

applicable requirements in the HMR including packaging and hazard communication requirements.

#### B. Transportation of Fuel Cell or Fuel Cell Components Containing Hazardous Materials

A variety of types of stationary fuel cells appear to be under development containing different electrolytes. Depending on the type of fuel cell, PHMSA may regulate it under the Federal Hazardous Materials Transportation Law, 49 U.S.C. 5101 et seq. and HMR, 49 CFR parts 171–180, when the fuel cell or fuel cell component is in transportation in commerce to the site. PHMSA would only regulate a fuel cell or fuel cell component in transportation if it contains a material identified in the Hazardous Materials Table (49 CFR 172.101) or meeting the definition of a hazardous material in 49 CFR part 173. Electrolytes used to carry electrically charged particles from one electrode to another within a fuel cell include materials such as potassium hydroxide, sodium carbonate, magnesium carbonate, phosphoric acid, calcium oxide, and zirconium oxide. Several of these—potassium hydroxide, phosphoric acid, and calcium oxide—are listed as hazardous materials in the Hazardous Materials Table and would be subject to the applicable requirements of the HMR, including packaging requirements. The HMR provide exceptions from packaging and labeling requirements for limited quantities of certain hazardous materials meeting specified criteria. For units or components too large to be packaged in accordance with the HMR, or for which there is an alternative method of packaging not provided for in the HMR, the offer may apply to PHMSA for a special permit. (49 CFR 107.105)

#### III. Federal Energy Regulatory Commission

The Federal Energy Regulatory Commission's (FERC) regulatory authority with respect to stationary fuel cells depends on whether the owner or operator of stationary fuel cells is a public utility, i.e., a person that sells electric energy at wholesale in interstate commerce (a person that sells electric energy for resale). If the owner or operator is a public utility, the rates, terms and conditions of such sale are subject to the authority of the FERC pursuant to Parts II and III of the Federal Power Act, 16 U.S.C. 824, et seq.

#### IV. Environmental Protection Agency

The extent to which particular stationary fuel cells are regulated

directly by EPA under the Clean Air Act can usually be determined by whether they are part of a source category (like boilers or process heaters) that is covered by a New Source Performance Standard (40 CFR part 60), National Emission Standard for Hazardous Air Pollutants (40 CFR part 63) or a New Source Review Regulation (40 CFR parts 51 and 52). Smaller stationary fuel cells may also be regulated as consumer or commercial products under Clean Air Act section 183(e), 42 U.S.C. 7511b(e).

#### 5.0 General Comments on State and Local Jurisdiction

The regulatory role in a hydrogen economy for state and local jurisdictions includes, but is not limited to, health and safety regulations of local building codes and safety codes applicable to the use and generation of hydrogen, many aspects of hydrogen fueling stations including tank and infrastructure installation and maintenance for hydrogen fueling operations, the design and structure of parking garages and any other infrastructure regulated by local governments and state governments.

Issued in Washington, DC, on December 22, 2006.

**Victoria Sutton,**

*Chief Counsel, Research and Innovative Technology Administration.*

[FR Doc. E6-22554 Filed 1-4-07; 8:45 am]

**BILLING CODE 4910-HY-P**

### DEPARTMENT OF TRANSPORTATION

#### Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 236X);  
STB Docket No. AB-576 (Sub-No. 2X)]

#### Union Pacific Railroad Company— Abandonment Exemption—in Bexar County, TX; Alamo Gulf Coast Railroad Company—Discontinuance of Service Exemption—in Bexar County, TX

On December 15, 2006, Union Pacific Railroad Company (UP) and Alamo Gulf Coast Railroad Company (AGCR), jointly filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903. UP seeks to abandon and AGCR seeks to discontinue service over a line of railroad extending between milepost 253.26 and milepost 256.0 on UP's Kerrville Subdivision, a distance of 2.74 miles in Bexar County, TX. The line traverses United States Postal Service Zip Codes 78028 and 78029, and includes no stations.

The line does not contain Federally granted rights-of-way. Any documentation in UP's or AGCR's

possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by April 4, 2007.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each offer must be accompanied by a \$1,300 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than January 24, 2007. Each trail use request must be accompanied by a \$200 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-33 (Sub-No. 236X) and AB-576 (Sub-No. 2X) and must be sent to: (1) Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001; and (2) Mack H. Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606. Replies to the petition are due on or before January 24, 2007.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152.

Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1552. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary), prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

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

Decided: December 28, 2006.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. E6-22612 Filed 1-4-07; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF THE TREASURY

### Financial Crimes Enforcement Network; Bank Secrecy Act Advisory Group; Solicitation of Application for Membership; Correction

**AGENCY:** Financial Crimes Enforcement Network (FinCEN), Treasury.

**ACTION:** Notice; correction.

**SUMMARY:** On December 7, 2006, FinCEN published a **Federal Register** notice inviting the public to nominate financial organizations and trade groups for membership in the Bank Secrecy Act Advisory Group. Inadvertently the available vacancies announced for "Industry Representatives Banking" and the list of members whose terms end as of February 28, 2007 were incorrect. This document corrects that information. Persons responding to the previous notice need not respond again.

