

the BLM manages the public lands and inconsistent with section 501(a) of FLPMA (43 CFR 2804.26(a)(1) and (a)(4)).

Skull Valley Road

Eliminating the proposed rail line right-of-way application U 76985, the second right-of-way application, was discussed in Alternatives 3 and 4 of the EIS (same basic route using the existing Skull Valley Road to the two different nearby sites on the Reservation). Right-of-way application U 76986 would entail constructing an Intermodal Transfer Facility (ITF) and rail siding to be built on lands managed by BLM at the existing main Union Pacific rail line near Timpie, Utah, to transfer SNF shipping casks from rail cars to the heavy-haul vehicles, which would then transport the SNF along the existing Skull Valley Road to the site on the Reservation. No rail line would be built under these alternatives, as the sole access is from the Skull Valley Road. Skull Valley Road is an undivided, two-lane public road, one lane in each direction. The BLM issued a right-of-way (U 04240) for this road to the Utah State Road Commission on May 17, 1951. For the BLM's decisional purposes, these alternatives would involve the issuance of a right-of-way grant authorizing the use of public land for the ITF.

The EIS indicates that these alternatives were not selected because construction and use of the rail line would have advantages over the use of the ITF. The ITF requires the use of heavy-haul trailers traveling on Skull Valley Road at speeds not to exceed 20 miles per hour. Impacts to local traffic would be difficult to mitigate, impacts which could be entirely avoided by use of the rail line from Skunk Ridge. Also, the ITF would involve additional doses of radiation incurred by workers transferring SNF shipping casks from rail cars to heavy-haul vehicles at the ITF. This additional dosage would also be avoided if the rail option were to be used instead of the ITF option. Thus, alternatives analyzing intermodal transfer facilities were not selected because to grant the right-of-way sought by PFS in application U 76986 based on the existing record would be contrary to the public interest (43 CFR 2804.26(a)(2)).

To obtain a copy of the Record of Decision, send a request to the address

given in the **ADDRESSES** section of this notice.

Chad Calvert,

Acting Assistant Secretary, Land and Minerals Management.

[FR Doc. E6-15734 Filed 9-27-06; 8:45 am]

BILLING CODE 4310-84-P

DEPARTMENT OF THE INTERIOR

National Park Service

Cape Cod National Seashore; South Wellfleet, MA; Cape Cod National Seashore Advisory Commission; Two Hundred Fifty-Eighth Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770, 5 U.S.C. App 1, Section 10), that a meeting of the Cape Cod National Seashore Advisory Commission will be held on September 25, 2006.

The Commission was reestablished pursuant to Public Law 87-126 as amended by Public Law 105-280. The purpose of the Commission is to consult with the Secretary of the Interior, or her designee, with respect to matters relating to the development of Cape Cod National Seashore, and with respect to carrying out the provisions of sections 4 and 5 of the Act establishing the Seashore.

The Commission members will meet at 1 p.m. in the meeting room at Headquarters, Marconi Station, Wellfleet, Massachusetts for the regular business meeting to discuss the following:

1. Adoption of Agenda
2. Approval of Minutes of Previous Meeting (April 10, 2006)
3. Reports of Officers
4. Reports of Subcommittees
5. Superintendent's Report Update on Dune Shacks and Report ORV's and Piping Plover nesting impact
Herring River Restoration Project Hunting EIS
Wind Turbines/Cell Towers
Highlands Center Update
News from Washington
6. Old Business
7. New Business
8. Date and agenda for next meeting
9. Public comment and
10. Adjournment

The meeting is open to the public. It is expected that 15 persons will be able to attend the meeting in addition to Commission members.

Interested persons may make oral/written presentations to the Commission during the business meeting or file written statements. Such requests

should be made to the park superintendent at least seven days prior to the meeting. Further information concerning the meeting may be obtained from the Superintendent, Cape Cod National Seashore, 99 Marconi Site Road, Wellfleet, MA 02667.

Dated: August 24, 2006.

George E. Price, Jr.,

Superintendent.

[FR Doc. E6-15964 Filed 9-27-06; 8:45 am]

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DEPARTMENT OF THE INTERIOR

National Park Service

Flight 93 National Memorial Advisory Commission Meeting

AGENCY: National Park Service, Interior.

ACTION: Notice of October 7, 2006 meeting.

SUMMARY: This notice sets forth the date of the October 7, 2006 meeting of the Flight 93 Advisory Commission.

DATES: The public meeting of the Advisory Commission will be held on Saturday, October 7, 2006 from 3 p.m. to 4:30 p.m. Additionally, the Commission will attend the Flight 93 Memorial Task Force meeting the same day from 1 p.m. to 2:30 p.m., which is also open to the public.

Location: The meeting will be held at the Somerset County Courthouse, Courtroom #1; 2nd floor; 111 East Union Street, Somerset, Pennsylvania, 15501. The Flight 93 Memorial Task Force meeting will be held in the same location.

