

## Procedures

1. These emergency procedures will only be in effect for a period not to exceed nine (9) months from the date of publication of this document, unless later extended.

2. The procedures will only be used to address petitions for waivers that FRA determines are directly related to hurricane Katrina. Petitions submitted to FRA should specifically address how the petition is related to the aftermath of the hurricane or related relief efforts.

3. Any relief granted through these emergency procedures will only be effective for the nine (9) month period that these emergency procedures remain in place.

4. FRA has created the Emergency Relief Docket FRA-2005-22365 in the publicly accessible Department of Transportation (DOT) Document Management System (DMS). The docket can be accessed 24 hours a day, seven days a week, via the Internet at the docket facility's Web site at <http://dms.dot.gov>. All documents in this docket are available for inspection and copying on the Web site or are available for examination at the DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590 during regular business hours (9 a.m.-5 p.m.). The DMS internet site also allows any interested party to subscribe, without fee, to its list serve application which will automatically notify the party via e-mail when documents are added to the Emergency Relief Docket (FRA-2005-22365).

5. Upon receipt and initial review of a petition for waiver, to verify that it meets the criteria for use of these emergency procedures, FRA will add the petition to the Emergency Relief Docket (FRA-2005-22365). (If FRA determines that a petition meets the criteria for use of the emergency procedures it will so notify the petitioning party). The DMS numbers each document that is added to a docket. For example, the first document submitted to the docket will be identified as FRA-2005-22365-1. Thus, each petition submitted to the Emergency Relief Docket will have a unique document number which should be identified on all communications related to petitions contained in this docket.

6. FRA will allow a 72-hour comment period from the time the petition is entered into and available on the DMS. Any comment received after that period will be considered to the extent practicable.

7. Interested parties will be given multiple methods by which they may submit views, data or comment. All communications should identify the appropriate docket (FRA-2005-22365) and should identify the specific document number, discussed above. Interested parties may submit their comments using any of the following methods:

- a. Direct e-mail to FRA at: [RRS.Correspondence@fra.dot.gov](mailto:RRS.Correspondence@fra.dot.gov).
- b. Direct fax to FRA at: 202-493-6309.
- c. Submission of comments to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590.

Any comments or information sent directly to FRA will be immediately provided to the DOT DMS for inclusion into the Emergency Relief Docket.

8. Parties interested in having a public hearing on any petition must notify FRA within 72 hours of the posting of the petition in the Emergency Relief Docket. If FRA receives a request for a public hearing from any interested party, FRA will immediately arrange for a telephone conference between all interested parties as soon as practicable. Thus, interested party submitting comments or information on any petition for waiver should include telephone numbers at which its representatives may be contacted should the need arise. After such conference, should a party still request a public hearing one will be arranged as soon as practicable pursuant to the provisions contained in 49 CFR part 211.

9. FRA may grant a petition for waiver prior to conducting a public hearing if such action is in the public interest and consistent with safety or in situations where a hearing request is received subsequent to the 72-hour comment period. In such an instance, FRA will immediately notify the party requesting the public hearing and will arrange to conduct such hearing as soon as practicable.

10. FRA reserves the right to reopen any docket and reconsider any decision made pursuant to these emergency procedures based upon its own initiative or based upon information or comments received subsequent to the 72-hour comment period or at a later scheduled public hearing.

11. All FRA decision letters, either granting or denying a petition, will be posted in the Emergency Relief Docket (FRA-2005-22365) and will reference the document number of the petition to which it relates.

FRA wishes to inform all interested parties that anyone is able to search the electronic form of all comments

received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC on September 1, 2005.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 05-17840 Filed 9-2-05; 3:10 pm]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 656X)]

### CSX Transportation, Inc.— Abandonment Exemption—in Marion County, WV

CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 17.51-mile line of its Southern Region, Huntington Division East, Fairmont Subdivision, between Barrackville, milepost BS 306.32, and Mannington, milepost BS 319.48, including the Dents Run Spur between milepost BSB 0.00 and milepost BSB 4.35, in Marion County, WV.<sup>1</sup> The line traverses United States Postal Service Zip Codes 26528, 26587, 26571, 26554, and 26559.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

<sup>1</sup> CSXT received discontinuance authority over the involved line segment in *CSX Transportation, Inc.—Discontinuance Exemption—in Marion County, WV*, Docket No. AB-55 (Sub-No. 376X) (ICC served Apr. 4, 1991).

