

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****Application of McCall Aviation, Inc. for Commuter Air Carrier Authorization****AGENCY:** Department of Transportation.**ACTION:** Notice of Order to Show Cause (Order 2008-4-18), Docket DOT-OST-2007-28657.

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding McCall Aviation, Inc., fit, willing, and able, and awarding it commuter air carrier authorization to engage in scheduled passenger air transportation as a commuter air carrier.

**DATES:** Persons wishing to file objections should do so no later than April 24, 2008.

**ADDRESSES:** Objections and answers to objections should be filed in Docket DOT-OST-2007-28657 and addressed to Docket Operations, (M-30, Room W12-140), U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Ronâle Taylor, Air Carrier Fitness Division (X-56, Room W86-464), U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, (202) 366-9721.

Dated: April 10, 2008.

**Michael W. Reynolds,**

*Acting Assistant Secretary For Aviation and International Affairs.*

[FR Doc. E8-8262 Filed 4-16-08; 8:45 am]

**BILLING CODE 4910-9X-P**

**DEPARTMENT OF TRANSPORTATION****Maritime Administration**

[USCG-2006-28532]

**Port Dolphin Energy LLC, Port Dolphin Energy Liquefied Natural Gas Deepwater Port License Application**

**AGENCY:** Maritime Administration, DOT.**ACTION:** Notice of availability; notice of public meeting; request for comments.

**SUMMARY:** The Maritime Administration (MARAD) and the Coast Guard announce the availability of the Draft Environmental Impact Statement (DEIS) for Port Dolphin Energy LLC, Port Dolphin Energy Liquefied Natural Gas Deepwater Port license application. The application describes a project that would be located approximately 28

miles off the western coast of Florida, and approximately 42 miles from Port Manatee, Manatee County, Florida. Publication of this notice begins a 45 day comment period and provides information on how to participate in the process.

**DATES:** The public meeting in Palmetto, FL will be held on May 6th, 2008. The public meeting will be held from 5 p.m. to 7 p.m. and will be preceded by an open house from 3 p.m. to 4:30 p.m. The public meeting may end earlier or later than the stated time, depending on the number of persons wishing to speak. Material submitted in response to the request for comments must reach the Docket Management Facility by June 2, 2008.

**ADDRESSES:** Public Open House and Meeting: The Manatee Convention Center, Conference Center, One Haben Blvd., Palmetto, Florida 3422. (941) 722-3244.

The DEIS, the application, and associated documentation is available for viewing at the Federal Docket Management System Web site: <http://www.regulations.gov> under docket number 28532.

Docket submissions for USCG-2006-28532 should be addressed to: Department of Transportation, Docket Management Facility, 1200 New Jersey Avenue, SE., West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.

The Federal Docket Management Facility accepts hand-delivered submissions, and makes docket contents available for public inspection and copying at this address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Facility telephone number is 202-366-9329, the fax number is 202-493-2251, and the Web site for electronic submissions or for electronic access to docket contents is <http://regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ray Martin, U.S. Coast Guard, telephone: 202-372-1449, e-mail: [raymond.w.martin@uscg.mil](mailto:raymond.w.martin@uscg.mil) or Chris Hanan, U.S. Maritime Administration, telephone: 202-366-1900, e-mail: [Christopher.Hanan@dot.gov](mailto:Christopher.Hanan@dot.gov). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-493-0402.

**SUPPLEMENTARY INFORMATION:****Public Meeting and Open House**

We invite you to learn about the proposed deepwater port at an informational open house, and to comment at a public meeting on the

proposed action and the evaluation contained in the DEIS.

In order to allow everyone a chance to speak at the public meeting, we may limit speaker time, or extend the meeting hours, or both. You must identify yourself, and any organization you represent, by name. Your remarks will be recorded or transcribed for inclusion in the public docket.

You may submit written material at the public meeting, either in place of or in addition to speaking. Written material must include your name and address, and will be included in the public docket.

Public docket materials will be made available to the public on the Federal Docket Management System (FDMS). See "Request for Comments" for information about FDMS and your rights under the Privacy Act.