Agenda

The October 7, 2006 Commission meeting will consist of:

- (1) Opening of Meeting and Pledge of Allegiance.
- (2) Review and Approval of Minutes from July 29, 2006.
- (3) Reports from the Flight 93 Memorial Task Force and National Park Service. Comments from the public will be received after each report and/or at the end of the meeting.
- (4) Old Business.
- (5) New Business.
- (6) Public Comments.
- (7) Closing Remarks.

FOR FURTHER INFORMATION CONTACT:

Joanne M. Hanley, Superintendent, Flight 93 National Memorial, 109 West Main Street, Somerset, PA 15501, 814.443.4557.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public. Any member of the public may file with the

Commission a written statement concerning agenda items. Address all statements to: Flight 93 Advisory Commission, 109 West Main Street, Somerset, PA 15501.

Dated: August 29, 2006.

Joanne M. Hanley,
Superintendent, Flight 93 National Memorial.
 [FR Doc. 06-8334 Filed 9-27-06; 8:45 am]
BILLING CODE 4312-25-M

DEPARTMENT OF LABOR

Employee Benefits Security Administration

[Exemption Application No. D-11330]

Prohibited Transaction Exemption 2006-13; Grant of Individual Exemptions

AGENCY: Employee Benefits Security Administration, Labor.

ACTION: Grant of individual exemption.

SUMMARY: This document contains an exemption issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1986 (the Code).

A notice was published in the **Federal Register** of the pendency before the Department of a proposal to grant such exemption. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, DC. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicant has represented that it has complied with the requirements of the notification to interested persons. No requests for a hearing were received by the Department. Public comments were received by the Department as described in the granted exemption.

The notice of proposed exemption was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 1 (1996), transferred the authority of the Secretary of the Treasury to issue exemptions of

the type proposed to the Secretary of Labor.

Statutory Findings

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990) and based upon the entire record, the Department makes the following findings:

(a) The exemption is administratively feasible;

(b) The exemption is in the interests of the plan and its participants and beneficiaries; and

(c) The exemption is protective of the rights of the participants and beneficiaries of the plan.

The Young Men's Christian Association Retirement Fund—Retirement Plan (the Plan), Located in New York, NY

[Prohibited Transaction Exemption 2006-13; Application No. D-11330]

Exemption

Transactions and Conditions

(a) The restrictions of section 406(a) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (D) of the Code, shall not apply, effective July 1, 2006, to:

(1) Any arrangement, agreement or understanding between The Young Men's Christian Association Retirement Fund Retirement Plan (the Plan) and any participating employer whose employees are covered by the Plan, whereby the time is extended for the making of a contribution by such a participating employer to such Plan, if the following conditions are met:

(i) Prior to entering into such arrangement, agreement or understanding, the Plan has made, or has caused to be made, such reasonable, diligent and systematic efforts as are appropriate under the circumstances to collect such contribution;

(ii) The terms of such arrangement, agreement or understanding are set forth in writing and are reasonable under the circumstances based on the likelihood of collecting such contribution or the approximate expenses that would be incurred if the Plan continued to attempt to collect such contribution through means other than such arrangement, agreement or understanding;

(iii) Such arrangement, agreement or understanding is entered into or renewed by the Plan in connection with the collection of such contribution and for the exclusive purpose of facilitating the collection of such contribution;

(iv) The Plan's procedures and the guidelines to be followed in undertaking to collect such contributions are described in a notice provided to all the employers participating in the Plan. This notice details the Plan's standard operating guidelines for the collection of late employer contributions (the Notice). The Notice provided to all participating employers contains the methodology of the Plan that applies with respect to the determination to extend the time period for the making of such delinquent contribution or to permit such delinquent contribution to be made in periodic payments. New participating employers will receive the Notice within 30 days of signing the written participation agreement; and

(v) The extension of time does not apply to any failure of an employer to timely remit participant contributions to the Plan.

(2) A determination by the Plan to consider a contribution due to the Plan from any participating employer any of whose employees are covered by the Plan as uncollectible and to terminate efforts to collect such contribution, if the following conditions are met:

(i) Prior to making such determination, the Plan has made, or has caused to be made, such reasonable, diligent and systematic efforts as are appropriate under the circumstances to collect such contribution or any part thereof;

(ii) Such determination is set forth in writing and is reasonable and appropriate based on the likelihood of collecting such contribution or the approximate expenses that would be incurred if the Plan continued to attempt to collect such contribution or any part thereof;

(iii) The Notice provided to all participating employers, which is described in section (a)(1)(iv) above, must also contain the methodology used by the Plan with respect to the determination that the delinquent contribution is uncollectible and in deciding to terminate efforts to collect such contribution; and

(iv) The determination that the contribution is uncollectible and the decision to terminate efforts to collect such contribution do not apply to any failure of an employer to timely remit participant contributions to the Plan.

(b) If an employer any of whose employees are covered by the Plan enters into an arrangement, agreement or understanding with the Plan as described in subparagraph (a)(1) with respect to the payment of such contribution, or if the Plan makes a determination described in subparagraph (a)(2), such employer