

effective date of the exemption (30 days after the verified notice was filed).<sup>2</sup>

*Burenga represents that:* (1) The rail lines to be operated by DRRR do not connect with any other railroads that Burenga may be deemed to control; (2) the control of DRRR is not part of a series of anticipated transactions that would connect the lines to be operated by DRRR with the rail lines of any carrier that Burenga may be deemed to control; 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. Stay petitions 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 36125, 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 Eric M. Hocky, Clark Hill, PLC, One Commerce Square, 2005 Market Street, Suite 1000, Philadelphia, PA 19103.

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.

**Kenyatta Clay,**  
Clearance Clerk.

[FR Doc. 2017-12534 Filed 6-15-17; 8:45 am]

**BILLING CODE 4915-01-P**

<sup>2</sup> On June 5, 2017, DRRR and Burenga jointly requested that the effective date of the exemption be advanced one day, to July 1, 2017. This request will be addressed in a separate decision.

## **SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36124]

### **Dover and Rockaway River Railroad, LLC—Operation Exemption—County of Morris, NJ.**

Dover and Rockaway River Railroad, LLC (DRRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to operate pursuant to an agreement a total of approximately 17.4 miles of rail line owned by several railroads (the Dover & Rockaway Railroad, the High Bridge Branch Railroad, and the Chester Branch Railroad) (collectively, the County Railroads), which are all owned by the County of Morris, NJ (the County). The lines at issue are as follows: (1) Chester Branch, between milepost 41.4 at Chester Junction, in Roxbury Township, NJ, and milepost 45.4 in Randolph, NJ; (2) High Bridge Branch, between milepost 22.66 at Ferremonte Junction, in Roxbury Township and milepost 15.2 in Flanders, NJ, and (3) Dover & Rockaway Branch, between milepost 25.7 at D&R Junction in Wharton, NJ, and milepost 31.6 in Rockaway, NJ.

This transaction is related to a concurrently filed verified notice of exemption in *Kean Burenga—Continuance in Control Exemption—Dover & Rockaway River Railroad, Belvidere & Delaware River Railway, & Black River & Western Corp.*, Docket No. FD 36125, in which Kean Burenga (Burenga) seeks Board approval to continue in control of DRRR upon DRRR's becoming a Class III rail carrier.

DRRR states that it will interchange with Norfolk Southern Railway Company at Chester Jct. (also known as Lake Jct.) and D&R Jct. The rail lines are currently managed and operated by Morristown & Erie Railway, Inc. (ME). According to DRRR, ME's lease will expire on June 30, 2017.<sup>1</sup>

The transaction may be consummated on or after July 2, 2017, the effective date of the exemption (30 days after the verified notice was filed).<sup>2</sup>

DRRR certifies that, as a result of this transaction, its projected revenues will not exceed those that would qualify it as a Class III rail carrier and will not exceed \$5 million. DRRR certifies also that the agreement does not involve an interchange commitment.

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

<sup>1</sup> To date, ME has not sought authority to discontinue service.

<sup>2</sup> On June 5, 2017, DRRR and Burenga jointly requested that the effective date of the exemption be advanced one day, to July 1, 2017. This request will be addressed in a separate decision.

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 36124, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy must be served on Eric M. Hocky, Clark Hill, PLC, One Commerce Square, 2005 Market Street, Suite 1000, Philadelphia, PA 19103.

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.

**Kenyatta Clay,**  
Clearance Clerk.

[FR Doc. 2017-12535 Filed 6-15-17; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36122]

### **The Athens Line, LLC—Acquisition and Operation Exemption—Rail Line of Norfolk Southern Railway Company and Central of Georgia Railroad Company**

The Athens Line, LLC (Athens), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire from Central of Georgia Railroad Company (CGA) and CGA's parent company, Norfolk Southern Railway Company (NSR), and to operate, approximately 38 miles of adjoining rail lines pursuant to a purchase and sale agreement. The lines extend (1) between CGA milepost F-75.5 at Madison, Ga., and CGA milepost F-106.3 at Athens, Ga.,<sup>1</sup> and (2) between NSR milepost NE-39.1 at Athens and NSR milepost NE-32.0 at a point designated as Junior State, Ga.<sup>2</sup>

<sup>1</sup> CGA was authorized to discontinue service over a 16-mile portion of the line between milepost F-75.5 near Madison and milepost F-91.5 at Bishop, Ga., in 1988. *Cent. of Ga. R.R.—Discontinuance Exemption—Operations Between Madison & Bishop, Ga.*, AB 290 (Sub-No. 37X) (ICC served Nov. 3, 1988). Athens states that it intends to rehabilitate the line between those mileposts, and that if required, it will seek authority to reactivate service over such tracks.

<sup>2</sup> Athens was authorized to acquire by lease and to operate the lines in 2001, see *The Athens Lines, LLC—Lease & Operation Exemption—Norfolk Southern Railway*, FD 34118 (STB served Dec. 27, 2001).

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 to 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,

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## **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