

collections are described in more detail below.

For each collection, comments are requested concerning: (1) The accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

**DATES:** Comments on this information collection should be submitted by April 26, 2013.

**ADDRESSES:** Written comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Patrick Fuchs, Surface Transportation Board Desk Officer, by fax at (202) 395-5167; by mail at OMB, Room 10235, 725 17th Street NW., Washington, DC 20500; or by email at [OIRA\\_SUBMISSION@OMB.EOP.GOV](mailto:OIRA_SUBMISSION@OMB.EOP.GOV) and refer to the title of the collection(s) commented upon.

**FOR FURTHER INFORMATION CONTACT:** Marilyn Levitt at [levittm@stb.dot.gov](mailto:levittm@stb.dot.gov) or (202) 245-0269. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Relevant STB regulations may be viewed on the STB's Web site under E-Library > Reference: STB Rules, [http://www.stb.dot.gov/stb/elibrary/ref\\_stbrules.html](http://www.stb.dot.gov/stb/elibrary/ref_stbrules.html).

**Subjects:** In this notice the Board is requesting comments on the following information collections:

#### Collection Number 1

**Title:** Recordations (Rail and Water Carrier Liens).

**OMB Control Number:** 2140-00XX.

**STB Form Number:** None.

**Type of Review:** Existing collection in use without an OMB control number.

**Respondents:** Parties holding liens on rail equipment or water carrier vessels, carriers filing proof that a lien has been removed.

**Number of Respondents:** An annual average of 2125 recordations was filed during the last three years by 50 respondents.

**Frequency:** On occasion.

**Total Burden Hours** (annually including all respondents): 1,240 hours

(estimated 35 minutes per response × 2125 responses).

**Total "Non-hour Burden" Cost** (such as start-up and mailing costs): There are no non-hourly burden costs for this collection. The collection may be filed electronically.

**Needs and Uses:** Under the Interstate Commerce Act, 49 U.S.C. 11301 and related regulations at 49 CFR 1177, liens on rail equipment must be filed with the STB in order to perfect a security interest in the equipment. Subsequent assignments of rights or release of obligations under such instruments must also be filed with the agency. This information is maintained by the Board for public inspection. Recordation at the STB obviates the need for recording such a lien in individual States.

**Retention Period:** Recordations of liens are destroyed 60 years after the last filing.

#### Collection Number 2

**Title:** Water Carrier Tariffs

**OMB Control Number:** 2140-00XX.

**STB Form Number:** None.

**Type of Review:** Existing collection in use without an OMB control number.

**Respondents:** Water carriers that provide freight transportation in noncontiguous domestic trade.

**Number of Respondents:** Approximately 25.

**Frequency:** On occasion, for an annual total of 1917 tariffs filed.

**Total Burden Hours** (annually including all respondents): 1,254 hours (1672 filings × .75 hour (estimated time per filing)).

**Total "Non-hour Burden" Cost** (such as start-up costs and mailing costs): There are no non-hourly burden costs for this collection. The collection may be filed electronically.

**Needs and Uses:** While rail carriers are no longer required to file rate tariffs at the STB, a statutory requirement exists for water carriers that provide freight transportation in noncontiguous domestic trade (i.e., domestic (as opposed to international) shipments moving to or from Alaska, Hawaii, or the U.S. territories or possessions (Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands)). A tariff provides a list of prices and fees that the carrier charges to the shipping public.

**Retention Period:** After cancellation, tariffs are placed in a "Cancelled Tariffs" file. They are destroyed five years after the end of the year in which they were cancelled.

#### Collection Number 3

**Title:** Agricultural Contract Summaries.

**OMB Control Number:** 2140-00XX.

**STB Form Number:** None.

**Type of Review:** Existing collection in use without an OMB control number.

**Number of Respondents:**

Approximately 10.

**Frequency:** On occasion, for a total from all respondents of approximately 141 submissions per year (which must be submitted as soon as possible, but not longer than seven days after effective date of contract or amendment).

**Total Burden Hours** (annually including all respondents): 106 hours (141 submissions × .75 hours (45 minutes) estimated per submission).

**Total Annual "Non-hour Burden" Cost** (such as start-up and mailing costs): There are no non-hourly burden costs for this collection. The collection is filed electronically.

**Needs and Uses:** While the terms of a rail transportation contract are treated as confidential, railroads are required by statute to file a summary of the nonconfidential terms of any contract for the transportation of agricultural products.

**Retention Period:** Paper copies of this collection are destroyed six months after the expiration of the referenced contract.

