

**Authority:** 49 U.S.C. 60118 (c)(1) and 49 CFR 1.53.

Issued in Washington, DC on August 20, 2013.

**Jeffrey D. Wiese,**

*Associate Administrator for Pipeline Safety.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. NOR 38302S; Docket No. NOR 38376S]

**United States Department of Energy and United States Department of Defense v. Baltimore & Ohio Railroad Company, et al.; and United States Department of Energy and United States Department of Defense v. Aberdeen & Rockfish Railroad Company, et al.**

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

**ACTION:** Final Decision.

**SUMMARY:** The Surface Transportation Board (Board) has approved the settlement agreement (Agreement) negotiated by the United States Departments of Energy and Defense (the Government) on the one hand and BNSF Railway Company (BNSF) on the other hand; prescribed the Agreement's rate and rate update methodology and revenue-to-variable cost (R/VC) ratios as the maximum reasonable rates; and continued to hold these proceedings in abeyance as to the remaining railroad defendants to permit continued settlement negotiations.

**DATES:** *Effective Date:* The decision is effective on September 25, 2013.

**FOR FURTHER INFORMATION CONTACT:** Marc Lerner, (202) 245-0390. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** In a decision served on August 26, 2013, the Board, under 49 U.S.C. 10704, approved the Agreement negotiated by the Government and BNSF to settle these rate reasonableness complaints as between them only. The Agreement—which applies broadly to the nationwide movement on BNSF's lines of irradiated spent fuel, parts and constituents; spent nuclear fuel moving from a foreign country to the United States for disposal; empty casks; radioactive waste materials; and buffer and escort cars (collectively, Covered Movements) and is structured to cover movements to or from unanticipated geographic areas or in as-yet-unknown types of

equipment—is to be implemented by BNSF tendering rate quotations to the Government under 49 U.S.C. 10721.

In addition, the Board: (1) Prescribed the Agreement's rate and rate update methodology and R/VC ratios (not to exceed 1.80, 2.50, or 3.51 times the shipment cost, depending on commodity type, using BNSF's most current system-average variable costs computed using the Board's Uniform Railroad Costing System) to establish the maximum reasonable rates; (2) dismissed BNSF as a defendant in these proceedings; (3) extinguished all of BNSF's liability and that of its predecessors and subsidiaries for all reparations on past shipments of Covered Movements in which they participated, both insofar as the Government is involved and insofar as any connecting rail carrier may seek contribution; (4) preserved the liability of connecting carriers for reparations as to their portion of the charges assessed on through routes that include(d) BNSF; (5) relieved BNSF from any further requirement to participate in these proceedings, except in response to a properly issued subpoena under the Board's rules; and (6) continued to hold these proceedings in abeyance, subject to the Government reporting quarterly to the Board on the progress of settlement negotiations with remaining railroad defendants.

The Board also: (1) Endorsed the Agreement's non-participation clause, Paragraph 14, "Reparation Claims and Rate Challenges Extinguished," ruling that it will not entertain cross-complaints under 49 CFR 1111.4(c) against BNSF in proceedings involving the Government's claims for reparations against connecting carriers; (2) clarified that the terms and obligations of the Agreement, including the prescribed rate and rate update methodologies and maximum R/VC ratios, will be binding only as between the Government and BNSF, will have no precedential effect as to the reasonableness of the rates or the common carrier obligations of non-consenting rail carrier parties in future proceedings or negotiations, and will not be considered a presumptive model for negotiations between CSXT and the Government; and (3) dismissed BNSF as a party from (a) the Government's pending motion, filed in this proceeding on October 3, 1994, to sever issues relating to the quantity of service, including number of routes open for moving radioactive materials nationwide, and to consolidate tariff questions, and (b) the railroad defendants' pending petition, filed on January 18, 1996, to dismiss the complaints in these proceedings.

The Board's decision is available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: August 19, 2013.

By the Board, Chairman Elliott, Vice Chairman Begeman, and Commissioner Mulvey.

**Derrick A. Gardner,**

*Clearance Clerk.*

[FR Doc. 2013-20735 Filed 8-23-13; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

August 20, 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 September 25, 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 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 maybe found at [www.reginfo.gov](http://www.reginfo.gov).

### Internal Revenue Service (IRS)

*OMB Number:* 1545-0962.

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

*Title:* Tax Information Security Guidelines for Federal, State, and Local Agencies.

*Abstract:* Internal Revenue Code section 6103(p) requires that IRS provide periodic reports to Congress describing safeguard procedures, utilized by agencies which receive information from the IRS, to protect the confidentiality of the information. This section also requires that these agencies furnish reports to the IRS describing their safeguards.

*Affected Public:* State, Local, and Tribal Governments.

*Estimated Annual Burden Hours:* 204,000.

*OMB Number:* 1545–1863.

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

*Title:* IRS e-file Signature Authorization for Form 1120S.

