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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35958]

Westmoreland County Industrial Development Corporation—Acquisition of Control Exemption—Turtle Creek Industrial Railroad, Inc.


A redacted version of the agreement was filed with the notice of exemption. An unredacted version was filed concurrently under seal, along with a motion for protective order pursuant to 49 CFR 1104.14(b). That motion will be addressed in a separate decision.

On September 30, 2015, the American Chemistry Council, the Chlorine Institute, and the Fertilizer Institute (collectively Petitioners) filed a petition for an order “declaring that the common carrier obligation, codified at 49 U.S.C. 11010(a), requires a Class I railroad to transport toxic inhalation hazard (‘TIH’) materials over main lines, as defined at 49 U.S.C. 20157(i)(2), although the Class I railroad has not equipped, or will not equip, such lines with an operable positive train control (‘PTC’) system by the December 31, 2015 deadline specified by 49 U.S.C. 20157(a).” (Pet. 1.)

According to the petition, some railroads have indicated that they intend to embargo TIH shipments, as early as Thanksgiving 2015, in light of the impending statutory PTC deadline. (Pet. 2, 5–6.) Petitioners request that the Board institute a declaratory order proceeding, consider the September 30 petition to be their opening statement, and promptly issue an expedited procedural schedule. On October 5, 2015, the Association of American Railroads (AAR) filed a petition requesting an alternate expedited procedural schedule and an oral hearing.

The Board has discretionary authority under 5 U.S.C. 554(e) and 49 U.S.C. 721 to issue a declaratory order to terminate a controversy or remove uncertainty. The Board will institute a declaratory order proceeding and establish a procedural schedule. The Board will consider the September 30 petition to be Petitioners’ opening statement.

Substantive replies to the opening statement will be due on October 23, 2015. Rebuttals will be due on November 2, 2015. The Board will rule on AAR’s request for an oral hearing in a future order.

It is ordered:

1. A declaratory order proceeding is instituted.

2. Substantive replies to the September 30 opening statement are due by October 23, 2015.

3. Rebuttals are due by November 2, 2015.

4. Notice of this action will be published in the Federal Register on October 9, 2015.

5. This decision is effective on its service date.

Decided: October 6, 2015.
DEPARTMENT OF VETERANS AFFAIRS

Loan Guaranty: Assistance to Eligible Individuals in Acquiring Specially Adapted Housing; Cost-of-Construction Index

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The U.S. Department of Veterans Affairs (VA) announces that the aggregate amounts of assistance available under the specially adapted housing (SAH) grant program will increase by 4.688 percent for fiscal year (FY) 2016.

FOR FURTHER INFORMATION CONTACT: John Bell III, Assistant Director for Loan Policy and Valuation, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 632–8786 (not a toll-free number).

DATES: October 9, 2015.

SUPPLEMENTARY INFORMATION: In accordance with 38 U.S.C. 2102(e) and 2102A(b)(2) and 38 CFR 36.4411, the Secretary of Veterans Affairs announces for FY 2016 the aggregate amounts of assistance available to veterans and servicemembers eligible for SAH program grants.

Public Law 110–289, the Housing and Economic Recovery Act of 2008, authorized the Secretary to increase the aggregate amounts of SAH assistance annually based on a residential home cost-of-construction index. The Secretary uses the Turner Building Cost Index for this purpose.

In the most recent quarter for which the Turner Building Cost Index is available, quarter two FY 2015, the index showed an increase of 4.688 percent over the index value in quarter two FY 2014. Pursuant to 38 CFR 36.4411(a), therefore, the aggregate amounts of assistance for SAH grants made pursuant to 38 U.S.C. 2101(a) or 2101(b) will increase by 4.688 percent for FY 2016.

Public Law 112–154, the Honoring America’s Veterans and Caring for Camp Lejeune Families Act of 2012, required that the same percentage of increase apply to grants authorized pursuant to 38 U.S.C. 2102A. See 38 U.S.C. 2102A(b)(2). As such, the maximum amount of assistance available under these grants, which are called grants for temporary residence adaptation (TRA grants), will also increase by 4.688 percent for FY 2016.

The increases are effective as of October 1, 2015.

Specially Adapted Housing: Aggregate Amounts of Assistance Available During Fiscal Year 2016

2101(a) Grants and TRA Grants

Effective October 1, 2015, the aggregate amount of assistance available for SAH grants made pursuant to 38 U.S.C. 2101(a) is $73,768 during FY 2016. The maximum TRA grant made to an individual who satisfies the eligibility criteria under 38 U.S.C. 2101(a) and 2102A is $32,384 during FY 2016.

2101(b) Grants and TRA Grants

Effective October 1, 2015, the aggregate amount of assistance available for SAH grants made pursuant to 38 U.S.C. 2101(b) is $14,754 during FY 2016. The maximum TRA grant made to an individual who satisfies the eligibility criteria under 38 U.S.C. 2101(b) and 2102A is $5,782 during FY 2016.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Robert L. Nabors II, Chief of Staff, approved this document on September 11, 2015, for publication.

Dated: October 6, 2015.

William F. Russo,
Director, Office of Regulation Policy and Management, Office of General Counsel.