

## SURFACE TRANSPORTATION BOARD

[Docket No. FD 34797 (Sub-No. 1)]

**New England Transrail, LLC, D/B/A Wilmington & Woburn Terminal Railway—Construction, Acquisition and Operation Exemption—in Wilmington and Woburn, Mass**

By petition filed June 24, 2016,<sup>1</sup> New England Transrail, LLC (NET) seeks an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10901 to acquire 5,727 feet of existing track, construct or rehabilitate a combined 10,838 feet of track, and operate as a rail carrier over the combined 16,565 feet of track on and adjacent to a parcel of land owned by the Olin Corporation and located in Wilmington and Woburn, Mass. NET states that, upon commencement of rail operations, it would transload a variety of commodities, including, for example, paper products, steel, scrap steel, wood products, corn syrup, and biofuels at three facilities on the site.<sup>2</sup>

The petition for exemption raises issues that require consideration by the Board. By this decision, the Board is instituting a proceeding under 49 U.S.C. 10502(b). The issues presented by the petition will be addressed in a subsequent decision. Comments are due by November 4, 2016.

*It is ordered:*

1. Under 49 U.S.C. 10502(b), a proceeding is instituted.
2. Comments are due by November 4, 2016.
3. Notice of the Board's action will be published in the **Federal Register**.
4. This decision is effective on its date of service.

Decided: September 20, 2016.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.**Tia Delano,**  
Clearance Clerk.

[FR Doc. 2016-22952 Filed 9-22-16; 8:45 am]

**BILLING CODE 4915-01-P**

<sup>1</sup> The petition for exemption in this proceeding is a resubmission of a petition for exemption previously filed in 2003 in *New England Transrail, LLC—Construction, Acquisition, & Operation Exemption—in Wilmington & Woburn, Mass.*, Docket No. FD 34391 and a petition for exemption filed in 2005 in *New England Transrail, LLC—Construction, Acquisition, & Operation Exemption—in Wilmington & Woburn, Mass.*, Docket No. FD 34797.

<sup>2</sup> The materials NET plans to transload are similar to those identified in NET's prior petition in Docket No. FD 34797. However, NET states that it no longer plans to "operate a municipal solid waste transfer station." (Pet. 9.)

**SUSQUEHANNA RIVER BASIN COMMISSION****Projects Approved for Consumptive Uses of Water**

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

**SUMMARY:** This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in **DATES**.

**DATES:** July 1–31, 2016.**ADDRESSES:** Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.**FOR FURTHER INFORMATION CONTACT:**

Jason E. Oyler, General Counsel, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; email: [joyler@srbc.net](mailto:joyler@srbc.net). Regular mail inquiries may be sent to the above address.

**SUPPLEMENTARY INFORMATION:** This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR 806.22(f) for the time period specified above:

*Approvals By Rule Issued Under 18 CFR 806.22(f):*

1. *Chesapeake Appalachia, LLC, Pad ID:* Rossi, ABR-201111011.R1, Litchfield Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.
2. *Chesapeake Appalachia, LLC, Pad ID:* Williamson, ABR-201111019.R1, Smithfield Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.
3. *Chesapeake Appalachia, LLC, Pad ID:* Edger, ABR-201112020.R1, Smithfield and Ulster Townships, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.
4. *Chesapeake Appalachia, LLC, Pad ID:* RGB, ABR-201112021.R1, Smithfield Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.
5. *Chesapeake Appalachia, LLC, Pad ID:* Yost, ABR-201112022.R1, Franklin Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.
6. *Chesapeake Appalachia, LLC, Pad ID:* Wildonger, ABR-201112026.R1, Wyalusing Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.
7. *Chesapeake Appalachia, LLC, Pad ID:* Sharidan, ABR-201112027.R1, Litchfield Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.
8. *Chief Oil & Gas LLC, Pad ID:* Kingsley B Drilling Pad #1, ABR-201112009.R1, Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 13, 2016.
9. *Chief Oil & Gas LLC, Pad ID:* Kaufmann Drilling Pad #1, ABR-201201001.R1, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 13, 2016.
10. *Chief Oil & Gas LLC, Pad ID:* Yoder Drilling Pad #1, ABR-201201003.R1, Leroy Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 13, 2016.
11. *Chief Oil & Gas LLC, Pad ID:* Bailey Drilling Pad #1, ABR-201201013.R1, Overton Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 13, 2016.
12. *EOG Resources, Inc., Pad ID:* FAY 1H Pad, ABR-201107019.R1, Ridgebury Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 13, 2016.
13. *SWN Production Company, LLC, Pad ID:* Van Order Pad, ABR-201107042.R1, Herrick Township, Bradford County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: July 13, 2016.
14. *Warren Marcellus, LLC, Pad ID:* Reimiller 1, ABR-201110001.R1, Meshoppen and Washington Townships, Wyoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 13, 2016.
15. *Warren Marcellus, LLC, Pad ID:* Mattocks 1, ABR-201110002.R1, Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 13, 2016.
16. *Warren Marcellus, LLC, Pad ID:* McConnell 1, ABR-201110003.R1, Tunkhannock Township, Wyoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 13, 2016.
17. *Chief Oil & Gas LLC, Pad ID:* Hemlock Hunting Club B Drilling Pad #1, ABR-201607001, Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 2.5000 mgd; Approval Date: July 15, 2016.
18. *Chief Oil & Gas LLC, Pad ID:* Jacobson Unit Pad, ABR-201607002, Franklin Township, Bradford County, Pa.; Consumptive Use of Up to 2.5000 mgd; Approval Date: July 15, 2016.
19. *SWEPI LP, Pad ID:* Wood 626, ABR-201106006.R1, Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 20, 2016.
20. *Chief Oil & Gas LLC, Pad ID:* Lucarino Drilling Pad #1, ABR-201112010.R1, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 20, 2016.
21. *Talisman Energy USA Inc., Pad ID:* 02 010 DCNR 587, ABR-201108002.R1, Ward Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 20, 2016.
22. *Talisman Energy USA Inc., Pad ID:* 03 113 Vanblarcom, ABR-201108003.R1, Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 21, 2016.
23. *Talisman Energy USA Inc., Pad ID:* 03 111 Stephani, ABR-201108009.R1,

- Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 21, 2016.
24. *Talisman Energy USA Inc., Pad ID: 05* 229 Acres, ABR-201108010.R1, Windham Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 21, 2016.
25. *Talisman Energy USA Inc., Pad ID: 05* 164 Bennett, ABR-201107049.R1, Stevens Township, Bradford County and Rush Township, Susquehanna County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 25, 2016.
26. *Talisman Energy USA Inc., Pad ID: 02* 153 Mountain Run Hunting Club, ABR-201107050.R1, Union Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 25, 2016.
27. *Seneca Resources Corporation, Pad ID: DCNR 007 Pad K, ABR-201112018.R1*, Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 25, 2016.
28. *Chesapeake Appalachia, LLC, Pad ID: Raimo, ABR-201201005.R1*, Monroe and Overton Townships, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 26, 2016.
29. *Chesapeake Appalachia, LLC, Pad ID: Kathryn, ABR-201201006.R1*, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 26, 2016.
30. *Chesapeake Appalachia, LLC, Pad ID: Ridenour, ABR-201201008.R1*, Cherry Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 26, 2016.
31. *Talisman Energy USA Inc., Pad ID: 05* 008 Michnich, ABR-201108026.R1, Pike Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 27, 2016.
32. *Talisman Energy USA Inc., Pad ID: 03* 074 Haralambous, ABR-201108037.R1, Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 27, 2016.
33. *Talisman Energy USA Inc., Pad ID: 05* 104 Rennekamp R, ABR-201108044.R1, Pike Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 27, 2016.
34. *Chesapeake Appalachia, LLC, Pad ID: Redbone, ABR-201201004.R1*, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 28, 2016.
35. *Chesapeake Appalachia, LLC, Pad ID: Elwell, ABR-201201009.R1*, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 28, 2016.
36. *Chesapeake Appalachia, LLC, Pad ID: Calmitch, ABR-201201029.R1*, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 28, 2016.
37. *Chesapeake Appalachia, LLC, Pad ID: Manahan, ABR-201201036.R1*, Albany Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 28, 2016.
38. *Chesapeake Appalachia, LLC, Pad ID:* Messersmith, ABR-201201037.R1, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 28, 2016.
39. *Pennsylvania General Energy Co. LLC, Pad ID: COP Tract 356 Pad J, ABR-201201014.R1*, Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: July 29, 2016.
40. *Chief Oil & Gas LLC, Pad ID: Yonkin B Drilling Pad, ABR-201607003*, Cherry Township, Sullivan County, Pa.; Consumptive Use of Up to 2.5000 mgd; Approval Date: July 29, 2016.