All public meeting locations will be wheelchair-accessible. If you plan to attend the open house or public meeting, and need special assistance such as sign language interpretation or other reasonable accommodation, please notify the Coast Guard (see **FOR FURTHER INFORMATION CONTACT**) at least 3 business days in advance. Include your contact information as well as information about your specific needs.

**Request for Comments**

We request public comments or other relevant information on the DEIS. The public meeting is not the only opportunity you have to comment. In addition to or in place of attending a meeting, you can submit comments to the Federal Docket Management Facility during the public comment period (see **DATES**). We will consider all comments and material received during the comment period for the DEIS. We will announce the availability of the Final EIS (FEIS) and once again give you the opportunity to review and comment. If you want that notice sent directly to you please contact representatives at the public meeting or the Coast Guard representative identified in **FOR FURTHER INFORMATION CONTACT**.

Submissions should include:

- Docket number USCG-2006-28532.
- Your name and address.

Submit comments or material using only one of the following methods:

- Electronic submission to FDMS, <http://regulations.gov>.
- Fax, mail, or hand delivery to the Docket Management Facility (see **ADDRESSES**). Faxed or hand delivered submissions must be unbound, no larger than 8½ by 11 inches, and suitable for copying and electronic scanning. If you mail your submission and want to know when it reaches the Facility, include a

stamped, self-addressed postcard or envelope.

Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the FDMS Web site (<http://regulations.gov>), and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy Act notice that is available on the FDMS website, or the Department of Transportation Privacy Act Statement that appeared in the **Federal Register** on April 11, 2000 (65 FR 19477).

You may view docket submissions at the Docket Management Facility (see **ADDRESSES**), or electronically on the FDMS website.

### Background

Information about deepwater ports, the statutes, and regulations governing licensing, and the receipt of the current application for the proposed Port Dolphin liquefied natural gas (LNG) deepwater port appears in the **Federal Register** on June 25, 2007 (72 FR 34741). The Notice of Intent to Prepare an EIS for the proposed action was published in the **Federal Register** in Volume 72 FR 38116, Thursday, July 12, 2007. The DEIS, application materials and associated comments are available on the docket. Information from the "Summary of the Application" from previous **Federal Register** notices is included below for your convenience.

### Proposed Action and Alternatives

The proposed action requiring environmental review is the Federal licensing action of the proposed deepwater port described in "Summary of the Application" below. The alternatives available for the licensing decision on the proposed port are: (i) Licensing as proposed, (ii) licensing with conditions (including conditions designed to mitigate environmental, safety and security impacts), and (iii) denying the license, which for purposes of environmental review is the "no-action" alternative. Alternates examined under NEPA are more fully discussed in the DEIS. The Coast Guard and MARAD are the lead Federal agencies for the preparation of the EIS. Address any questions about the proposed action or the DEIS to the Coast Guard project manager identified in **FOR FURTHER INFORMATION CONTACT**.

### Summary of the Application

Port Dolphin Energy LLC, proposes to own, construct, and operate a deepwater port, named Port Dolphin, in the Federal waters of the Outer Continental

Shelf in the St. Petersburg (PB) blocks: PB545, PB589 and PB590, approximately 28 miles off the west coast of Florida to the southwest of Tampa Bay, in a water depth of approximately 100 feet. Port Dolphin would consist of a permanently moored unloading buoy system with two submersible buoys separated by a distance of approximately three miles. Each unloading buoy would be permanently secured to eight mooring lines, consisting of wire rope, chain, and buoyancy elements, each attached to anchor points on the seabed.

The buoys would be designed to moor specialized type of LNG vessels called Shuttle and Regasification Vessels (SRV) of 145,000 and 217,000 cubic meter capacities. SRV vessels are equipped to vaporize cryogenic LNG cargo to natural gas through an onboard closed loop vaporization system, and to odorize and meter gas for send-out by means of the unloading buoy to conventional subsea pipelines. The SRVs would moor to the unloading buoys which connect through the hull of the vessels to specially designed turrets that would enable the vessels to weathervane or rotate in response to prevailing wind, wave, and current directions. When the vessels are not present, the buoys would be submerged on a special landing pad on the seabed, 60–70 feet below the sea surface.

