

review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://DocketInfo.dot.gov>.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>, or the street address listed above. Follow the online instructions for accessing the dockets.

**FOR FURTHER INFORMATION CONTACT:**

Complete copies of each request for collection of information may be obtained at no charge from Mike Pyne, Office of Crash Avoidance Standards at 1200 New Jersey Avenue, SE., W43-457 NVS-123, Washington, DC20590. Mr. Pyne's telephone number is (202) 366-4171.

Please identify the relevant collection of information by referring to its OMB Control Number.

**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 5CFR 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 collections of information:*

*Title:* 49 CFR 571.403, Platform lift systems for motor vehicles and 49 CFR 571.404, Platform lift installations in motor vehicles.

*OMB Control Number:* 2127-0621.

*Form Number:* None.

*Affected Public:* Platform lift manufacturers and vehicle manufacturers/alterers that install platform lifts in new motor vehicles before first vehicle sale.

*Requested Expiration Date of Approval:* Three years from approval date

*Abstract:* FMVSS No. 403, Platform lift systems for motor vehicle, establishes minimum performance standards for platform lifts designed for installation on motor vehicles. Its purpose is to prevent injuries and fatalities to passengers and bystanders during the operation of platform lifts that assist persons with limited mobility in entering and leaving a vehicle. FMVSS No. 404, Platform lift installations in motor vehicles, places specific requirements on vehicle manufacturers or alterers who install platform lifts in new vehicles. Under these regulations, lift manufacturers must certify that their lifts meet the requirements of FMVSS No. 403 and must declare the certification on the owner's manual insert, the installation instructions and the lift operating instruction label. Certification of compliance with FMVSS No. 404 is on the certification label already required of vehicle manufacturers and alterers under 49 CFR Part 567. Therefore, lift manufacturers must produce and insert that is placed in the vehicle owner's manual, installation instructions and one or two labels that are placed near the controls of the lift. The requirements and our estimates of burden and cost to the lift manufacturers are given below. There is no burden to the general public.

*Estimated Annual Burden:*

- *Estimated burden to lift manufacturers to produce an insert for the vehicle owner's manual stating the lift's platform operating volume, maintenance schedule, and instructions regarding the lift operating procedures:*—10 manufacturers × 24 hrs. amortized over 5 yrs. = 48 hrs. per year.

- *Estimated burden to lift manufacturers to produce lift installation instructions identifying the vehicles on which the lift is designed to be installed:*

—10 manufacturers × 24 hrs. amortized over 5 yrs. = 48 hrs. per year

- *Estimated burden to lift manufacturers to produce two labels for operating and backup lift operation:*

—10 manufacturers × 24 hrs. amortized over 5 yrs. = 48 hrs. per year

- *Estimated cost to lift manufacturers to produce:*

—Label for operating instructions—27,398 lifts × \$0.13 per label = \$3,561.74

—Label for backup operations—27,398 lifts × \$0.13 per label = \$3,561.74

—Owner's manual insert—27,398 lifts × \$0.04 per page × 1 page = \$1,095.92.

—Installation instructions—27,398 lifts × \$0.04 per page × 1 page = \$1,095.92.

**Note:** Although lift installation instructions are considerably more than one page, lift manufacturers already provide lift installation instructions in the normal course of business and one additional page should be adequate to allow the inclusion of FMVSS specific information.

*Total estimated annual cost =* \$9,315.32.

*Total estimated hour burden per year =* 144 hours.

*Estimated Number of Respondents:* 10.

*Comments are invited on:* Whether the proposed collection of information is 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 estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued: October 30, 2008.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. E8-26421 Filed 11-4-08; 8:45 am]

**BILLING CODE 4910-59-P**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[STB Finance Docket No. 35184; STB Finance Docket No. 35185]

**East Central Regional Railroad Authority—Acquisition Exemption—Dakota, Minnesota & Eastern Railroad Corporation; State of South Dakota by and Through Its South Dakota Railroad Authority and Its Department of Transportation—Acquisition Exemption—East Central Regional Railroad Authority**

East Central Regional Railroad Authority (ECRRA), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire approximately 15.33 miles of rail line from Dakota, Minnesota & Eastern Railroad Corporation (DM&E) with DM&E retaining subleasehold rights to

continue to conduct operations over the line. The line extends from milepost 145.0 near Yale, SD, to milepost 160.33 near Huron, SD, (the Yale-Huron line), in Beadle County, SD.

