

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[Docket No. FD 35652]****Diana Del Grosso, Ray Smith, Joseph Hatch, Cheryl Hatch, Kathleen Kelley, Andrew Wilklund, and Richard Kosiba—Petition for Declaratory Order****AGENCY:** Surface Transportation Board, Transportation.**ACTION:** Institution of declaratory order proceeding; establishment of procedural schedule.

**SUMMARY:** In response to a petition filed on August 1, 2012, by Diana Del Grosso, Ray Smith, Joseph Hatch, Cheryl Hatch, Kathleen Kelley, Andrew Wilklund, and Richard Kosiba (Petitioners), the Board is instituting a declaratory order proceeding under 49 U.S.C. 721 and 5 U.S.C. 554(e). Petitioners request that the Board declare that specific operations conducted in the town of Upton, Mass. (Town) at a bulk transloading facility (Upton Facility), claimed to be performed by the Grafton and Upton Railroad (G&U), do not constitute “transportation by a rail carrier,” and that the Town’s zoning and other regulations are therefore not preempted under 49 U.S.C. 10501(b). This notice provides for further submissions by the parties and seeks public comment.

**DATES:** G&U’s reply is due no later than February 25, 2013. Public comments are due no later than February 25, 2013. Petitioners’ response is due by March 11, 2013.

**ADDRESSES:** Public comments and further submissions by the parties may be submitted via the Board’s e-filing format or in the traditional paper format. Any person using e-filing should attach a document and otherwise comply with the instructions at the E-FILING link on the Board’s Web site, at <http://www.stb.dot.gov>. Any person submitting a filing in the traditional paper format should send an original and 10 copies to: Surface Transportation Board, Attn: Docket No. FD 35652, 395 E Street SW., Washington, DC 20423–0001. Copies of written comments and the parties’ filings will be available for viewing and self-copying at the Board’s Public Docket Room, Room 131, and will be posted to the Board’s Web site. In addition, send one copy of all filings to the following: Mark Bobrowski, Blatman, Bobrowski & Mead, LLC, 9 Damonmill Square, Suite 4A4, Concord, MA 01742 (representing Petitioners); James E. Howard, 70 Rancho Road, Carmel Valley, CA 93924 (representing G&U).

**FOR FURTHER INFORMATION CONTACT:** Marc Lerner, (202) 245–0390. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at (800) 877–8339.

**SUPPLEMENTARY INFORMATION:** Petitioners request that the Board find that the screening, vacuuming, and bagging of wood pellets, and the trucking and storage of bulk goods, at the Upton Facility, on property owned by Upton Development Group, LLC and operated by Grafton Upton Railcare, LLC allegedly on behalf of G&U, are not preempted from certain local zoning and other regulations. Petitioners further assert that the wood pellet packaging services provided at the facility are not integrally related to “rail transportation,” and that the bulk transfer terminal activities are not being conducted by a “rail carrier.” The petition will serve as Petitioners’ opening statement.

Under 5 U.S.C. 554(e), the Board has discretionary authority to issue a declaratory order to terminate a controversy or remove uncertainty. The issues raised by Petitioners merit further consideration, and a declaratory order proceeding is thus instituted here. Any person seeking to comment on the issues raised in Petitioners’ petition may submit written comments to the Board pursuant to the schedule and procedures set forth in this notice. Additional information is contained in the Board’s decision served January 24, 2013, which is available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: January 23, 2013.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Derrick A. Gardner,**  
Clearance Clerk.

[FR Doc. 2013–01800 Filed 1–28–13; 8:45 am]

**BILLING CODE 4915–01–P****DEPARTMENT OF THE TREASURY****Submission for OMB Review;  
Comment Request**

January 24, 2013.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

**DATES:** Comments should be received on or before February 28, 2013 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect

of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at [PRA@treasury.gov](mailto:PRA@treasury.gov).

**FOR FURTHER INFORMATION CONTACT:** Copies of the submission(s) may be obtained by calling (202) 927–5331, email at [PRA@treasury.gov](mailto:PRA@treasury.gov), or the entire information collection request maybe found at [www.reginfo.gov](http://www.reginfo.gov).

**Financial Crimes Enforcement Network (FinCEN)***OMB Number:* 1506–0018.*Type of Review:* Revision of a currently approved collection.*Title:* Report of Cash Payment Over \$10,000 Received in a Trade or Business.*Form:* FinCEN 8300.

*Abstract:* Anyone in a trade or business who, in the course of such trade or business, receives more than \$10,000 in cash or foreign currency in one or more related transactions must report it to the IRS and provide a statement to the payor. Any transaction which must be reported under Title 31 on FinCEN Form 104 is exempted from reporting the same transaction on Form 8300. The USA Patriot Act of 2001 (Pub. L. 107–56) authorized the Financial Crimes Enforcement Network to collect the information reported on Form 8300.

*Affected Public:* Private sector: Businesses or other for-profits, farms.

*Estimated Total Burden Hours:* 114,000.

*OMB Number:* 1506–0064.*Type of Review:* Revision of a currently approved collection.*Title:* Bank Secrecy Act Currency Transaction Report (BSA–CTR).*Form:* FinCEN 112.

