

**Authority:** 44 U.S.C. 3501–3520.

Issued in Washington, DC, on January 4, 2008.

**D.J. Stadler,**

*Director, Office of Financial Management,  
Federal Railroad Administration.*

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## 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 temporary 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.

#### Ohio Central Railroad System

[Docket Number FRA–2006–26177]

The Ohio Central Railroad System (OCRS) has submitted a temporary waiver petition to support field testing of its processor-based train control system, identified as the OCRS Positive Train Control (OCRS PTC), pursuant to sections 211.7 and 211.51.

An informational filing, as required under Part 236, Subpart H, has also been prepared and submitted in conjunction with this waiver petition, and can be found in the same docket as this waiver petition (FRA–2006–26177).

The OCRS PTC system is designed to prevent authority limit and overspeed violations in nonsignaled Track Warrant Control territory, and to prevent equipped trains from entering, without authorization, the limits of on-track authority granted to employees.

OCRS desires to commence field testing of the OCRS PTC system in the 4th quarter of 2007, or as soon as practicable thereafter, contingent upon FRA's acceptance and approval of the informational filing and waiver petition. OCRS intends to test and develop the OCRS PTC system on its C&N Subdivision between Columbus and Newark, OH. During this initial test phase, however, OCRS does not intend to activate the OCRS PTC system's locomotive enforcement functionality.

OCRS is seeking regulatory relief for development testing and demonstration purposes only. Specifically, OCRS is requesting regulatory relief from the following FRA requirements:

- Section 216.13 (Special Notice for Repairs—Locomotive),
- Section 217.9 (Program of Operational Tests and Inspections—Recordkeeping),
- Section 217.11 (Program of Instruction on Operating Rules—Recordkeeping, Electronic Recordkeeping),
- Part 218, Subpart D (Prohibition Against Tampering with Safety Devices),
- Section 220.7 (Railroad Communications—Penalty),
- Section 220.29 (Statement of Letters and Numbers in Radio Communications),
- Section 220.37 (Testing Radio and Wireless Communication Equipment),
- Section 220.61 (Radio Transmission of Mandatory Directives),
- Section 229.7 (Prohibited Acts),
- Section 235.5 (Changes Requiring Filing of Application),
- Section 240.127 (Criteria for Examining Skill Performance), and
- Section 240.129 (Criteria for Monitoring Operational Performance of Certified Engineers).

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–2006–26177) and may be submitted using one of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Room W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 30 days of the date of this notice will be considered by FRA before final action being taken. Comments received after this 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://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

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**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 229 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 Railroad Locomotive 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.

#### (WATCO Companies, Inc.)

[Docket Number FRA–2007–27969]

The WATCO Companies, Inc. (WATCO) seeks a waiver to comply with the requirements in 49 CFR 229.137(b)(iv), which would allow the toilets to be removed from those newly acquired locomotives, which came equipped with sanitation compartments. The total number of these newly acquired locomotives is 53, which were purchased from the after market and only a portion of these locomotives contained sanitation compartments. These locomotives have now been disbursed around the WATCO railroads mixed in with the existing locomotives that are not equipped with sanitation compartments.

WATCO is comprised of the following railroads: Alabama Southern Railroad, Arkansas Southern Railroad, Eastern Idaho Railroad, Great Northern Railroad,

Kansas and Oklahoma Railroad, Louisiana Southern Railroad, Mission Mountain Railroad, Mississippi Southern Railroad, Palouse River and Coulee City Railroad, Southern Kansas and Oklahoma Railroad, Stillwater Central Railroad, Timber Rock Railroad, and Yellowstone Valley Railroad. WATCO claims that all these component railroads have active and accessible outside-of-the-locomotive sanitation plans in place for the employees per § 229.137(b)(iv). WATCO further claims that this would bring uniformity to operations as well as reduce their exposure to the added cost and local environmental compliance for supporting the servicing of the locomotives equipped with toilets.

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-2007-27969) and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

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://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the

comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

Issued in Washington, DC on January 4, 2008.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket Number NHTSA-2007-0051]

#### Reports, Forms, and Recordkeeping Requirements

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Request for public comment on proposed collection of information.

**SUMMARY:** Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections.

This document describes the collection of information associated with NHTSA's regulations in 49 CFR Part 566 *Manufacturer Identification*, which require manufacturers of motor vehicles and motor vehicle equipment that is subject to the standards enforced by the agency to identify themselves and their products to NHTSA. The agency intends to seek OMB approval for this information collection.

**DATES:** Comments must be received on or before March 11, 2008.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Coleman, Office of Vehicle Safety Compliance, 1200 New Jersey Avenue, SE., Room W43-488, Washington, DC 20590-0001. Telephone: (202) 366-5302. Refer to: OMB Control Number 2127-0043.

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must first publish a

document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) how to enhance the quality, utility, and clarity of the information to be collected;

(iv) how to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g. permitting electronic submission of responses). In compliance with these requirements, NHTSA asks for public comments on the following proposed collection of information:

*Title:* 49 CFR Part 566, *Manufacturer's Identification*.

*OMB Number:* 2127-0043.

*Abstract:* Under 49 U.S.C. 30118, if a manufacturer of motor vehicles or replacement items of motor vehicle equipment determines the existence of a defect related to motor vehicle safety or a noncompliance with an applicable Federal motor vehicle safety standards (FMVSS) in one of its products, the manufacturer must furnish NHTSA and affected owners with notification of the defect or noncompliance and remedy the defect or noncompliance without charge. NHTSA issued the regulations in 49 CFR Part 566 *Manufacturer Identification* to permit the agency to identify the responsible manufacturer and send an appropriate inquiry in the event that it learns of a potential safety-related defect or noncompliance in a motor vehicle or motor vehicle equipment item. The regulations require each manufacturer to furnish the agency, with its full name and address, as well as a description of each type of motor vehicle or motor vehicle equipment that it manufactures. The regulations further provide that this information is to be submitted not later than 30 days after the manufacturer begins to manufacture motor vehicles or