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on October 8, 2005, unless stayed pending reconsideration.

Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by September 18, 2005. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by September 28, 2005, with: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to the applicant's representative: Louis E. Gitomer, Ball Janik LLP, 91455 F Street, NW., Suite 225, Washington, DC 20005.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

CSXT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. SEA will issue an environmental assessment (EA) by September 13, 2005. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking

<sup>2</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>3</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,200. See 49 CFR 1002.2(f)(25).

conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by CSXT's filing of a notice of consummation by September 8, 2006, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: September 1, 2005.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 05-17811 Filed 9-7-05; 8:45 am]

**BILLING CODE 4915-01-P**

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## DEPARTMENT OF THE TREASURY

### Public Meeting of the President's Advisory Panel on Federal Tax Reform

**AGENCY:** Department of the Treasury.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice advises all interested persons of a public meeting of the President's Advisory Panel on Federal Tax Reform.

**DATES:** This meeting will be held on Friday, September 23, 2005. The meeting will be held via teleconference and will begin at 10 a.m. eastern daylight time. Interested parties will be able to listen to the meeting. Call-in information will be posted on the Panel's Web site, <http://www.taxreformpanel.gov>, at a later date.

**FOR FURTHER INFORMATION CONTACT:** The Panel staff at (202) 927-2TAX (927-2829) (not a toll-free call) or e-mail [info@taxreformpanel.gov](mailto:info@taxreformpanel.gov) (please do not send comments to this box). Additional information is available at <http://www.taxreformpanel.gov>.

**SUPPLEMENTARY INFORMATION:** *Purpose:*

The September 23 meeting is the thirteenth meeting of the Advisory Panel. At this meeting, the Panel will continue to discuss issues associated with reform of the tax code. There is a possibility that this meeting will not take place as scheduled. Please check the Panel's web site for updated information.

*Comments:* Interested parties are invited to call into the teleconference to listen to the meeting; however, no public comments will be heard at the meeting. Any written comments with

respect to this meeting may be mailed to The President's Advisory Panel on Federal Tax Reform, 1440 New York Avenue, NW., Suite 2100, Washington, DC 20220. All written comments will be made available to the public.

*Records:* Records are being kept of Advisory Panel proceedings and will be available at the Internal Revenue Service's FOIA Reading Room at 1111 Constitution Avenue, NW., Room 1621, Washington, DC 20024. The Reading Room is open to the public from 9 a.m. to 4 p.m., Monday through Friday except holidays. The public entrance to the reading room is on Pennsylvania Avenue between 10th and 12th streets. The phone number is (202) 622-5164 (not a toll-free number). Advisory Panel documents, including meeting announcements, agendas, and minutes, will also be available on <http://www.taxreformpanel.gov>.

Dated: September 6, 2005.

**Mark S. Kaizen,**

*Designated Federal Officer.*

[FR Doc. 05-17932 Filed 9-7-05; 8:45 am]

**BILLING CODE 4811-33-P**

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## DEPARTMENT OF THE TREASURY

### Alcohol and Tobacco Tax and Trade Bureau

#### Proposed Information Collection; Comment Request

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau (TTB), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of our continuing effort to reduce paperwork and respondent burden, and as required by the Paperwork Reduction Act of 1995, we invite comments on the proposed or continuing information collections listed below in this notice.

**DATES:** We must receive your written comments on or before November 7, 2005.

**ADDRESSES:** You may send comments to Mary A. Wood, Alcohol and Tobacco Tax and Trade Bureau, at any of these addresses:

- P.O. Box 14412, Washington, DC 20044-4412;
- 202-927-8525 (facsimile); or
- [formcomments@ttb.gov](mailto:formcomments@ttb.gov) (e-mail).

Please send separate comments for each specific information collection listed below. You must reference the information collection's title, form number, and OMB number (if any) in your comment. If you submit your comment via facsimile, send no more