*Abstract:* The collection of the information contained on the Bank Secrecy Act Currency Transaction Report (FinCEN Report 112) is authorized by statute (31 U.S.C. 5313(a)) and required by regulation (31 CFR 1010.311 and 1010.313). The regulation requires the reporting of transactions in currency by, through, or to a financial institution in excess of \$10,000 during a single day.

*Affected Public:* Private sector: Businesses or other for-profits, not-for-profit institutions.

*Estimated Total Burden Hours:* 10,193,539.

*OMB Number:* 1506–0065.

*Type of Review:* Revision of a currently approved collection.

*Title:* Bank Secrecy Act Suspicious Activity Report (BSA–SAR).

*Form:* FinCEN 111.

*Abstract:* In 1992, the Treasury was granted broad authority to require suspicious transaction reporting under the Bank Secrecy Act (31 U.S.C. 5318(g)). FinCEN, which has been delegated authority to administer the Bank Secrecy Act, joined with the bank regulators in 1996 in requiring, on a consolidated form (the SAR form), reports of suspicious transactions (31 CFR 1020.320). FinCEN and the bank regulators adopted the suspicious activity report (“SAR”) in 1996 to simplify the process through which depository institutions (“banks”) inform their regulators and law enforcement about suspected criminal activity. The SAR was updated in 1999 and again in 2003 (§ 1020.320). In separate actions FinCEN expanded the SAR reporting to money services businesses (March, 2000, 31 CFR 1022.320), broker dealers in securities (July, 2002, 31 CFR 1023.320), casinos (September 2002, § 1021.320) certain futures commission merchants (November, 2003, § 1026.320), life insurance companies (November 2005, § 1025.320), mutual funds (May, 2006, § 1024.320), and non-bank residential mortgage lenders and originators (31 CFR 1029.320). All reporting financial institutions are required to retain a copy of any SAR filed and supporting documentation for the filing of the SAR for five years. See the above listed 31 CFR references and 31 CFR 1010.430. These documents are necessary for criminal investigations and prosecutions. The filing of a SAR is necessary to prevent and detect the laundering of money and other funds at the filing institutions.

*Affected Public:* Private sector: Businesses or other for-profits, not-for-profit institutions.

*Estimated Total Burden Hours:* 3,284,320.

**Dawn D. Wolfgang,**

*Treasury PRA Clearance Officer.*

[FR Doc. 2013–01793 Filed 1–28–13; 8:45 am]

**BILLING CODE 4810–02–P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

January 24, 2013.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for

review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

**DATES:** Comments should be received on or before February 28, 2013 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at [PRA@treasury.gov](mailto:PRA@treasury.gov).

**FOR FURTHER INFORMATION CONTACT:** Copies of the submission(s) may be obtained by calling (202) 927–5331, email at [PRA@treasury.gov](mailto:PRA@treasury.gov), or the entire information collection request maybe found at [www.reginfo.gov](http://www.reginfo.gov).

### Financial Management Service (FMS)

*OMB Number:* 1510–0074.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Electronic Funds Transfer (EFT) Market Research Study.

*Abstract:* This is a generic clearance to conduct customer satisfaction surveys. The need for these surveys arises from Congressional directive that accompanied legislation enacted in 1996, as part of the Debt Collection Improvement Act (Pub. L. 104–134), expanding the scope of check recipients required to use direct deposit to receive Federal benefit payments (see 31 U.S.C. 3332). Congress directed Treasury to “study the socioeconomic and demographic characteristics of those who currently do not have Direct Deposit and determine how best to increase usage among all groups.”

*Affected Public:* Individuals or Households.

*Estimated Total Burden Hours:* 7,500.

**Dawn D. Wolfgang,**

*Treasury PRA Clearance Officer.*

[FR Doc. 2013–01814 Filed 1–28–13; 8:45 am]

**BILLING CODE 4810–35–P**

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

### FEDERAL DEPOSIT INSURANCE CORPORATION

### NATIONAL CREDIT UNION ADMINISTRATION

### Agency Information Collection Activities: Proposed Information Collection; Submission for OMB Review

**AGENCIES:** Office of the Comptroller of the Currency, Treasury (OCC); Federal Deposit Insurance Corporation (FDIC); and National Credit Union Administration (NCUA).

**ACTION:** Joint Notice and Request for Comment.

**SUMMARY:** The Office of the Comptroller of the Currency (OCC); Federal Deposit Insurance Corporation (FDIC); and National Credit Union Administration (NCUA) (the Agencies) as part of their continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a new information collection, as required by the Paperwork Reduction Act of 1995.

An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid OMB control number. The OCC, FDIC and NCUA are soliciting comment concerning their information collection titled, “Interagency Appraisal Complaint Form.”

The Office of the Comptroller of the Currency (OCC) is also announcing that the proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

**DATES:** Comments must be received by February 28, 2013.

**ADDRESSES:** *Communications Division, Office of the Comptroller of the Currency, Mailstop 6W–11, Attention: 1557–NEW, Washington, DC 20219.* In addition, comments may be sent by fax to (202) 649–5709 or by electronic mail to [regs.comments@occ.treas.gov](mailto:regs.comments@occ.treas.gov). You may personally inspect and photocopy comments at the OCC, 400 7th Street SW., Washington, DC 20219. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649–6700. Upon arrival, visitors will be required to present valid