

“FMCSA–2013–0126” and click the search button. When the new screen appears, click on the blue “Comment Now!” button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

We will consider all comments and material received during the comment period and may change this proposed rule based on your comments. FMCSA may issue a final rule at any time after the close of the comment period.

#### Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble, and to submit your comment online, go to <http://www.regulations.gov> and in the search box insert the docket number “FMCSA–2013–0126” and click “Search.” Next, click “Open Docket Folder” and you will find all documents and comments related to the proposed rulemaking.

#### Information on Individual Applicants

##### Rodney Braden

Mr. Braden, 47, holds an operator’s license in Kentucky.

##### Arthur Brown

Mr. Brown, 46, holds an operator’s license in Kentucky.

##### Anthony Castile, III

Mr. Castile, 44, holds an operator’s license in Pennsylvania.

##### Michael Steggs

Mr. Steggs, 53, holds a Class A commercial driver’s license (CDL) in Texas.

#### Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b)(4), FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. The Agency will consider all comments received before the close of business May 2, 2014. Comments will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. The Agency will file comments received after the comment closing date in the public docket, and will consider them to

the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should monitor the public docket for new material.

Issued on: March 18, 2014.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2014–07205 Filed 4–1–14; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35752]

#### Grafton & Upton Railroad Company— Petition for Declaratory Order; Corrected Decision<sup>1</sup>

Grafton & Upton Railroad Company (G&U) filed a petition for a declaratory order on July 24, 2013, requesting a finding that 49 U.S.C. 10501(b) preempts certain state and local permitting and preclearance statutes and regulations that the Town of Grafton, Mass. (Grafton or the Town) seeks to enforce in connection with G&U’s construction and operation of a liquefied petroleum gas (propane) transload facility on a five-acre parcel (the Parcel) that G&U owns in North Grafton. G&U states that it intends to use the facility to transfer propane received by tank car in North Grafton to storage tanks and then to trucks for delivery to propane dealers in New England. Pending the completion of the construction, G&U intends to use portable equipment to transload the propane. For the reasons discussed below, a declaratory order proceeding will be instituted and a procedural schedule will be adopted.

The Parcel is located immediately adjacent to G&U’s line and existing rail yard.<sup>2</sup> In December 2012, G&U notified the Town that four propane storage tanks were about to be delivered to its rail yard. The Town responded by

issuing a cease and desist order to halt construction and by filing a complaint in the Superior Court for Worcester County, Mass. (Court), arguing that construction of the transload facility would be illegal and would violate the Town’s zoning bylaws. These actions ultimately resulted in the Court entering two orders on June 12, 2013, which: (1) enjoined the delivery of the storage tanks; (2) directed G&U to comply with the cease and desist order; (3) stayed the Court proceedings pending a determination by the Board concerning the applicability of § 10501(b); and (4) referred the preemption issue to the Board, directing G&U to file a petition for declaratory order.

In the petition, G&U requests that the Board find that Grafton is preempted from enforcing state and local permitting and preclearance statutes and regulations in connection with both the construction and operation of the transload facility and the interim use of portable transload equipment. Grafton, in a reply filed on August 19, 2013, agrees that the Board should institute a declaratory order proceeding here. It questions whether G&U can and will finance, complete, and operate the transload facility on its own in view of certain agreements G&U had previously entered into with a number of propane companies. The Town argues that a full investigation should be conducted to prevent what it characterizes as an abuse of the preemption doctrine.<sup>3</sup> On September 9, 2013, G&U filed a motion for leave to supplement its petition and a supplement containing copies of the various agreements documenting the termination of its arrangements with these propane companies. Grafton filed a reply in opposition on September 17, 2013.

The Board has discretionary authority under 5 U.S.C. 554(e) and 49 U.S.C. 721 to issue a declaratory order to eliminate a controversy or remove uncertainty. Here, a controversy exists as to whether G&U would be the financier, owner, and operator of the proposed transload facility and whether the Town’s enforcement of state and local permitting and preclearance statutes and regulations in connection with the facility is preempted under § 10501(b). The Board will therefore institute a declaratory order proceeding and

<sup>1</sup> This decision clarifies the language in footnote 2 of the January 27, 2014 decision served in this proceeding. This action is being taken in response to a letter filed by the Massachusetts Department of Fire Services (DFS). Former footnote 2 (now footnote 3) now states that DFS supports the institution of a declaratory order proceeding.

<sup>2</sup> In a separate decision also served today, the Board issued a declaratory order holding that preclearance regulations and other requirements of the Town of Grafton, Mass., that would prohibit or unreasonably interfere with the construction and operation of an additional rail yard and storage tracks also on the Parcel are preempted by federal law. See *Grafton & Upton Railroad—Pet. for Declaratory Order*, FD 35779 (served Jan. 27, 2014).

<sup>3</sup> The American Short Line and Regional Railroad Association filed a letter in support of the petition on August 12, 2013. On August 23, 2013, DFS filed a reply in support of the Town’s request that the Board institute a declaratory order proceeding, and the Massachusetts Department of Environmental Protection filed a reply in opposition to G&U’s petition, contending that the petition is moot as a result of a settlement it negotiated with G&U.

consider the matter under the modified procedure rules at 49 CFR pt. 1112.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

*It is ordered:*

1. A declaratory order proceeding is instituted.

2. G&U is directed to submit any additional information and argument by February 28, 2014. Grafton's reply and comments from other interested persons are due by March 20, 2014.

