

**DEPARTMENT OF TRANSPORTATION****Maritime Administration**

[Docket No. MARAD-2010-0107]

**Requested Administrative Waiver of the Coastwise Trade Laws****AGENCY:** Maritime Administration, Department of Transportation.**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel *FAMILY TIME*.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S. build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below. The complete application is given in DOT docket MARAD-2010-0107 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S. flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388 (68 FR 23084; April 30, 2003), that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S. flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

**DATES:** Submit comments on or before January 3, 2011.

**ADDRESSES:** Comments should refer to docket number MARAD-2010-0107. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version

of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue, SE., Room W21-203, Washington, DC 20590. Telephone 202-366-5979.

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel *FAMILY TIME* is:

Intended Commercial Use of Vessel: "Seattle area "Yacht Experience" tours and private charter."

Geographic Region: "Washington State."

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78).

By Order of the Maritime Administrator  
Dated: November 29, 2010.

**Christine Gurland***Secretary, Maritime Administration.*

[FR Doc. 2010-30330 Filed 12-2-10; 8:45 am]

BILLING CODE 4910-81-P

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[Docket No. FD 35444]

**New York New Jersey Rail, LLC—Acquisition and Operation Exemption—Line of Railroad in Hudson County, NJ**

New York New Jersey Rail, LLC (NYNJ),<sup>1</sup> a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire and operate approximately 2.4 miles of rail line located in the Greenville section in Jersey City, Hudson County, NJ. According to NYNJ, the rail line has no milepost numbers.

NYNJ states that it will shortly enter into an Asset Purchase Agreement with Port Jersey Railroad Company (PJR) to acquire a significant portion of the operating assets of PJR to enable NYNJ to provide freight services to shippers within the Greenville section of Jersey City. NYNJ states that it currently interchanges with and will continue to

interchange with Consolidated Rail Corporation (Conrail) at its junction with Conrail's Greenville "A" Yard track located in Jersey City.

NYNJ also states that the proposed transaction does not contain any language that would limit its ability to interchange traffic with other carriers. According to NYNJ, the line only connects with lines of Conrail.

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

NYNJ states that it expects the transaction to be consummated on or shortly after the effective date of this exemption. The earliest this transaction may be consummated is December 19, 2010, the 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 effectiveness of the exemption. Petitions for stay must be filed no later than December 10, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35444, 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 James H.M. Savage, John D. Heffner, PLLC, 1750 K Street, NW., Suite 200, Washington, DC 20006.

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

Decided: November 26, 2010.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Andrea Pope-Matheson,**  
*Clearance Clerk.*

[FR Doc. 2010-30275 Filed 12-2-10; 8:45 am]

BILLING CODE 4915-01-P

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[Docket No. FD 35448]

**CSX Transportation, Inc.—Corporate Family Merger Exemption—Atlanta, Knoxville & Northern Railway Company, Cincinnati Inter-Terminal Railroad Company, and Tylerdale Connecting Railroad Company**

CSX Transportation, Inc. (CSXT), and its wholly owned subsidiaries—Atlanta,

<sup>1</sup>NYNJ is a wholly owned subsidiary of The Port Authority of New York and New Jersey.

Knoxville & Northern Railway Company (AKNR), Cincinnati Inter-Terminal Railroad Company (CIT), and Tyerdale Connecting Railroad Company (TCR)—have jointly filed a verified notice of exemption under 49 CFR 1180.2(d)(3) for a corporate family transaction. CSXT is a Class I rail carrier that directly controls and operates AKNR, CIT, and TCR. The transaction involves the merger of AKNR, CIT, and TCR with and into CSXT with CSXT being the surviving corporation.

The transaction is scheduled to be consummated on or after December 19, 2010, the effective date of the exemption. The purpose of the transaction is to simplify the corporate structure and reduce overhead costs and duplication by eliminating 3 corporations while retaining the same assets to serve customers. CSXT will obtain certain other savings as a result of this transaction.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties state that the transaction will not result in adverse changes in service levels, significant operational changes, or any change in the competitive balance with carriers outside the corporate family.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. As a condition to the use of this exemption, any employees adversely affected by this transaction will be protected by the conditions set forth in *New York Dock Railway—Control—Brooklyn District Eastern Terminal*, 360 I.C.C. 60 (1979).

