

Athens states that the proposed transaction does not involve any provision or agreement that may limit future interchange commitments. Athens certifies that its projected annual revenues would not exceed those that would qualify it as a Class III rail carrier and that its projected annual revenues will not exceed \$5 million.

The transaction may be consummated on or after June 30, 2017, the effective date of the exemption (30 days after the verified notice was filed).

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 23, 2017 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36122, 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 applicant's representative, Richard H. Streeter, Law Office of Richard H. Streeter, 5255 Partridge Lane NW., Washington, DC 20016.

According to Athens, this action is categorically excluded from environmental review under 49 CFR 1105.6(c).

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

Decided: June 13, 2017.

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

**Raina S. Contee,**  
Clearance Clerk.

[FR Doc. 2017-12560 Filed 6-15-17; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36121]

### **Progressive Rail Incorporated— Continuance in Control Exemption— Piedmont and Northern Railroad LLC**

Progressive Rail Incorporated (PGR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Piedmont and Northern Railroad LLC (PDMT), upon PDMT's becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in *Piedmont & Northern Railroad—Change in Operator*

*Exemption—Piedmont Railway*, Docket No. FD 36120. In that proceeding, PDMT seeks an exemption under 49 CFR 1150.31 to assume operations over approximately 13.04 miles of rail line between Mt. Holly and Gastonia (including the Belmont spur between Mt. Holly and Belmont), in Gaston County, N.C.

The earliest this transaction may be consummated is July 1, 2017, the effective date of the exemption (30 days after the verified notice was filed). PGR states that it intends to consummate the transaction on July 1, 2017.

PGR will continue in control of PDMT upon PDMT's becoming a Class III rail carrier, and remains in control of Class III carriers Airlake Terminal Railway Company, LLC, Central Midland Railway Company, Iowa Traction Railway Company, and Iowa Southern Railway Company.

PGR certifies that: (1) The rail line to be operated by PDMT does not connect with any other railroads in the PGR corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect this line with any other railroad in the PGR 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. See 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 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 no later than June 23, 2017 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36121, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Michael J. Barron, Jr., Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606.

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

Decided: June 13, 2017.

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

**Raina S. Contee,**  
Clearance Clerk,

[FR Doc. 2017-12559 Filed 6-15-17; 8:45 am]

**BILLING CODE 4915-01-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Pipeline and Hazardous Materials Safety Administration**

#### **Hazardous Materials: Notice of Applications for Special Permits**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of actions on special permit applications.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

**DATES:** Comments must be received on or before July 17, 2017.

**ADDRESSES:** Send comments to—Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

#### **FOR FURTHER INFORMATION CONTACT:**

Ryan Paquet, Director, Office of Hazardous Materials Approvals and Permits Division, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH-30, 1200 New Jersey Avenue SE., Washington, DC 20590-0001, (202) 366-4535.

**SUPPLEMENTARY INFORMATION:** Copies of the applications are available for inspection in the Records Center, East

Building, PHH-30, 1200 New Jersey Avenue SE., Washington, DC or at <http://regulations.gov>.

This notice of receipt of applications for special permit is published in

accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on May 25, 2017.

**Donald Burger,**  
Chief, Office of the Special Permits and Approvals.

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
<b>MODIFICATION SPECIAL PERMITS</b>				
9649-M		Alliant Techsystems Operations LLC.	172.101	To modify the special permit to add UN0470, articles, explosive, n.o.s. as an authorized hazardous material.
14392-M		Department Of Defense (Military Surface Deployment & Distribution Command).	172.101, 176.83, 176.136, 176.144.	To authorize the addition of several more ships to the preposition ship fleet which allows for stowage of Class I explosive materials below deck with an alternative container stowage configuration.
14453-M		FIBA Technologies, Inc.	180.209(a), 180.209(b), 180.209(b)(1)(iv).	To modify the special permit to clarify the requirements for the 5-year external visual inspections and the persons authorized to perform them.
15146-M		Starco Enterprises, Inc. ..	173.304(d)	To modify the special permit to authorize additional 2.1 hazmat.
20400-N		BIC USA Inc. ....	173.308(c)(2)	To authorize the transportation in commerce of lighters in alternative packaging by private or contract motor carrier, or by common carrier in a motor vehicle under exclusive use, between manufacturing sites, distribution centers and retail outlets.
20404-N		Rotech Healthcare Inc. ..	180.209(a), 180.209(b)(1), 180.209(b)(1)(iv).	To authorize the transportation in commerce of certain hazardous materials in DOT Specification 3AL cylinders that are requalified every ten years rather than every five years using 100% ultrasonic examination.
20409-N		IKI Manufacturing Co., Inc.	173.306(a)(5)	To authorize the transportation in commerce of plastic aerosols classed as Division 2.1 for the purposes of testing and disposal.
20427-N		Space Systems/Loral, LLC.	173.220	To authorize the transportation in commerce of machinery containing more than 500 ml of fuel.
20436-N		Mistwood Aviation Services LLC.		Applicant was trying to apply for party status to DOT-SP 10996.
20439-N		Total Feuerschutz	173.309(c)	To authorize the transportation in commerce of fire extinguishers which do not have the "MEETS DOT REQUIREMENTS" label on them.
20444-N		Wiretough Cylinders, LLC.	173.302(a)	To authorize the manufacture, mark, sale, and use of non-DOT specification meeting the requirements of ISO 11119-1 except as specified herein.
20446-N		The CI Thornburg Co Inc		Applicant was trying to apply for DOT-SP12412.
20447-N		Wesmar Company, Inc.		Applicant was trying to apply for DOT-SP12412.
20448-N		Korean Airlines Co., Ltd	172.204(c)(2), 175.30(a)(1), 173.27(b)(2), 173.27(b)(3).	To authorize the transportation in commerce of certain explosives which are forbidden for transport by cargo only aircraft.
20449-N		Atlas Air, Inc	172.204(c)(3), 172.204(c)(3), 175.30(a)(1), 173.27(b)(2), 173.27(b)(3).	To authorize the transportation in commerce of explosives by cargo only aircraft in amounts forbidden by the regulations.
20457-N		Korean Airlines Co., Ltd	172.204(c)(3), 172.204(c)(3), 175.30(a)(1), 173.27(b)(2), 173.27(b)(3).	To authorize the transportation in commerce of certain explosives which are forbidden for transport by cargo only aircraft.