

commerce. In addition to the basic shipping description information, we also require the subsidiary hazard class or subsidiary division number(s) to be entered in parentheses following the primary hazard class or division number on shipping papers. This requirement was originally required only by transportation by vessel. However, the lack of such a requirement posed problems for motor carriers with regard to complying with segregation, separation, and placarding requirements, as well as posing a safety hazard. For example, in the event the motor vehicle becomes involved in an accident, when the hazardous materials being transported include a subsidiary hazard such as "dangerous when wet" or a subsidiary hazard requiring more stringent requirements than the primary hazard, there is no indication of the subsidiary hazards on the shipping papers and no indication of the subsidiary risks on placards. Under circumstances such as motor vehicles being loaded at a dock, labels are not enough to alert hazardous materials employees loading the vehicles, nor are they enough to alert emergency responders of the subsidiary risks contained on the vehicles. Therefore, we require the subsidiary hazard class or subsidiary division number(s) to be entered on the shipping paper, for purposes of enhancing safety and international harmonization.

We also require the number and type of packages to be indicated on the shipping paper. This requirement makes it mandatory for shippers to indicate on shipping papers the numbers and types of packages, such as drums, boxes, jerricans, etc., being used to transport hazardous materials by all modes of transportation.

Shipping papers serve as a principal means of identifying hazardous materials during transportation emergencies. Firefighters, police, and other emergency response personnel are trained to obtain the DOT shipping papers and emergency response information when responding to hazardous materials transportation emergencies. The availability of accurate information concerning hazardous materials being transported significantly improves response efforts in these types of emergencies. The additional information would aid emergency responders by more clearly identifying the hazard.

Affected Public: Shippers and carriers of hazardous materials in commerce.

Recordkeeping:

Number of Respondents: 250,000.

Total Annual Responses: 6,337,500.

Total Annual Burden Hours: 17,604 .

Frequency of collection: On occasion.

Dated: September 8, 2011.

T. Glenn Foster,

Acting Director, Standards and Rulemaking Division.

[FR Doc. 2011-23457 Filed 9-13-11; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35550]

American Railroad Group Transportation Services, LLC d/b/a ARG Trans—Continuance in Control Exemption—Coos Bay Railroad Operating Company, LLC d/b/a Coos Bay Rail Link

American Railroad Group Transportation Services, LLC d/b/a ARG Trans (ARG Trans), a noncarrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Coos Bay Railroad Operating Company, LLC d/b/a Coos Bay Rail Link (CBR), upon CBR's becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in Docket No. FD 35551, *Coos Bay Railroad Operating Company, LLC d/b/a Coos Bay Rail Link—Operation Exemption—Oregon International Port of Coos Bay*, wherein CBR seeks Board approval to operate approximately 133 miles of railroad in Oregon currently owned by the Oregon International Port of Coos Bay.

ARG Trans states that it currently owns 100% of the stock of San Pedro Railroad Operating Company, LLC, d/b/a San Pedro & Southwestern Railroad (SPROC), an existing Class III rail carrier operating in the state of Arizona.

The parties intend to consummate the transaction on or around October 1, 2011, after the exemption becomes effective on September 28, 2011 (30 days after the notice of exemption was filed).

ARG Trans represents that: (1) The rail line to be operated by CBR will not connect with those of SPROC; (2) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or with any other railroad in their corporate family; and (3) the transaction does not involve a Class I rail carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

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. Section 11326(c), however, does not provide for labor protection for transactions under §§ 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

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 to stay must be filed no later than September 21, 2011 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35550, 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 John D. Heffner, 1750 K St., NW., Suite 200, Washington, DC 20006.

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

Decided: September 9, 2011.

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

Andrea Pope-Matheson,
Clearance Clerk.

[FR Doc. 2011-23475 Filed 9-13-11; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35551]

Coos Bay Railroad Operating Company, LLC d/b/a Coos Bay Rail Link—Operation Exemption—Line of Railroad Owned by the Oregon International Port of Coos Bay

Coos Bay Railroad Operating Company, LLC d/b/a Coos Bay Rail Link (CBR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to operate 2 segments of railroad totaling approximately 133 miles of rail line owned by Oregon International Port of Coos Bay (the Port). The segments consist of: (1) A rail line extending between milepost 652.114 at Danebo, Or., and milepost 763.13 at Cordes, Or. (Coos Bay Line) and (2) a rail line extending between the junction with the Coos Bay Line at milepost 761.13 at Cordes, and milepost 785.5 at Coquille, Or. (Coquille Branch).

This transaction is related to a concurrently filed verified notice of exemption in Docket No. FD 35550, *American Railroad Group Transportation Services, LLC d/b/a ARG Trans—Continuance in Control Exemption—Coos Bay Railroad Operating Company, LLC d/b/a Coos Bay Rail Link*, wherein American Railroad Group Transportation Services, LLC, CBR's corporate parent, seeks Board approval to continue in control of CBR, upon CBR's becoming a Class III rail carrier.