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 December 10, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to FD 35448, must be filed with the Surface Transportation Board, 395 E Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Louis E. Gitomer, Esq., Law Offices of Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

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

Decided: November 29, 2010.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2010-30365 Filed 12-2-10; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Financial Management Service; Privacy Act of 1974, as Amended; System of Records

**AGENCY:** Financial Management Service, Treasury.

**ACTION:** Notice of proposed new system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended, the Financial Management Service gives notice of a proposed new Privacy Act system of records entitled “Treasury/FMS .008—Mailing List Records.”

**DATES:** Comments must be received no later than January 3, 2011. The proposed new system of records will become effective January 3, 2011 unless comments are received which would result in a contrary determination.

**ADDRESSES:** You should send your comments to Peter Genova, Deputy Chief Information Officer, Financial Management Service, 401 14th Street, SW., Washington, DC 20227. Comments received will be available for inspection at the same address between the hours of 9 a.m. and 4 p.m. Monday through Friday. You may send your comments by electronic mail to [peter.genova@fms.treas.gov](mailto:peter.genova@fms.treas.gov) or <http://regulations.gov>. All comments, including attachments and other supporting materials, received are subject to public disclosure. You should submit only information that you wish to make available publicly.

**FOR FURTHER INFORMATION CONTACT:** Peter Genova, Deputy Chief Information Officer, (202) 874-1736.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Privacy Act of 1974, as amended, 5 U.S.C. 552a, the Financial Management Service (FMS) is proposing to establish a new system of records entitled “Mailing List Records—Treasury/FMS .008.” FMS proposes to obtain and use mailing list records from commercial database providers for the purpose of mailing information to potential Federal payment recipients about the benefits of electronic payments and types of accounts available for the receipt of Federal electronic payments. Commercial database providers obtain information from publicly available records or

through means that we understand to be compliant with applicable privacy laws.

FMS, a bureau within the U.S. Department of the Treasury (Treasury), is responsible for disbursing public money by paper check and electronic funds transfer (EFT). Payments made by electronic funds transfer (EFT), rather than by paper check, benefits both recipients and the Government. Direct deposit and other EFT payments are credited to recipients' accounts on the day payment is due, so the funds generally are available sooner than with check payments. Individuals receiving Federal payments electronically rarely have any delays or problems with their payments. In contrast, based on payment claims filed with FMS, nine out of ten problems with FMS-disbursed payments are related to paper checks even though checks constitute only 18 percent of all FMS-disbursed payments made by the Government.

The potential benefits of EFT payments for the Government and taxpayers are significant. For example, in fiscal year 2010, FMS mailed more than 130 million Federal benefit checks to approximately 11 million benefit recipients, resulting in extra costs to taxpayers of more than \$117 million that would not have been incurred had those payments been made by EFT. In the same fiscal year, only 63% of taxpayers received their tax refund payment electronically, with approximately 44 million tax refund payments being delivered by paper check.

Over the past three decades, FMS has developed numerous programs to enable agencies to make EFT payments. Treasury's Go Direct® educational campaign, sponsored with the Federal Reserve Banks, highlights the advantages to a Federal benefit recipient who opens an account at a financial institution, or a Direct Express® Debit MasterCard® card account, and elects to receive his or her benefits via direct deposit to the account. In addition to media and other public outreach, Treasury mails check stuffers and letters encouraging check recipients to receive Federal payments electronically.

Typically, FMS mails information to check recipients based on name and address information contained in its payment records (see “Treasury/FMS .002—Payment Issue Records for Regular Recurring Benefit Payments” and “Treasury/FMS .016—Payment Records for Other Than Regular Recurring Benefit Payments”). In some cases, however, FMS may decide to use commercial database providers for names and mailing addresses of individuals who meet certain criteria