

*Abandonments* to abandon 1.96 miles of rail line between mileposts 0.00 and 1.96, in Duluth, St. Louis County, Minn.<sup>1</sup> The line traverses United States Postal Service Zip Code 55808.

DMIR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (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(c) (environmental 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 Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 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 become effective on July 15, 2011, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by June 27, 2011. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by July 5, 2011, 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 DMIR's

representative: Thomas J. Healey, 17641 S. Ashland Ave., Homewood, IL 60430.

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

DMIR has filed a combined environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by June 20, 2011. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA, 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), DMIR 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 DMIR's filing of a notice of consummation by June 15, 2012, 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: June 8, 2011.

By the Board.

**Rachel D. Campbell,**  
*Director, Office of Proceedings.*

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

[FR Doc. 2011-14639 Filed 6-14-11; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### **Agency Information Collection Activities; Proposed Collection; Comment Request; Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery**

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** 30-Day notice of submission of information collection approval from the Office of Management and Budget and request for comments.

**SUMMARY:** As part of a Federal Government-wide effort to streamline the process to seek feedback from the public on service delivery, the Surface Transportation Board has submitted a Generic Information Collection Request (Generic ICR): "Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery" to OMB for approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*).

**DATES:** Comments must be submitted July 11, 2011.

**ADDRESSES:** Comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Kimberly Nelson, Surface Transportation Board Desk Officer, by fax at (202) 395-6974; by mail at Room 10235, 725 17th Street, NW., Washington, DC 20503; or by e-mail at: [OIRA\\_SUBMISSION@omb.eop.gov](mailto:OIRA_SUBMISSION@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** To request additional information, please contact Marilyn Levitt, Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001, or to: [levittm@stb.dot.gov](mailto:levittm@stb.dot.gov).

#### **SUPPLEMENTARY INFORMATION:**

*Title:* Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

*Abstract:* The information collection activity will garner qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery. By qualitative feedback we mean information that provides useful insights on perceptions and opinions, but are not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insights into customer or stakeholder perceptions, experiences and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Agency and its customers and stakeholders. It will also allow feedback to contribute directly to the improvement of program management.

Feedback collected under this generic clearance will provide useful information, but it will not yield data that can be generalized to the overall population. This type of generic clearance for qualitative information will not be used for quantitative

<sup>1</sup> DMIR is a wholly owned subsidiary of Canadian National Railway Company.

<sup>2</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Serv. 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>3</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,500. See 49 CFR 1002.2(f)(25).

information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: The target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

The Agency received no comments in response to the 60-day notice published in the **Federal Register** of December 22, 2010 (75 FR 80542).

Below we provide the Surface Transportation Board's projected average estimates for the next three years:<sup>1</sup>

*Current Actions:* New collection of information.

*Type of Review:* New Collection.

*Affected Public:* Individuals and Households, Businesses and Organizations, State, Local or Tribal Government.

*Average Expected Annual Number of activities:* 5.

*Respondents:* 15 (for one focus group), 150 (for each of two surveys), 200 (for each of two comments card requests).

*Annual responses:* 15 (for focus groups), 300 (for surveys), 400 (for comment cards)

*Frequency of Response:* Once per request.

*Average minutes per response:* 24 minutes (2 hours per focus group, 36 minutes per survey, 10 minutes per comment card).

*Burden hours:* 277.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid

<sup>1</sup> The 60-day notice included the following estimate of the aggregate burden hours for this generic clearance Federal-wide:

*Average Expected Annual Number of activities:* 25,000.

*Average number of Respondents per Activity:* 200.

*Annual responses:* 5,000,000.

*Frequency of Response:* Once per request.

*Average minutes per response:* 30.

*Burden hours:* 2,500,000.

Office of Management and Budget control number.

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

[FR Doc. 2011-14784 Filed 6-14-11; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35524]

#### **Canexus Chemicals Canada L.P. v. BNSF Railway Company**

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of Oral Argument.

**SUMMARY:** In a decision served on June 8, 2011, the Board announced that it has tentatively scheduled an oral argument in this complaint proceeding.

*Dates/Location:* The oral argument is tentatively scheduled to be held Thursday, June 23, 2011, at 2 p.m., or at a later time that afternoon designated by the Board, in the hearing room at the Board's headquarters located at 395 E Street, SW., Washington, DC.

**FOR FURTHER INFORMATION, CONTACT:**

Joseph Dettmar, (202) 245-0395. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** Canexus Chemicals Canada L.P. (Canexus) has filed a complaint with a request for expedited consideration. The complaint asks the Board to issue an order compelling BNSF Railway Company (BNSF) to establish common carrier rates and service terms effective July 1, 2011, between North Vancouver, B.C., and Kansas City, Mo., and between Marshall, Wash., and Kansas City, Mo.

Currently, BNSF is hauling Canexus shipments of chlorine from North Vancouver and Marshall to Kansas City in joint line service under temporary rates that terminate on June 30, 2011. According to the complaint, BNSF interchanges with Union Pacific Railroad Company (UP) in Kansas City and the shipments are hauled by UP to their final destinations in Illinois, Texas, and Arkansas. Canexus states that BNSF will terminate the interline service with UP through Kansas City after the temporary rates expire. Instead, BNSF has offered to interchange with UP at Spokane, Wash. (for movements originating from Marshall), and Portland, Or. (for movements originating from North Vancouver).

In the June 8, 2011 decision, the Board directed BNSF by June 15, 2011, to submit its argument as to whether BNSF has a legal obligation to provide the specific service to Kansas City that Canexus has requested and to establish an appropriate rate. The Board noted that UP has an interest in this matter as a carrier involved in these movements. Accordingly, the Board also directed UP by June 15, 2011, to submit a pleading addressing its legal obligation, if any, to interchange with BNSF at Spokane and Portland. Lastly, in the decision, the Board advised Canexus, BNSF, and UP that the Board may, following the receipt of the pleadings, convene an oral hearing to receive testimony from Canexus and the two railroads during the afternoon of June 23, 2011, at the Board's headquarters. If the Board determines that a hearing is necessary, it will issue a subsequent notice setting the time no later than June 16, 2011.

This action will not significantly affect either the human environment or the conservation of energy resources.

Decided: June 10, 2011.

By the Board.

**Rachel D. Campbell,**

*Director, Office of Proceedings.*

**Jeffrey Herzig,**

*Clearance Clerk.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Release of Waybill Data

The Surface Transportation Board has received a request from Sidley Austin LLP on behalf of Norfolk Southern Railway Company (WB484-1-6/7/11), for permission to use certain data from the Board's 2000-2009 Carload Waybill Samples. A copy of the request may be obtained from the Office of Economics.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

*Contact:* Scott Decker, (202) 245-0330.

**Jeffrey Herzig,**

*Clearance Clerk.*

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