

SUPPLEMENTARY INFORMATION:

I. Background

PHMSA published a final rule in the **Federal Register** on November 26, 2010, (75 FR 72878), titled: "Pipeline Safety: Updates to Pipeline and Liquefied Natural Gas Reporting Requirements." The final rule added two new sections, 49 CFR 191.22 and 195.64, to the pipeline safety regulations for the establishment of a national pipeline operator registry. The national pipeline operator registry is primarily applicable to operators that file electronic reports. The registry will be used by pipeline operators to obtain an Operator Identification (OPID) Number and notify PHMSA of certain actions. Operators will use the OPID number for electronic submissions such as incident and

annual reports. The national pipeline operator registry will also be used to provide PHMSA with operator notifications related to actions such as company name changes, certain construction activities, and project planning.

The national pipeline operator registry became effective on January 1, 2012. In compliance with the Paperwork Reduction Act requirements, PHMSA issued a 60-day **Federal Register** notice on December 13, 2010, (75 FR 77694) and a 30-day **Federal Register** notice on November 10, 2011, (76 FR 70217) to gather and respond to comments on the actual forms used to collect information for the national pipeline operator registry.

PHMSA has issued this advisory bulletin to clarify the implementation of the national pipeline operator registry.

Advisory Bulletin (ADB-2012-01)

To: Owners and Operators of Pipeline Facilities.

Subject: Implementation of the Operator Identification Registry.

Advisory: This notice advises owners and operators of pipeline facilities of the implementation of the national pipeline operator registry.

Implementation of OPID Registry (Program Effective Date: January 1, 2012)

This table identifies the expected submission dates for the various submissions that are related to the national pipeline operator registry.

Action	Submission expected
OPID Assignment Requests: §§ 191.22(a) and 195.64(a)	Begins February 1, 2012 (Operators in need of an OPID prior to February 1, 2012, should contact the operator hotline at (202) 366-8075).
OPID Validation: §§ 191.22(b) and 195.64(b)	As specified in §§ 191.22(b) and 195.64(b), respectively (June 30, 2012).
Notification Submissions: §§ 191.22(c) and 195.64(c) —60-day "before" notifications for events occurring between January 1, 2012, and March 30, 2012.	January 31, 2012.
—60-day "before" notifications for events occurring after March 30, 2012.	As specified in §§ 191.22(c)(1) and 195.64(c)(1), respectively.
—60-day "after" notifications for events occurring on and after January 1, 2012.	As specified in §§ 191.22(c)(2) and 195.64(c)(2), respectively.

Here are a few clarifying questions and responses regarding the national pipeline operator registry.

Question 1: Sections 191.22(c)(1) and 195.64(c)(1), require the submission of a notification 60 days prior to "Construction or any planned * * * that costs \$10 million or more * * *." Some operators have multiple projects that are consolidated into a program. For example, an operator upgrades 10 meter sites over various systems within one OPID and each upgrade is documented as an individual project, but consolidated into one program to minimize costs, contractors, material, etc. Further, each meter site upgrade is expected to cost \$1 million for a grand total of \$10 million for the program. For reporting purposes, should the operator consider the 10 individual projects at \$1 million each or as a program of \$10 million?

Answer 1: The \$10 million threshold applies to each project. Therefore, the consolidated projects specified in the example would not hit the \$10 million threshold since each project is less than \$10 million.

Question 2: Section 195.64(c)(1)(iii) requires operators to notify PHMSA of the construction of a new pipeline

facility no later than 60 days before the construction occurs. PHMSA has received questions regarding the use of the term "pipeline facility" and whether it includes line pipe.

Answer 2: By definition (§ 195.2) a pipeline facility includes "new and existing pipe, right-of-ways, and any equipment, facility, or building used in the transportation of hazardous liquids or carbon dioxide." However, for notification purposes of § 195.2(c)(iii), pipe is not included. This clarification also applies to § 195.2(c)(v), which requires notifications for the acquisition and divestitures of existing pipeline facilities.

Further details on how to file submissions are detailed at the following URL: <http://opsweb.phmsa.dot.gov>. Any questions regarding the filing of national pipeline operator registry submissions can be directed to the Office of Pipeline Safety operator helpline at (202) 366-8075.

Issued in Washington, DC, on January 6, 2012.

Jeffrey D. Wiese,

Associate Administrator for Pipeline Safety.

[FR Doc. 2012-618 Filed 1-12-12; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35578]

Birmingham Terminal Railway, L.L.C.—Acquisition and Operation Exemption—Birmingham Southern Railroad Company

Birmingham Terminal Railway, L.L.C. (BHRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Birmingham Southern Railroad Company (BS), and to operate approximately 75.59 miles of rail line, including all sidings and yard tracks as follows: (1) Between milepost 0.0 at 34th Street in Ensley, Ala., and milepost 4.7 at East Thomas, Ala.; (2) between milepost 0.0 at 34th Street in Ensley and milepost 9.8 at Bessemer, Ala.; and (3) between milepost 0.0 at the Port Connection Switch at Crawford Street in Fairfield, Ala., and milepost 18.85 at Birminghamport, Ala.¹

This transaction is related to a concurrently filed verified notice of

¹ BHRR is a new, wholly owned subsidiary of Watco Holdings, Inc.; BS, a subsidiary of Transtar, Inc., is a Class III terminal and switching carrier.

exemption in Docket No. FD 35579, *Watco Holdings, Inc.—Continuance in Control Exemption—Birmingham Terminal Railway, L.L.C.*, wherein Watco Holdings, Inc., seeks Board approval to continue in control of BHRR, upon BHRR's becoming a Class III rail carrier.

