

Ave., NW., Mail Stop 43, Washington, DC 20590 (telephone: (202) 493-6139). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Pub. L. 104-13, § 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On February 12, 2007, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 72 FR 6656. FRA received no comments after issuing this notice. Accordingly, DOT announces that these information collection activities have been re-evaluated and certified under 5 CFR 1320.5(a) and forwarded to OMB for review and approval pursuant to 5 CFR 1320.12(c).

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30 day notice is published. 44 U.S.C. 3507 (b)-(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30 day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

The summaries below describe the nature of the information collection requirements (ICRs) and the expected burden. The revised requirements are being submitted for clearance by OMB as required by the PRA.

*Title:* Foreign Railroads' Foreign-Based (FRFB) Employees Who Perform Train or Dispatching Service in the United States.

*OMB Control Number:* 2130-0555.

*Type of Request:* Extension of a currently approved collection.

*Affected Public:* Railroads.

*Form(s):* None.

*Abstract:* The collection of information is used by FRA to determine compliance of FRFB train and dispatching service employees and

their employers with the prohibition against the abuse of alcohol and controlled substances. Because of the increase in cross-border train operations and the increased risk posed to the safety of train operations in the United States, FRA seeks to apply all of the requirements of 49 CFR part 219 to FRFB train and dispatching service employees. The basic information—evidence of unauthorized use of drugs and alcohol—is used by FRA to help prevent accidents/incidents by screening FRFB who perform safety-sensitive functions for unauthorized drug or alcohol use. FRFB train and dispatching service employees testing positive for unauthorized use of alcohol and drugs are removed from service, thereby enhancing safety and serving as a deterrent to other FRFB train and dispatching service employees who might be tempted to engage in the unauthorized use of drugs or alcohol.

*Annual Estimated Burden:* 28 hours.

*Title:* Special Notice for Repairs.

*OMB Control Number:* 2130-0504.

*Type of Request:* Extension of a currently approved collection.

*Affected Public:* Railroads.

*Form(s):* FRA F 6180.8; FRA F 6180.8a.

*Abstract:* The Special Notice For Repairs is issued to notify the carrier in writing of an unsafe condition involving a locomotive, car, or track. The carrier must return the form after repairs have been made. The collection of information is used by State and Federal inspectors to remove freight cars or locomotives until they can be restored to a serviceable condition. It is also used by State and Federal inspectors to reduce the maximum authorized speed on a section of track until repairs can be made.

*Annual Estimated Burden:* 10 hours.

*Addressee:* Send comments regarding these information collections to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, NW., Washington, DC 20503, Attention: FRA Desk Officer.

*Comments are invited on the following:* Whether the proposed collections of information are necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimates of the burden of the proposed information collections; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collections of information on respondents, including the use of

automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the **Federal Register**.

**Authority:** 44 U.S.C. 3501-3520.

Issued in Washington, DC on April 20, 2007.

**D.J. Stadler,**

*Director, Office of Budget, Federal Railroad Administration.*

[FR Doc. E7-8018 Filed 4-25-07; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### Alton and Southern Railway

[Waiver Petition Docket Number FRA-2007-27320]

The Alton and Southern Railway (ALS), a wholly-owned subsidiary of the Union Pacific Railroad (UP), has petitioned FRA for a temporary waiver of compliance with certain provisions of FRA safety regulations (hours of service of railroad employees). The waiver request seeks relief from 49 CFR Section 228.9(a)(1) for the ALS to utilize a computerized system of recording train and engine employee hours of duty data. The CFR requires that records maintained under Section 228.9(a)(1) be signed by the employee whose time is being recorded, or in the case of train and engine crews, signed by the ranking crew member. The ALS seeks to utilize a computerized system of recording hours of duty information that is currently being used by the UP. Without waiver permission, the record produced by the program would not comply with Section 228(a)(1) requirements for a "signature" of the employee or ranking crew member. The ALS proposes that each employee will have his or her own identification number (ID) and personal identification number (PIN). The PIN will remain confidential to the employee. The employee ID and PIN will be used to restrict access to a job

