

Extension Partnership (MEP) in order to scout for domestic sources for the components. The MEP supplier scouting revealed that the ZU1–60 steel sections from which the switch point rails are machined (by Nortrak) appeared to be currently available from a domestic manufacturing source. However, follow up discussions between MEP, Amtrak, and that potential source revealed that though it was determined that the source could roll the necessary steel it was not currently doing so. Moreover, the source reported that it would take, at best, six months to one year to produce the rail sections and questioned whether the quantity needed for these types of rails (four left and four right rails for this project) would justify the business expense of doing so.

MEP also found that roller assemblies and plates potentially meeting the specific requirements of the Turnouts were available from domestic manufacturers. However, follow up discussions with these companies revealed that though several companies made similar items, the current ability to produce the items to the specification required by Amtrak did not exist without retool and retest in the No. 32.75 136RE Special Turnout needed for this project.

Importantly, FRA is currently funding a grant to Nortrak for the research and development of a high speed rail turnout design that is based on U.S. specifications. The goal of the research is to yield a “Buy America” compliant high speed turnout. The grant runs through June 2013 and is expected to yield as a deliverable a drawing package suitable for bid. The next phase of the project (if funded) would be construction and test of the turnout at FRA’s Transportation Testing Center in Pueblo, Colorado. Despite this research, the potential for a compliant turnout that may be available in the future and the timing of this waiver, the current availability of compliant components is at issue.

As you know, Amtrak is currently in the early stages of procurement of the Turnouts, which require approximately 300 days for delivery. Once delivered, Amtrak must assemble the Turnouts at one of its Maintenance of Way facilities, which takes approximately one to two months. Then, once assembled, Amtrak must deliver the Turnouts by train to the locations where they will be installed. The tracks at Adams and Delco are scheduled to go out of service in February 2014 in order for the Turnouts to be installed. This outage has been planned with and agreed to by NJT. Accordingly, in order to have enough time to assemble the Turnouts

prior to their installation in February 2014, the Turnouts must be delivered to Amtrak no later than early January 2014. This means that Amtrak must be able to place its order for the Turnouts not later than the end of March 2013. For this reason, even if a U.S. specification could be designed and steel switch point rail sections rolled and roller assemblies and plates meeting the needs of these specific turnouts fabricated and retested, it would happen too late to meet the tight project deadline for the long lead time Turnouts needed for this project.

Pursuant to 49 U.S.C. § 24405(a)(4), FRA will publish this letter granting Amtrak’s request in the **Federal Register** and provide notice of such finding and an opportunity for public comment after which this waiver will become effective. This waiver applies only to the ZU1–60 steel switch point rail sections and Schwihag roller assemblies and plates as manufactured into the four No. 32.75 Turnouts installed on the NY-NJ HSR Program. As you are aware, discussions between MEP, Amtrak, Nortrak, and other companies that have the potential to produce these items are ongoing and future requests for a waiver will not be granted without a specific showing that significant good faith efforts to obtain a domestic source for the items have been made. FRA staff will stay involved in these discussions and will assist in whatever way needed.

Question about this letter can be directed to, Linda Martin, Senior Attorney-Advisor, at [Linda.Martin@dot.gov](mailto:Linda.Martin@dot.gov) or (202) 493–6062.

**Joseph C. Szabo,**  
Administrator.

This **Federal Register** notice is issued in Washington, DC on April 16, 2013.

**Melissa Porter,**  
Chief Counsel, Federal Railroad Administration.

[FR Doc. 2013–09295 Filed 4–18–13; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35727]

#### Union Pacific Railroad Company— Trackage Rights Exemption—Illinois Central Railroad Company

Illinois Central Railroad Company (IC), pursuant to a written agreement dated December 18, 2012, has agreed to grant overhead trackage rights to Union Pacific Railroad Company (UP) over IC’s Chicago Subdivision between milepost

21.0 at or near Markham, Ill., and milepost 29.0 at or near Matteson, Ill., a distance of approximately 8.0 miles.<sup>1</sup>

The transaction is scheduled to be consummated on May 5, 2013, the effective date of the exemption (30 days after the exemption was filed).

According to UP, through predecessor railroads, it currently maintains trackage rights over approximately 60 miles of IC’s rail line between milepost A0–36.7 near Joliet, Ill., and milepost 21.0 near Markham, Ill.<sup>2</sup> The purpose of the transaction is to permit UP to connect to its existing trackage rights over the Wisconsin Central Ltd. (formerly Elgin, Joliet and Eastern Railway Company) line<sup>3</sup> near Matteson, Ill., which UP states would facilitate efficient train and rail operations throughout the Chicago area.

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—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. Petitions for stay must be filed by April 26, 2013 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35727, 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 Jeremy Berman, Union Pacific Railroad Company, 1400 Douglas Street, STOP 1580, Omaha, NE 68179.

Board decisions and notices are available on our Web site at “[www.stb.dot.gov](http://www.stb.dot.gov).”

Decided: April 16, 2013.

<sup>1</sup> A redacted trackage rights agreement between IC and UP was filed with the notice of exemption. An unredacted version was filed under seal along with a motion for protective order, which will be addressed in a separate decision.

<sup>2</sup> See *Chi., Mo. & W. Ry.—Exemption Acquis. and Operation—Ill. Cent. Gulf R.R.*, FD 30911 (ICC served Oct. 23, 1986, as supplemented May 8, 1987); and *Rio Grande Indus., Inc.—Purchase and Trackage Rights—Chi., Mo. & W. Ry. Line between St. Louis, Mo. and Chi., Ill.*, 5 I.C.C.2d 952 (1989).