3. Notice of the Board's action will be published in the **Federal Register**.

4. This decision is effective on its service date.

Decided: January 24, 2014.

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

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2014-07348 Filed 4-1-14; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

[Docket ID OCC-2014-0011]

#### Mutual Savings Association Advisory Committee

**AGENCY:** Office of the Comptroller of the Currency, Department of the Treasury.

**ACTION:** Notice of Federal Advisory Committee Meeting.

**SUMMARY:** The Office of the Comptroller of the Currency (OCC) announces a meeting of the Mutual Savings Association Advisory Committee (MSAAC).

**DATES:** A public meeting of the MSAAC will be held on Tuesday, April 29, 2014, beginning at 8:00 a.m. Eastern Daylight Time (EDT). Members of the public may submit written statements to the MSAAC. The OCC must receive written statements no later than Monday, April 21, 2014. Members of the public who plan to attend the meeting, and members of the public who require auxiliary aid, should contact the OCC by 5:00 p.m. EDT on Friday, April 25, 2014, to inform the OCC of their desire to attend the meeting and to provide the information that will be required to facilitate aid.

**ADDRESSES:** The April 29, 2014, meeting of the MSAAC will be held at the OCC's offices at 400 7th Street SW., Washington, DC 20219. Members of the public may submit written statements to

MSAAC@occ.treas.gov or by mailing them to Donna Deale, Designated Federal Official, Office of the Comptroller of the Currency, 400 7th Street SW., Washington, DC 20219. Members of the public who plan to attend the meeting should contact the OCC at MSAAC@occ.treas.gov or at 202-649-5420 to inform the OCC of their desire to attend the meeting so that the OCC can make the necessary arrangements for seating. Attendees should provide their full name, email address, and organization.

**FOR FURTHER INFORMATION CONTACT:** Donna Deale, Deputy Comptroller for Thrift Supervision, (202) 649-5420, Office of the Comptroller of the Currency, Washington, DC 20219.

**SUPPLEMENTARY INFORMATION:** By this notice, the OCC is announcing that the MSAAC will convene a meeting on Tuesday, April 29, 2014, at the OCC's offices at 400 7th Street SW., Washington, DC 20219. The meeting is open to the public and will begin at 8:00 a.m. EDT. The agenda includes a discussion of current topics of interest to the industry. The purpose of the meeting is for the MSAAC to advise the OCC on the regulatory changes or other steps the OCC may be able to take to ensure the continued health and viability of mutual savings associations and other issues of concern to the existing mutual savings associations.

Dated: March 27, 2014.

**Thomas J. Curry,**

*Comptroller of the Currency.*

[FR Doc. 2014-07422 Filed 4-1-14; 8:45 am]

**BILLING CODE 4810-33-P**

## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control

#### Additional Designations, Foreign Narcotics Kingpin Designation Act

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of the Treasury's Office of Foreign Assets Control ("OFAC") is publishing the name of one individual whose property and interests in property has been blocked pursuant to the Foreign Narcotics Kingpin Designation Act ("Kingpin Act") (21 U.S.C. 1901-1908, 8 U.S.C. 1182).

**DATES:** The designation by the Director of OFAC of the one individual identified in this notice pursuant to section 805(b) of the Kingpin Act is effective on March 26, 2014.

#### FOR FURTHER INFORMATION CONTACT:

Assistant Director, Sanctions Compliance & Evaluation, Office of Foreign Assets Control, U.S. 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 on OFAC's Web site at <http://www.treasury.gov/ofac> or via facsimile through a 24-hour fax-on-demand service at (202) 622-0077.

##### Background

The Kingpin Act became law on December 3, 1999. The Kingpin Act establishes a program targeting the activities of significant foreign narcotics traffickers and their organizations on a worldwide basis. It provides a statutory framework for the imposition of sanctions against significant foreign narcotics traffickers and their organizations on a worldwide basis, with the objective of denying their businesses and agents access to the U.S. financial system and the benefits of trade and transactions involving U.S. companies and individuals.

The Kingpin Act blocks all property and interests in property, subject to U.S. jurisdiction, owned or controlled by significant foreign narcotics traffickers as identified by the President. In addition, the Secretary of the Treasury, in consultation with the Attorney General, the Director of the Central Intelligence Agency, the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security may designate and block the property and interests in property, subject to U.S. jurisdiction, of persons who are found to be: (1) Materially assisting in, or providing financial or technological support for or to, or providing goods or services in support of, the international narcotics trafficking activities of a person designated pursuant to the Kingpin Act; (2) owned, controlled, or directed by, or acting for or on behalf of, a person designated pursuant to the Kingpin Act; or (3) playing a significant role in international narcotics trafficking.

On March 26, 2014, the Director of OFAC designated the following individual whose property and interests in property are blocked pursuant to section 805(b) of the Kingpin Act.