

enter and are not destroyed in the United States; (2) PHMSA does not issue a SP and exercises agency discretion to forgo enforcement of the HMR for the 15-mile overland transport; (3) PHMSA issues a SP, inspects the drums for HMR compliance prior to the arrival in Port Arthur, and requires any non-compliant or unsafe drums to be placed into salvage drums; and (4) PHMSA issues a SP for relief from the HMR.

The Draft EA is available online at [www.regulations.gov](http://www.regulations.gov) under docket number PHMSA-2014-0085. The Draft EA is also available on PHMSA's Web site at <http://phmsa.dot.gov/hazmat/port-arthur>. The Draft EA is also available for inspection locally at the following public library: Port Arthur Public Library, 4615 9th Avenue (at Highway 73), Port Arthur, TX 77642, 409-985-8838. The anticipated delivery date to Port Arthur necessitates an abbreviated comment period of 10 days.

Issued in Washington, DC, on June 6, 2014.

**Magdy El-Sibaie,**

*Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.*

[FR Doc. 2014-13685 Filed 6-11-14; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35829]

#### **Patrick D. Broe and Sand Springs Holdings, LLC—Acquisition of Control Exemption—Sand Springs Railway Company**

Patrick D. Broe (Broe) and Sand Springs Holdings, LLC (Holdings) (collectively, Applicants), both noncarriers, have filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to acquire control of Sand Springs Railway Company (Sand Springs), a Class III railroad.

Applicants state that Broe directly controls Holdings, OmniTRAX, Inc. (OmniTRAX), a noncarrier company that controls 12 Class III railroads,<sup>1</sup> and BNS Holding, Inc. (BNS), a noncarrier that indirectly controls three Class III

railroads.<sup>2</sup> Applicants also state that Sheffield Steel Corporation (Sheffield), a noncarrier, currently controls Sand Springs. According to Applicants, Holdings and Sheffield have entered into an agreement<sup>3</sup> dated May 23, 2014, by which Holdings will acquire all of the stock of Sand Springs. Once that transaction is consummated, Broe and Holdings will control Sand Springs.

Applicants intend to consummate this transaction on or shortly after June 26, 2014 (the effective date of the exemption, 30 days after the notice of exemption was filed).

Applicants state that: (1) The rail lines operated by OmniTRAX's and BNS's railroads do not connect with the rail lines operated by Sand Springs; (2) this transaction is not part of a series of anticipated transactions that would connect the rail lines operated by Sand Springs with any railroad in the OmniTRAX or BNS corporate family; and (3) the transaction does not involve a Class I rail carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323 pursuant to 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

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 June 19, 2014 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35829, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy must be served on Karl Morell, Ball Janik LLP, 655 Fifteenth

Street NW., Suite 225, Washington, DC 20005.

Board decisions and notices are available on our Web site at [WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV).

Decided: June 9, 2014.

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

**Raina S. White,**

*Clearance Clerk.*

[FR Doc. 2014-13775 Filed 6-11-14; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35831]

#### **Grainbelt Corporation—Trackage Rights Exemption—BNSF Railway Company and Stillwater Central Railroad, LLC**

BNSF Railway Company (BNSF) and Stillwater Central Railroad, LLC f/k/a Stillwater Central Railroad, Inc. (SLWC), pursuant to written trackage rights agreements dated April 1, 2014, and May 21, 2014, respectively, have each agreed to amend their trackage rights agreements with Grainbelt Corporation (GNBC),<sup>1</sup> which together will allow GNBC to provide local service to a grain shuttle facility in Eldorado, Okla. (between Altus and Quanah). Specifically, BNSF is amending its trackage rights with GNBC regarding service over the connecting line between the connection with SLWC east of Long (milepost 668.73) and Quanah (milepost 723.30), and SLWC is amending its trackage rights with GNBC regarding service between Snyder Yard (milepost 664.00) and its connection with BNSF east of Long (milepost 668.73).<sup>2</sup>

<sup>1</sup> GNBC already held overhead trackage rights granted by the predecessor of BNSF between Snyder Yard, Okla. (milepost 664.00) and Quanah, Tex. (milepost 723.30), under which GNBC has the right to interchange at Quanah with BNSF and Union Pacific Railroad Company. BNSF subsequently sold a portion of the subject trackage to SLWC. The original trackage rights were supplemented in 2009 to allow GNBC to operate between Snyder and Altus, Okla., with the right to perform limited local service at Long, Okla. See *Grainbelt Corp.—Trackage Rights Exemption—BNSF Ry. & Stillwater Cent. R.R.*, FD 35332 (STB served Dec. 17, 2009). The trackage rights were further amended in 2013 to allow GNBC to provide local grain service to a shuttle facility at Headrick, Okla. See *Grainbelt Corp.—Trackage Rights Exemption—BNSF Ry. & Stillwater Cent. R.R.*, FD 35719 (STB served Mar. 15, 2013). The original and supplemental trackage rights would not be affected by the amended trackage rights that are the subject of this proceeding.

<sup>2</sup> Redacted versions of the trackage rights agreements between GNBC/BNSF and GNBC/SLWC

Continued

<sup>1</sup> Those 12 railroads are: Chicago Rail Link, LLC; Georgia Woodlands Railroad, LLC; Great Western Railway of Colorado, LLC; Manufacturers' Junction Railway, LLC; Newburgh & South Shore Railroad, LLC; Northern Ohio & Western Railway, LLC; Panhandle Northern Railroad, LLC; Alliance Terminal Railroad, LLC; Fulton County Railway, LLC; Alabama & Tennessee River Railway, LLC; Kettle Falls International Railway, LLC; and Stockton Terminal and Eastern Railroad.

<sup>2</sup> Those three railroads are: Nebraska, Kansas and Colorado Railway, LLC; Illinois Railway, LLC; and Georgia & Florida Railway, LLC.

<sup>3</sup> A redacted version of the agreement between Holdings and Sheffield was filed with the notice of exemption. An unredacted version was filed concurrently under seal, along with a motion for protective order pursuant to 49 CFR 1104.14(b). That motion will be addressed in a separate decision.