<sup>3</sup> See *Union Pac. R.R.—Trackage Rights Exemption—Elgin, Joliet & E. Ry.*, FD 35728 (filed Apr. 5, 2013) for a description of these trackage rights.

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

**Raina S. White,**  
Clearance Clerk.

[FR Doc. 2013-09242 Filed 4-18-13; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35728]

#### Union Pacific Railroad Company— Trackage Rights Exemption—Elgin, Joliet and Eastern Railway Company

Pursuant to a written trackage rights agreement dated December 18, 2012, Elgin, Joliet and Eastern Railway Company (EJ&E)<sup>1</sup> has agreed to grant overhead trackage rights to Union Pacific Railroad Company (UP) over approximately 25.2 miles of the EJ&E rail line between milepost 0.0 (at or near Joliet, Ill.) and milepost 25.2 (at or near Chicago Heights, Ill.), approximately 9.2 miles between milepost 36.2 (at or near Griffith, Ind.) and milepost 45.4 (at or near Gary, Ind.), and approximately 6.6 miles between milepost 45.4 (at or near Gary, Ind.) and milepost 6.0 (at or near Goff, Ind.), for a total distance of approximately 41.0 miles.<sup>2</sup>

The transaction is scheduled to be consummated on May 5, 2013, the effective date of the exemption (30 days after the verified notice was filed).

The purpose of the transaction is to provide UP with connections to its existing trackage rights over the EJ&E line in Joliet, Chicago Heights, and Griffith, thereby providing UP a complete route, via trackage rights, around the Chicago area.<sup>3</sup>

<sup>1</sup> On January 1, 2013, EJ&E was merged into Wisconsin Central Ltd. (WCL). See *Wis. Cent. Ltd.—Intra-Corporate Family Merger Exemption—Elgin, Joliet & E. Ry.*, FD 35630 (STB served June 8, 2012) and Notice of Consummation filed January 4, 2013. In its verified notice of exemption in this docket, UP indicates that, as of January 1, 2013, the trackage rights agreement with EJ&E is valid and binding on WCL as EJ&E's successor-in-interest. The trackage rights agreement limits the number of trains UP may operate. See Verified Notice of Exemption, Exh. 2 at 7, 10.

<sup>2</sup> A redacted version of the trackage rights agreement between UP and EJ&E was filed with the notice of exemption. As required by 49 CFR 1180.6(a)(7)(ii), the unredacted version was concurrently filed under seal along with a motion for protective order. The motion is being addressed in a separate decision.

<sup>3</sup> In 1997, UP acquired trackage rights over 11 miles of EJ&E's rail line between milepost 25.2, near Chicago Heights, and milepost 36.2, near Griffith. See *Union Pac. R.R.—Trackage Rights Exemption—Elgin, Joliet & E. Ry.*, FD 33347 (STB served Feb. 18, 1997). UP later acquired trackage rights over EJ&E's rail line between milepost 1.8, near Joliet, through West Chicago (milepost 29), to milepost 75.0, near Waukegan, Ill., a distance of

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—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. Petitions for stay must be filed by April 26, 2013 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35728, 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 Jeremy Berman, Union Pacific Railroad Company, 1400 Douglas Street STOP 1580, Omaha, NE 68179.

Board decisions and notices are available on our Web site at “[www.stb.dot.gov](http://www.stb.dot.gov).”

Decided: April 16, 2013.

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

**Raina S. White,**  
Clearance Clerk.

[FR Doc. 2013-09243 Filed 4-18-13; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

April 15, 2013.

The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, on or after the date of publication of this notice.

**DATES:** Comments should be received on or before May 20, 2013 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory

approximately 76 miles. See *Union Pac. R.R.—Trackage Rights Exemption—Elgin, Joliet & E. Ry.*, FD 33821 (STB served Dec. 20, 1999).

Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at [PRA@treasury.gov](mailto:PRA@treasury.gov).

**FOR FURTHER INFORMATION CONTACT:** Copies of the submission(s) may be obtained by calling (202) 927-5331, email at [PRA@treasury.gov](mailto:PRA@treasury.gov), or the entire information collection request may be found at [www.reginfo.gov](http://www.reginfo.gov).

### Internal Revenue Service (IRS)

*OMB Number:* 1545-0219.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Work Opportunity Credit.

*Form:* 5884.

*Abstract:* IRC section 38(b)(2) allows a credit against income tax to employers hiring individuals from certain targeted groups such as welfare recipients, etc. The employer uses Form 5884 to figure the credit. IRS uses the information on the form to verify that the correct amount of credit was claimed.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 415,144.

*OMB Number:* 1545-0687.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Exempt Organization Business Income Tax Return.

*Form:* 990-T.

*Abstract:* Form 990-T is needed to compute the section 511 tax on unrelated business income of a charitable organization. IRS uses the information to enforce the tax.

*Affected Public:* Private Sector: Not-for-profit institutions.

*Estimated Total Burden Hours:* 5,262,319.

*OMB Number:* 1545-0946.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Application for Renewal of Enrollment to Practice before the Internal Revenue Service.

*Form:* 8554, 8554-EP.

*Abstract:* This information relates to the approval of continuing professional education programs and the renewal of the enrollment status for those individuals admitted (enrolled) by the Internal Revenue Service.

*Affected Public:* Individuals or Households; Private Sector: Businesses or other for-profits.