**Authority:** Pub. L. 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: September 19, 2016.

**Stephanie L. Richardson,**

*Secretary to the Commission.*

[FR Doc. 2016-22879 Filed 9-22-16; 8:45 am]

**BILLING CODE 7040-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice To Rescind a Notice of Intent for an Environmental Impact Statement for Proposed Highway and Light Rail Improvements in the Sr 32 Corridor Between Us 50 and Ir 275 in Hamilton and Clermont Counties, Ohio

**AGENCY:** Federal Highway Administration (FHWA), U.S. DOT.

**ACTION:** Notice to rescind a Notice of Intent (NOI) for an Environmental Impact Statement (EIS).

**SUMMARY:** A Notice of Intent to prepare an Environmental Impact Statement was published in the **Federal Register** on May 9, 2012. The Ohio Department of Transportation (ODOT) is issuing this notice to advise the public that ODOT will no longer prepare a Tier 2 EIS for proposed improvements to SR 32 from US 50 in Hamilton County east to IR 275 in Clermont County, because of potential significant environmental impacts and public controversy.

**FOR FURTHER INFORMATION CONTACT:** Timothy M. Hill, Administrator, ODOT Office of Environmental Services, 1980 West Broad Street, Columbus, Ohio 43223 Mail Stop #4170, Telephone: (614) 644-0377, Email: [Tim.Hill@dot.ohio.gov](mailto:Tim.Hill@dot.ohio.gov).

**SUPPLEMENTARY INFORMATION:** On September 30, 2005, a Tier 1 EIS was published in the **Federal Register** (77 FR 27272). This document evaluated transportation needs and focused on broad issues such as mode choice, general location, preliminary costs, benefits, and impacts within a study area known as the Eastern Corridor,

extending from downtown Cincinnati to western Clermont County. A Tier 1 Record of Decision issued on June 2, 2006 identified feasible multi-modal components to be advanced by mode and segment into Tier 2 NEPA analyses, including a new rail transit corridor composed of four implementation segments, improved bus transit, various local network improvements, and a new highway capacity corridor composed of five implementation segments. In the interim, new information came to light regarding the archaeological resources present in connection with the Hahn Archaeological District. The discovery of this information prompted a re-evaluation of the Tier 1 ROD to determine if the decision contained there-in remained valid and if a Supplemental EIS should be prepared prior to moving into a Tier 2 EIS. On February 9, 2012 FHWA recommended advancing the project into a Tier 2 EIS as the appropriate level of study and analysis to determine the significance of impacts to archaeological sites.

Recognizing the complex interests associated with the SR 32 Relocation Project, ODOT and FHWA in 2013 engaged the U.S. Institute for Environmental Conflict Resolution (USIECR) and a facilitation team as neutral, outside entities. Their purpose was to review the project and carry out a collaborative process to help inform future decisions on the feasibility of project development continuing on this project. The study identified key stakeholder interests associated with the SR 32 Relocation Project from their interviews, including the need to: Improve transportation safety and efficiency; protect the natural environment; facilitate regional economic development; protect quality of life issues; be fiscally responsible and allocate limited dollars to the most pressing needs; safeguard historic and archeological resources; and make decisions in a reasonable timeframe. Their situation assessment presented eight options to consider in deciding whether and how to move ahead with the SR 32 Project. These ranged from not proceeding with the project at this time to proceeding as planned to fulfill NEPA, with various options in between that considered reframing/rethinking aspects of the project. In conjunction with the situation assessment process, FHWA and ODOT coordinated with nine federally-recognized tribes, state/federal resource/regulatory agencies and extensive coordination with the public and area stakeholders. Upon deliberation of the options to move forward, ODOT concluded that the