Each unloading buoy would connect through a 16-inch flexible riser and a 36-inch flowline to a Y intersection and then a 36-inch pipeline approximately 42 miles in length that would connect onshore in Port Manatee, Manatee County, Florida. The pipeline would connect with the Gulfstream Natural Gas System, LLC and Tampa Electric Company (TECO).

The 36-inch gas transmission line will make landfall on Port Manatee property. The onshore portion of the transmission pipeline will proceed in a generally easterly direction for approximately 4 miles to interconnection points with the Gulfstream and TECO pipeline systems.

Only shuttle and regasification vessels (SRVs) will call on Port Dolphin. Offloading should require between 4–8 days and when empty the SRV would disconnect from the buoy and leave the port.

Initially it is expected that Port Dolphin would be capable of a natural gas throughput of 400 mmscf and would eventually be capable of 800 mmscf with a peak capacity of 1200 mmscf by having at least one SRV regasifying and discharging at all times. The system would be designed so that two SRVs can be moored

simultaneously for continuous unloading of natural gas.

Concurrent with their application for the deepwater port, the Applicant submitted an application to the Federal Energy Regulatory Commission (FERC) for a Certificate of Public Convenience and Necessity (Certificate) under section 7 of the Natural Gas Act (NGA), as amended, to construct and operate a new natural gas pipeline and ancillary facilities in Florida. FERC is the cooperating Federal agency responsible for the review of the onshore portion of the natural gas pipelines and associated aboveground components. The application was assigned FERC Docket Nos. CP07–191 and 192. FERC issued a Notice of Application in the **Federal Register** for the Proposed Onshore Pipeline on May 9, 2007.

After discussions with Florida Department of Natural Resources, the Applicant made changes to their onshore pipeline route. Subsequently, the Applicant filed an amended application with the FERC. On January 28, 2008, the FERC issued a new Notice of Amendment for the Proposed Onshore Pipeline, which was published in the **Federal Register** on February 4, 2008. The amended application was assigned Docket No. CP07–191–001. FERC also opened an additional scoping period to solicit comments on the proposed revisions to the onshore pipeline route.

As required by FERC regulations, FERC will also maintain a docket for the FERC portion of the project. The docket number is CP07–191–001. The filing may also be viewed on the web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call (866) 208–3767 or TTY, (202) 502–8659.

In addition, pipelines and structures such as the moorings may require permits under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act which are administered by the Army Corps of Engineers (USACE).

Port Dolphin will also require permits from the Environmental Protection Agency (EPA) pursuant to the provisions of the Clean Air Act, as amended, and the Clean Water Act, as amended.

The new pipeline will be included in the National Environmental Policy Act (NEPA) review as part of the deepwater port application process. FERC, EPA, and the USACE, among others, are cooperating agencies and will participate in the NEPA process as described in 40 CFR 1501.6; and will

incorporate the EIS into their permitting processes.

Construction of the deepwater port is expected to take approximately 11 months with startup of commercial operations following construction, should a license be issued. The deepwater port would be designed, constructed and operated in accordance with applicable codes and standards.

#### Privacy Act

The electronic form of all comments received by the Federal Docket Management System can be searched by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). The DOT Privacy Act Statement can be viewed in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70, pages 19477–78) or you may visit <http://regulations.gov>.

(Authority: 49 CFR 1.66)

By Order of the Maritime Administrator.

Dated: April 11, 2008.

**Christine Gurland,**

*Acting Secretary, Maritime Administration.*

[FR Doc. E8–8343 Filed 4–16–08; 8:45 am]

BILLING CODE 4910–81–P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35129]

#### SSP Railroad Holding LLC— Acquisition and Operation Exemption—Mittal Steel USA— Railways Inc

SSP Railroad Holding LLC (SSP), a newly formed noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Mittal Steel USA—Railways Inc. (Mittal Steel USA) and to operate approximately 183 miles of rail lines in and around Sparrows Point, MD.<sup>1</sup> Previously, BIP

<sup>1</sup> SSP is a wholly owned subsidiary of Severstal U.S. Holdings, LLC, which in turn is a wholly owned subsidiary of OAO Severstal, a publicly owned Russian steel company. ArcelorMittal USA Inc. (ArcelorMittal USA) is the U.S. subsidiary of ArcelorMittal, an international steel company. ArcelorMittal USA and its subsidiaries, including Mittal Railways, own various properties in the United States, including a steel plant at Sparrows Point and an extensive rail network serving the plant.