**DATES:** Nominations must be received by January 8, 2007.

**ADDRESSES:** Applications may be mailed (not sent by facsimile) to Regulatory Policy and Programs Division, Financial Crimes Enforcement Network, P.O. BOX 39, Vienna, VA 22183 or e-mailed to: [BSAAG@fincen.gov](mailto:BSAAG@fincen.gov).

#### FOR FUTURE INFORMATION CONTACT:

Yesenia Armijo, Regulatory Policy Specialist at 202-354-6400.

**SUPPLEMENTARY INFORMATION:** The Annunzio-Wylie Anti-Money Laundering Act of 1992 required the Secretary of the Treasury to establish a Bank Secrecy Act Advisory Group (BSAAG) consisting of representatives from federal regulatory and law enforcement agencies, financial institutions, and trade groups subject to the reporting requirements of the Bank Secrecy Act, 31 CFR part 103 *et seq.* or Section 6050I of the Internal Revenue Code of 1986. The BSAAG is the means by which the Secretary receives advice on the operations of the Bank Secrecy Act.

New members will be selected to serve a three-year term. Applications should consist of:

- Point of contact, title, address, e-mail address, phone number

- Description of the financial institution or trade group and its involvement with the Bank Secrecy Act, 31 CFR part 103 *et seq.*

- Reasons why its participation on the BSAAG will bring value to the group

Entities may nominate themselves.

Based on current BSAAG position openings we encourage applications from the following sectors or types of organizations with experience working on the Bank Secrecy Act:

- State Regulatory Agency (1 vacancy).
- State Banking Trade Group (1 vacancy).
- Industry Trade Group—Banking Sector (1 vacancy).
- Industry Trade Group—Casino (1 vacancy).
- Industry Trade Group—Precious Metals, Stones, and Jewels (1 vacancy).<sup>1</sup>
- Industry Trade Group—Money Services Business Sector (1 vacancy).
- Industry Representatives Banking (3 vacancies).
- Industry Representatives Securities/Futures (2 vacancies).<sup>2</sup>
- Industry Representatives Money Services Business (1 vacancy).

BSAAG members whose terms end as of February 28, 2007,<sup>3</sup> are:

*State Regulatory Agency:*

- New York State Banking Department.

*State Banking Trade Group:*

- California Bankers Association.

*Industry Trade Group—Banking Sector:*

- Independent Community Bankers Association.

*Industry Trade Group—Casino:*

- American Gaming Association.

*Industry Trade Group—Money Services Business Sector:*

- Financial Service Center of America.

*Industry Representatives Banking:*

- Bank of America.
- Branch Bank & Trust.
- Pentagon Federal Credit Union.

*Industry Representatives Securities/Futures:*

- Morgan Stanley.

*Industry Representatives Money Services Business:*

- American Express.

<sup>1</sup> This is a newly created position in light of the decision adopted at the May 2006 BSAAG Plenary.

<sup>2</sup> An additional position was created in light of the decision adopted at the May 2006 BSAAG Plenary.

<sup>3</sup> State regulatory agencies, state regulator trade groups, self-regulatory organizations, and industry trade groups can serve renewable three-year terms at the discretion of the Director of FinCEN. Industry members may not serve consecutive terms but may serve multiple terms.

Dated: December 27, 2006.

**William F. Baity,**

*Deputy Director, Financial Crimes Enforcement Network.*

[FR Doc. E6-22572 Filed 1-4-07; 8:45 am]

BILLING CODE 4810-02-P

## DEPARTMENT OF THE TREASURY

### Financial Literacy and Education Commission's Two-Day Summit on Kindergarten Through Postsecondary Financial Education

**AGENCY:** Departmental Offices, Treasury.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a two-day summit on kindergarten through postsecondary financial education of the Financial Literacy and Education Commission (the "Commission"), established by the Financial Literacy and Education Improvement Act, Title V of the Fair and Accurate Credit Transactions ("FACT") Act of 2003 (Pub. L. 108-159). This summit is being co-hosted by the Departments of Education and Treasury.

**DATES:** See **SUPPLEMENTARY INFORMATION** section for meeting dates.

**ADDRESSES:** See **SUPPLEMENTARY INFORMATION** section for meeting addresses.

**SUPPLEMENTARY INFORMATION:** *First Day of the Summit:* The first day of the Summit will be held on February 21, 2007 at the Department of Education. The program, which will include several sessions, will begin at 10 a.m. and end at 4 p.m. (EST). There will be an hour and a half lunch break.

**ADDRESSES:** The first day of the Summit will be held in the Departmental Auditorium FB-6 at the Department of Education, located at 400 Maryland Avenue, SW., Washington, DC. Limited seating is available to the public on a first-come, first-serve basis. Attendees will be required to provide the following information not later than 5 p.m. (EST) on February 13, 2007: Visitor name, visitor's organization, and date and time of visit to [FLECrsvp@do.treas.gov](mailto:FLECrsvp@do.treas.gov). For entry into the building, attendees will be required to provide a valid picture I.D.

*Second Day of the Summit:* The second day of the Summit will be held on February 22, 2007 at the Department of the Treasury. The program, which will include several sessions, will begin at 9 a.m. and end at 4 p.m. (EST). There will be an hour and half a lunch break.

**ADDRESSES:** The second day of the Summit will be held in the Cash Room at the Department of Education, located