or train reporting screen to only the employee or ranking crew member of that specific job or train. After entering the appropriate data, the employee will be asked to "certify" his or her entries. When certified, the data entered by the employee will be electronically stamped by the computer with the entering employee's ID and the date and time of certification. The employee's certified record will then be available through the FRA inspection screen and will display the employee's ID along with the date and time of certification. The ALS proposes replacing the current manually signed paper record with a printable copy of the employee's entered data showing the date, time and ID of entering employee.

The ALS warrants that the program to be used is a copy of the program approved for use by UP under a current waiver of compliance. The ALS maintains that the change is in the best interests of all parties in that it will reduce unnecessary paperwork and the costs associated therewith while providing the railroad, its employees, and FRA with a superior level of information on a more timely basis than is currently available.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA in writing before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2007-27320) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401, 400 7th Street, NW., Washington, DC 20590-0001. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Issued in Washington, DC on April 20, 2007.

**Michael J. Logue,**

*Deputy Associate Administrator for Safety Compliance and Program Implementation.*

[FR Doc. E7-8023 Filed 4-25-07; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### Charlotte Area Transit System

[Waiver Petition Docket Number FRA-2006-25837]

The Charlotte Area Transit System (CATS) plans to operate and maintain a light rail system known as the South Corridor Light Rail Line (CATS System) with revenue service slated to begin in Fall 2007. CATS seeks a permanent waiver of compliance from sections of Title 49 of the CFR for operation of its 10-mile long CATS System that at times is adjacent to active Norfolk Southern Railway Company (NS) tracks in a shared corridor operation, thus representing a "limited connection" with the general railroad system. See *Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment*, 65 FR 42529 (July 10, 2000). See also *Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems*, 65 FR 42626 (July 10, 2000).

The CATS System is a new 10-mile long light rail operation that will share a corridor with NS freight trains in certain locations. The CATS System will run on its own tracks and NS will conduct freight rail operations on existing tracks that are located generally at least 40 feet from the nearest CATS System trackage at certain locations along the light rail alignment. The CATS System and NS will not share trackage or train control systems and the CATS

System trackage and NS trackage will not cross at any location. The CATS System will share two public highway-rail grade crossings with NS, representing a limited connection and, as such, the CATS System is subject to FRA jurisdiction. These two shared crossings will be equipped with flashing lights and gates on each side of the roadway. The shared crossings will have interlocking relays so that both CATS crossing equipment and NS crossing equipment activate together in vital design. CATS and NS employees will maintain their own equipment on their respective sides of the shared crossing. CATS will employ five full-time Signal employees and their hours will be staggered to cover all hours when the CATS System is in revenue service. It is anticipated that most of the CATS System Signal employees will work standard 10-hour shifts, 4 days a week.

CATS is seeking a permanent waiver of compliance from certain sections of Title 49 of the CFR and offers that it is similarly governed by the System Safety Program Plan as required by the Federal Transit Administration. For this limited connection, CATS seeks a permanent waiver of compliance from 49 CFR part 228, Hours of Service of Railroad Employees. CATS anticipates never having more than 15 Signal employees and thereby qualifies to petition for a statutory exemption from the Hours of Service law (49 U.S.C. Section 21102(b)). CATS states it is seeking this waiver because it will give CATS the flexibility it needs to manage its small workforce. In order to schedule and implement preventive maintenance activities and to cover other operational requirements that may arise during scheduled activities, CATS says it needs the flexibility to deploy its limited workforce efficiently, occasionally having its Signal employees work longer shifts or stay on-call during non-revenue hours. CATS will not, under any circumstance, require these Signal employees to work more than 16 hours in any 24 hour period.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA in writing before the end of the comment period, specifying the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number 2006-25837)