*Form:* 8879–S.

*Abstract:* Form 8879–S authorizes an officer of a corporation and an electronic return originator (ERO) to use a personal identification number (PIN) to electronically sign a corporation's electronic income tax return and, if applicable, Electronic Funds Withdrawal Consent.

*Affected Public:* Private sector: Businesses and other for-profits.

*Estimated Annual Burden Hours:* 74,181.

*OMB Number:* 1545–1580.

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

*Title:* Compensation Deferred Under Eligible Deferred Compensation Plans (TD 9075).

*Abstract:* Final regulation provides guidance regarding the trust requirements for certain eligible deferred compensation plans enacted in the Small Business Job Protection Act of 1996.

*Affected Public:* State, Local, and Tribal Governments.

*Estimated Annual Burden Hours:* 10,600.

*OMB Number:* 1545–2036.

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

*Title:* Taxation and Reporting of REIT Excess Inclusion Income (Notice 2006–97).

*Abstract:* The notice requires certain REITs, RICs, partnerships and other Pass-Through Entities that have excess inclusion income to disclose the amount and character of such income allocable to their record interest owners. The record interest owners need the information to properly report and pay taxes on such income.

*Affected Public:* Private sector: Businesses and other for-profits.

*Estimated Annual Burden Hours:* 100.

*OMB Number:* 1545–2161.

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

*Title:* Information Return for Build America Bonds and Recovery Zone Economic Development Bonds.

*Form:* 8038–B.

*Abstract:* Form 8038–B has been developed to assist issuers of the new types of Build America and Recovery Zone Economic Development Bonds, enacted under the American Recovery and Reinvestment Act of 2009, to capture information required by IRC section 149(e).

*Affected Public:* State, Local, and Tribal Governments.

*Estimated Annual Burden Hours:* 113,661.

*OMB Number:* 1545–2162.

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

*Title:* HCTC Medicare Family Member Registration Form.

*Form:* 14117.

*Abstract:* Section 1899E, Health Coverage Improvement, of the ARRA, authorizes the continuation of HCTC benefits for qualified family members after the original HCTC candidate has been canceled from the program due to Medicare enrollment. The original HCTC candidate will complete this form in order to continue enrollment for or to register their family members in the monthly HCTC program.

*Affected Public:* Individuals or households.

*Estimated Annual Burden Hours:* 1,200.

**Dawn D. Wolfgang,**

*Treasury PRA Clearance Officer.*

[FR Doc. 2013–20639 Filed 8–23–13; 8:45 am]

**BILLING CODE 4830–01–P**

## DEPARTMENT OF THE TREASURY

### Renewal of the Federal Advisory Committee on Insurance

**AGENCY:** Departmental Offices, U.S. Department of the Treasury.

**ACTION:** Notice.

**SUMMARY:** The charter for the Federal Advisory Committee on Insurance (FACI) has been renewed for a two-year period beginning July 29, 2013.

**FOR FURTHER INFORMATION CONTACT:**

James P. Brown, Senior Policy Advisor to the Federal Insurance Office, Room 2100, Department of the Treasury, 1425 New York Avenue NW., Washington, DC 20220, at (202) 622–6910 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given under section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. 2, that the FACI has been renewed for an additional two years beginning July 29, 2013. The purpose of the FACI is to present advice and recommendations to the Federal

Insurance Office (FIO) in performing its duties and authorities. The advice and recommendations may cover specific or general insurance topics, processes, studies and/or reports. The duties of the FACI shall be solely advisory and shall extend only to the submission of advice and recommendations, which shall be non-binding, to FIO. The FACI meets on a periodic basis, and its membership is balanced to include a cross-section of representative views of state and non-government persons having an interest in the duties and authorities of FIO.

Dated: August 16, 2013.

**Rebecca H. Ewing,**

*Executive Secretary.*

[FR Doc. 2013–20700 Filed 8–23–13; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control

#### Designation of 1 Individual and 1 Entity Pursuant to Executive Order 13224 of September 23, 2001, “Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism”

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The Treasury Department's Office of Foreign Assets Control (“OFAC”) is publishing the names of 1 individual and 1 entity whose property and interests in property are blocked pursuant to Executive Order 13224 of September 23, 2001, “Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism.”

**DATES:** The designations by the Director of OFAC of the 1 individual and 1 entity in this notice, pursuant to Executive Order 13224, are effective on August 20, 2013.

**FOR FURTHER INFORMATION CONTACT:**

Assistant Director, Compliance Outreach & Implementation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, tel.: 202/622–2490.

**SUPPLEMENTARY INFORMATION:**

#### Electronic and Facsimile Availability

This document and additional information concerning OFAC are available from OFAC's Web site ([www.treas.gov/ofac](http://www.treas.gov/ofac)) or via facsimile through a 24-hour fax-on-demand service, tel.: 202/622–0077.