Management Officer, Executive Secretariat, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590 or telephone: (202) 366-4277.
Comments: Comments should be sent to OMB: Attention DOT/OST Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street, NW., Washington, DC 20503, or *oira_submission@omb.eop.gov* and should identify the associated OMB Approval Number 2105-0009 and Docket DOT-OST-2009-0054.

SUPPLEMENTARY INFORMATION:

OMB Approval No.: 2105-0009.

Title: Advisory Committee Candidate Biographical Information Request Form.
Form No.: DOT F1120.1.

Type of Review: Extension.

Respondents: Individuals who have contacted DOT to indicate interest in appointment to and advisory committee and individuals who have been recommended for membership on an advisory committee. Only one collection is expected per individual.

Number of Respondents: 100 Annually.

Total Annual Burden: 25 hours.

Needs and Uses: Information is gathered from individuals interested in appointment to an advisory committee and individuals who have been recommended for membership on an

advisory committee to ensure fair and balanced membership.

Issued in Washington, DC, on March 5, 2009.

Patricia Lawton,

Departmental PRA Clearance Officer, Office of the Chief Information Officer.

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BILLING CODE 4910-9X-P

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Docket No. AB-290 (Sub-No. 300X)]

**Norfolk Southern Railway Company—
Abandonment Exemption—in Wise
County, VA**

Norfolk Southern Railway Company (NSR) has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon a 1.81-mile line of railroad between milepost CV 277.30 (Big Stone Gap) and milepost CV 279.11 (Appalachia), in Wise County, VA.¹ The line traverses United States Postal Service Zip Codes 24216 and 24219.

NSR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic on the line, if any, could 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 (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 report), 49 CFR 1105.8 (historic report), 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

¹ According to NSR, the proposed line for abandonment has been out of service since the late 1980s, when the owner, CSX Transportation, Inc., rerouted its traffic to NSR's line between Big Stone Gap and Frisco, TN.

assistance (OFA) has been received, this exemption will be effective on April 10, 2009, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking requests under 49 CFR 1152.29 must be filed by March 23, 2009.⁴ Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 31, 2009, 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 Corporation, Three Commercial Place, Norfolk, VA 23510.

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

NSR has filed environmental and historic reports that address the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by March 16, 2009. 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), NSR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If

² 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.

³ Each OFA must be accompanied by the filing fee, which currently is set at \$1,500. See 49 CFR 1002.2(f)(25).

⁴ NSR states that it is not aware of any restriction on the title to the right-of-way that would affect the transfer of title or the use of property for other than rail purposes but will provide full title information promptly if it receives a proposal to acquire the property for public purposes.