According to CBR, the transaction is expected to be consummated on or about October 1, 2011, after the September 28, 2011 effective date of the notice (30 days after the notice of exemption was filed).

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

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 to stay must be filed no later than September 21, 2011 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35551, 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 John D. Heffner, 1750 K St., NW., Suite 200, Washington, DC 20006.

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

Decided: September 9, 2011.

By the Board.

Rachel D. Campbell.

Director, Office of Proceedings.

[FR Doc. 2011-23495 Filed 9-13-11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35546]

CSX Transportation, Inc.—Trackage Rights Exemption—Norfolk Southern Railway Company, Pennsylvania Northeastern Railroad, LLC, and Southeastern Pennsylvania Transportation Authority

Pursuant to a Supplemental Agreement dated August 9, 2011,¹ CSX Transportation, Inc. (CSXT) is obtaining, retaining and/or modifying trackage rights from three separate sources, totaling 41.28 miles in Pennsylvania, as follows: (A) Norfolk Southern Railway Company (NSR) has agreed to assign its local and overhead trackage rights to CSXT over the Stony Creek Branch between milepost QAC 5.0 at Belfrey and milepost QAC 9.9 at Elm, a distance of 4.9 miles; (B) CSXT has retained overhead trackage rights as a result of the transfer of certain rights to Pennsylvania Northeastern Railroad, LLC (PNR)² for the purpose of interchanging with PNR on the following lines: (1) A portion of the Bethlehem Branch between milepost QAJ 7.0 at Tabor and milepost QAJ 24.4 at Lansdale (including Lansdale Yard between milepost QAJ 24.4 and milepost QAJ 24.8), (2) a portion of the Ninth Street Branch between milepost QAJ 6.7 at Newtown Jct. and milepost QAJ 7.0 at Tabor (formerly known as part of the Bethlehem Branch), (3) the New York Line between milepost QAA 10.8 at Jenkin (also known as Jenkintown) and milepost QAA 21.1 at Neshaminy (also known as Neshaminy Falls), and (4) the Stony Creek Branch between milepost QAC 0.0 at Lansdale and milepost QAC 3.0 near West Point, a total distance of 31.0 miles (31.4 miles including Lansdale Yard); and (C) CSXT's trackage rights over Southeastern Pennsylvania Transportation Authority (SEPTA) lines have been modified as follows: (1) Overhead and local trackage rights on the Stony Creek Branch between milepost QAC 3.0 near West Point and

milepost QAC 5.0 at Belfrey, (2) overhead trackage rights on the Blue Line Branch (Blue Line Connecting Track), between milepost 0.0 at Nice and milepost 0.7 at Wayne, (3) overhead trackage rights on a portion of the Ninth Street Branch between milepost QA 5.1 at Wayne and milepost QAJ 6.7 at Newton Jct., and (4) overhead trackage rights on a portion of the Norristown Branch between milepost 17.3 at Kalb and milepost 17.98 at Elm, a distance of 4.98 miles. SEPTA owns all of the real estate and track involved in these transactions.

The purpose of the trackage rights is for CSXT to acquire the Stony Creek Branch from NSR in order to interchange with PNR and provide overhead and local service over the line as needed. CSXT has retained the overhead trackage rights over PNR in order to interchange traffic with PNR at the most efficient locations. CSXT's trackage rights over SEPTA continue the local and overhead service provided by Consolidated Rail Corporation (Conrail) since the real estate and track were transferred from Conrail to SEPTA, with Conrail retaining an operating easement and trackage rights.

The proposed transaction is scheduled to be consummated on or after September 28, 2011, the effective date of the exemption (30 days after the exemption was filed).

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway, Inc.—Lease & Operate—California Western Railroad*, 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 September 21, 2011 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35546, 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 Louis E. Gitomer, 600 Baltimore Ave., Suite 301, Towson, MD 21204.

¹ A copy of the Supplemental Agreement was submitted with the notice of exemption. The agreement modifies a series of agreements among and between CSX Corporation/CSX Transportation, Inc. (CSX, CSXT), Norfolk Southern Corporation/Norfolk Southern Railway Company (NSC, NSR), Consolidated Rail Corporation (Conrail) and Southeastern Pennsylvania Transportation Authority (SEPTA) initially stemming from *CSX Corp. et al.—Control—Conrail, Inc. et al.*, 3 S.T.B. 196 (1998).

² See *Pennsylvania Northeastern Railroad, LLC—Acq. & Op. Exemp.—CSX Transp., Inc.*, Docket No. FD 35535 (STB served July 22, 2011).