SSP states that, pursuant to a 2007 consent decree resulting from an action brought by the U.S. Department of Justice, ArcelorMittal USA has agreed to divest its properties at Sparrows Point, including the rail lines that are the subject of this notice. As provided in the sale agreement, OAO Severstal has agreed to purchase the non-rail properties at Sparrows Point and SSP has agreed to

Acquisition Sub, Inc. obtained Board authority to acquire and operate the subject lines as part of a proposed sale of the Sparrows Point properties; however, that proposed sale of the properties was terminated and the line sale transaction was never consummated.<sup>2</sup>

SSP has certified that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III railroad. SSP states that it intends to consummate the transaction as soon as possible after May 1, 2008.<sup>3</sup>

Pursuant to the Consolidated Appropriations Act, 2008, Pub. L. 110–161, section 193, 121 Stat. 1844 (2007), nothing in this decision authorizes the following activities at any solid waste rail transfer facility: collecting, storing or transferring solid waste outside of its original shipping container; or separating or processing solid waste (including baling, crushing, compacting and shredding). The term “solid waste” is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

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. Stay petitions must be filed by April 24, 2008 (at least 7 days before the exemption may become effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35129, 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 Richard A. Allen, Zuckert, Scoutt & Rasenberger L.L.P., 888 Seventeenth Street, NW., Suite 700, Washington, DC 20006.

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

Decided: April 9, 2008.

acquire the rail properties, which SSP intends to operate as a common carrier.

<sup>2</sup> See *BIP Acquisition Sub, Inc.—Acquisition and Operation Exemption—Mittal Steel USA—Railways Inc.*, STB Finance Docket No. 35074 (STB served Aug. 24, 2007).

<sup>3</sup> SSP states that its projected annual revenues following the transaction will exceed \$5 million. On April 1, 2008, SSP concurrently filed a certification of labor notice compliance and a petition for partial waiver of the 60-day advance labor notice requirements at 49 CFR 1150.32(e). That request is being addressed by the Board in a separate decision. Unless the Board grants the waiver request, the earliest this transaction may be consummated will be May 31, 2008.

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

**Anne K. Quinlan,**

*Acting Secretary.*

[FR Doc. E8–7962 Filed 4–16–08; 8:45 am]

BILLING CODE 4915–01–P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB–882; STB Docket No. AB–884]

#### Minnesota Commercial Railway Company—Adverse Discontinuance— In Ramsey County, MN; M T Properties, Inc.—Adverse Abandonment—In Ramsey County, MN

On March 28, 2008, The City of New Brighton, MN (the City), filed an application under 49 U.S.C. 10903, requesting that the Surface Transportation Board (Board) authorize the third-party or adverse abandonment and discontinuance of service over an approximately 0.69-mile line of rail, extending from a junction switch near milepost 10.5 on Minnesota Commercial Railway’s (MCRC) main industrial lead track and terminating at the western right-of-way of Interstate Highway 35W (the Line).<sup>1</sup> The Line is owned by M T Properties, Inc. and operated by MCRC. The line traverses United States Postal Service Zip Code 55112, and includes no stations.

The line sought to be abandoned does not contain federally granted rights-of-way. Any documentation in the City’s possession will be made available promptly to those requesting it.

The City states that there are no existing or potential railroad customers located on the line. The City also states that the shippers who last used the Line have relocated and continue to be served by MCRC.

In a decision served in these proceedings on January 25, 2008, the City was granted exemptions from certain statutory provisions as well as waivers of certain Board regulations at 49 CFR part 1152 that were not relevant to its adverse abandonment and discontinuance application or that sought information not available to it. Specifically, the City was granted, as pertinent, waivers of and exemptions from the notice requirements at 49 U.S.C. 10903(c), 49 CFR 1152.10–14, 49 CFR 1152.21, 49 CFR 1152.22(a)(5), and 49 CFR 1152.24(e)(1), and waiver of the regulatory requirement that the application be executed and verified by

<sup>1</sup> The line is a stub-ended track and has no mileposts.