The parties intend to consummate the transaction after the effective date of the verified notice of exemption.

BHRR certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier. Because BHRR's projected annual revenues will exceed \$5 million, BHRR certified to the Board on December 2, 2011, that it had complied with the requirements of 49 CFR 1150.32(e) on December 1, 2011, by providing notice to employees and their labor unions on the affected line. Under 49 CFR 1150.32(e), this exemption cannot become effective until 60 days after the date notice was provided.

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 January 23, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35578, 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 Karl Morell, 655 Fifteenth Street NW., Suite 225, Washington, DC 20005.

Board decisions and notices are available on our Web site at www.stb.dot.gov.

Decided: January 10, 2012.

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

Raina S. White,
Clearance Clerk.

[FR Doc. 2012-558 Filed 1-12-12; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35584]

Southwest Pennsylvania Railroad Company—Acquisition Exemption—Laurel Hill Development Corporation

Southwest Pennsylvania Railroad Company (SPRC), a Class III rail carrier,

has filed a verified notice of exemption under 49 CFR 1150.41 to acquire a number of rail lines now owned by Laurel Hill Development Corporation (LHDC) (formerly Fay Penn Industrial Development Corporation (Fay Penn)), a non-operating rail carrier.¹ The lines comprise a total distance of 29.09 miles and extend generally between Everson, Pa. and Broadford, Pa. and between Greene Junction, Pa. and Smithfield, Pa., including Bowest Yard and various branch lines.

The lines are described as follows: (a) 21.67 miles of rail line extending between Rail Valuation Station 4+06.3 in Greene Junction and Rail Valuation Station 1148+43.8 in Smithfield, as shown generally on Valuation Maps V.69.1/S-43a, V.69.11/1 to 6, and V.82.1/1 to 6, in Fayette County, Pa.; (b) 3.28 miles of rail line extending between Rail Valuation Station 1+30 in Broadford and Rail Valuation Station 174+56 at Everson, in Fayette County, Pa.; (c) a portion of the Smithfield & Masontown Branch adjacent to the rail line described in (a) above, in Smithfield, as shown generally as Valuation Map 82.1/S 5-6 and 82.4/1; (d) a 2.26-mile portion of the South West Branch extending between Rail Valuation Station 1926+00 and Rail Valuation Station 2045+45 in Uniontown, as shown on Valuation Maps V. 20.01/37 to 39; (e) a 0.27-mile portion of the South West Branch extending between Rail Valuation Station 2271+39 and Rail Valuation Station 2285+55, in Fairchance, as shown generally on Valuation Map V.20.01/44; (f) a 1.61-mile portion of the Fairchance Branch extending between

¹ In *Fay Penn Industrial Development Corporation—Acquisition Exemption—CSXT Transportation, Inc.*, FD 33051 (STB served Oct. 4, 1996), Fay Penn was authorized to acquire certain rail lines extending between specified points in Pennsylvania, and in *Southwest Pennsylvania Railroad Company—Operation Exemption—CSX Transportation, Inc.*, FD 33051 (Sub-No. 1) (STB served Oct. 4, 1996), SPRC was authorized to operate the lines acquired by Fay Penn and also was authorized to acquire 4 miles of incidental trackage rights. In *CSX Transportation, Inc.—Abandonment Exemption—in Fayette and Westmoreland Counties, Pa.*, AB 55 (Sub-No. 420X) (ICC served Nov. 28, 1994), Fay Penn, successor in interest to Fay-Penn Land Trust, acquired authority as the designee of the Commonwealth of Pennsylvania, along with the Westmoreland County Industrial Development Corporation, to acquire a rail line between specified points in Fayette and Westmoreland Counties, Pa. under the agency's offer of financial assistance procedures. In *Southwest Pennsylvania Railroad Company—Lease and Operation Exemption—Lines of Westmoreland County Industrial Development Corporation and Fay-Penn Land Trust*, FD 32737 (ICC served July 21, 1995), SPRC was authorized to lease and operate that rail line.

SPRC states that on August 25, 2011, Fay Penn changed its name to LHDC.

Rail Valuation Station 2+20 and Rail Valuation Station 87+20, in Fairchance, as shown on Valuation Maps V.20.025/1 & 2; (g) all of the tract or parcel of land and rights-of-way referred to as the Bowest Yard lying and being adjacent to the rail line described in (a) above in Dunbar Township, Fayette County; (h) all tracts or parcels of land and rights-of-way comprising or adjacent to the former CSX Transportation, Inc. (CSXT) Smithfield and Masontown Branch Line connecting with the parcels at Smithfield & Mason Junction near Smithfield extending from the northerly property line of the parcel described in (c) above to State Route 119; and (i) the industrial side track easement located in the Fayette Business Park and connecting to the former CSXT Fairmont, Morgantown & Pittsburgh Subdivision in Georges Township, in Fayette County. SPRC currently operates the rail lines that it seeks to acquire and will continue to provide common carrier service on the lines after their acquisition. SPRC also operates and will continue to operate over 4 miles of incidental trackage rights previously granted by CSXT.

SPRC certifies that its projected annual revenues as a result of the transaction will not exceed those that would qualify it as a Class III rail carrier.

The transaction is expected to be consummated after January 27, 2012, the effective date of the exemption.

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 January 20, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35584, 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 Richard R. Wilson, Esq., 518 N. Center Street, Ste. 1, Ebensburg, PA 15931.

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

Decided: January 9, 2012.

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

Raina S. White,
Clearance Clerk.

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