**SUPPLEMENTARY INFORMATION:** Under the PRA, a Federal agency conducting or sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: March 22, 2013.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2013-07056 Filed 3-26-13; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Information Collection Activities; Rail Depreciation Studies

**ACTION:** 30-day notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3519 (PRA), the Surface Transportation Board (Board) gives notice that it is requesting from the Office of Management and Budget (OMB) approval of the information collection—Rail Depreciation Studies—further described below. The Board previously published a notice about this collection in the *Federal Register* on July 30, 2012, at 77 FR 44710. That notice allowed for a 60-day public review and comment period. No comments were received.

Comments may now be submitted to OMB concerning (1) whether this collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility; (2) the accuracy of the Board's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate.

**DATES:** Written comments are due on April 26, 2013.

**ADDRESSES:** Written comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Patrick Fuchs, Surface Transportation Board Desk Officer, by fax at (202) 395–5167; by mail at OMB, Room 10235, 725 17th Street NW., Washington, DC 20500; or by email at [OIRA\\_SUBMISSION@OMB.EOP.GOV](mailto:OIRA_SUBMISSION@OMB.EOP.GOV). Comments should refer to the title of the collection commented upon.

**FOR FURTHER INFORMATION CONTACT:** For additional information, contact Paul Aguiar at (202) 245–0323 or [aguiarp@stb.dot.gov](mailto:aguiarp@stb.dot.gov). [Federal Information Relay Service (FIRS) for the hearing impaired: (800) 877–8339.]

**Subjects:** In this notice the Board is requesting comments on the following information collection:

*Title:* Rail Depreciation Studies.  
*OMB Control Number:* 2140–XXXX.  
*Form Number:* None.

*Type of Review:* Collection in existence without a Control Number.

*Respondents:* Class I railroads.

*Number of Respondents:* 7.

*Estimated Time per Response:*

Between 500 and 540 hours annually, depending on whether the rail-carrier respondent has significant assistance from outside consultants, resulting in an average of 515 hours per response.

*Frequency of Response:* Every 3 years for equipment; every 6 years for other depreciable property.

*Total Annual Hour Burden:* 3,605 hours (515 hours × 7 Class I railroads).

*Total Annual “Non-Hour Burden” Cost:* Between \$8,340 and \$30,000 annually, depending on whether the rail-carrier respondent has significant assistance from outside consultants, resulting in an annual per railroad average of \$20,500 and a cumulative total for all 7 Class I railroads of \$143,500.

*Needs and Uses:* Under 49 U.S.C. 11143, the Board is required to identify those classes of property for which rail carriers may include depreciation charges under operating expenses, and the Board must also prescribe a rate of depreciation that may be charged to those classes of property. Pursuant to the Board's authority under § 11145 and 49 CFR Part 1201, Section 4–2(b), Class I (large) rail carriers are required to submit to the Board Depreciation Studies. Information in these studies is not available from any other source. The Board uses the information in these studies to prescribe depreciation rates. These depreciation-rate prescriptions state the period for which the depreciation rates therein are applicable. Class I railroads apply the prescribed depreciation rates to their investment base to determine monthly and annual depreciation expense. This expense is included in the railroads' operating expenses, which are reported in their R–1 reports (OMB Control Number 2140–0009). Operating expenses are used to develop operating costs for application in various proceedings before the Board, such as in rate reasonableness cases and in the determination of railroad revenue adequacy.

**SUPPLEMENTARY INFORMATION:** Under the PRA, a Federal agency conducting or sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the *Federal Register* concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: March 21, 2013.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2013–06936 Filed 3–26–13; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35720]

#### Nittany and Bald Eagle Railroad Company—Temporary Trackage Rights Exemption—Norfolk Southern Railway Company

Norfolk Southern Railway Company (NS), pursuant to a written trackage rights Agreement (Agreement), has agreed to grant non-exclusive, temporary, overhead trackage rights to Nittany and Bald Eagle Railroad Company (N&BE) over NS's line of railroad between milepost BR 194.2, at Lock Haven, PA, and milepost BR 139.2, at Driftwood, PA, a distance of 55 miles.<sup>1</sup>

The transaction may be consummated on or after April 10, 2013, the effective date of the exemption (30 days after the verified notice of exemption was filed). The temporary trackage rights are scheduled to expire on or about December 30, 2013. The purpose of the temporary trackage rights is to allow N&BE to operate bridge train service for temporary, seasonal traffic.

As a condition to this exemption, any employees affected by the acquisition of the temporary 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), and any employees affected by the discontinuance of those trackage rights will be protected by the conditions set out in *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979).

This notice is filed under 49 CFR 1180.2(d)(8). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d)

<sup>1</sup> A redacted version of the Agreement between NS and N&BE was filed with the notice of exemption. N&BE simultaneously filed a motion for protective order to protect the confidential and commercially sensitive information contained in the unredacted version of the Agreement, which N&BE submitted under seal in this proceeding. That motion will be addressed in a separate decision.