Concurrently, the South Dakota Railroad Authority (SDRA) and the South Dakota Department of Transportation (SDDOT), political subdivisions of the State of South Dakota and collectively a non-operating Class III rail carrier, filed a verified notice of exemption under 49 CFR 1150.41 for SDRA to acquire the Yale-Huron line from ECRRA, with ECRRA retaining leasehold rights, and, in turn, for SDDOT to immediately acquire the Yale-Huron line from SDRA.

The applicants expect to consummate the transactions on November 20, 2008.

Following consummation of the transactions, DM&E will remain the operator of the Yale-Huron line by virtue of having retained subleasehold rights in the sale agreement with ECRRA.

The applicants explain that SDDOT will become the ultimate owner of the line so that it can fund necessary rehabilitation of the line pursuant to South Dakota statutes. According to the applicants, the slightly complex transactional structure involved here is due to specific language in the applicable South Dakota statutes making it necessary that ECRRA first acquire the Yale-Huron line from DM&E and then, in turn, transfer the line to SDRA, before it can ultimately be acquired by SDDOT.

The applicants certify that their projected annual revenues as a result of these transactions will not result in the creation of a Class II or Class I rail carrier and further certify that the projected annual revenues of each of the applicants will not exceed \$5 million.

Pursuant to the Consolidated Appropriations Act, 2008, Public Law No. 110-161, § 193, 121 Stat. 1844 (2007), nothing in this decision authorizes the following activities at any solid waste rail transfer facility: collecting, storing or transferring solid waste outside of its original shipping container; or separating or processing solid waste (including baling, crushing, compacting and shredding). The term "solid waste" is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than November 12, 2008

(at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket Nos. 35184 and 35185, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on: (1) For ECRRA—Douglas E. Kludt, Churchill, Manolis, Freeman, Kludt, Shelton and Burns, 333 Dakota Avenue, South, P.O. Box 176, Huron, SD 57350; and (2) for SDRA and SDDOT—Myles L. Tobin, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606.

Board decisions and notices are available on our Web site at "<http://www.stb.dot.gov>."

Decided: October 29, 2008.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Jeff Herzig,**

*Clearance Clerk.*

[FR Doc. E8-26344 Filed 11-4-08; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35106]

#### **United States Department of Energy—Rail Construction and Operation—Caliente Rail Line in Lincoln, Nye, and Esmeralda Counties, NV**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of Public Hearing.

**SUMMARY:** The Surface Transportation Board will hold a public hearing concerning the application the Department of Energy (DOE) filed in the above docket. The purpose of the hearing will be to allow interested persons to comment on the application.

**DATES/LOCATIONS:** The public hearing will take place on December 4, 2008, beginning at 9 a.m., at the Nuclear Regulatory Commission's Las Vegas Hearing Facility—Pacific Enterprise Plaza, Building No. 1, 3250 Pepper Lane, Las Vegas, NV 89120. Any person wishing to speak at the hearing must file with the Board a written notice of intent to participate, identifying (1) the party represented, (2) the proposed speaker, and (3) the number of minutes requested. Notices of intent to participate should be filed as soon as possible, but no later than November 14, 2008. Following receipt of notices of intent, the Board will release a schedule of speakers for the hearing. In the event that the Board receives more requests to participate than can reasonably be

accommodated in a one-day hearing, the Board will give priority to elected officials and current parties of record in the construction application proceeding.

**ADDRESSES:** Notices of intent to participate in the hearing may be submitted either 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 Board's "<http://www.stb.dot.gov>" Web site, at the "E-FILING" link. Any person submitting a filing in the traditional paper format should send the filing to: Surface Transportation Board, Attn: STB Finance Docket No. 35106, 395 E Street, SW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION, CONTACT:**

Joseph Dettmar, (202) 245-0395.

[Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339.]

**SUPPLEMENTARY INFORMATION:** On March 17, 2008, DOE filed an application seeking authority to construct and operate an approximately 300-mile rail line. The line, to be known as the Caliente Line, would connect an existing Union Pacific Railroad Company line near Caliente, NV, to a proposed geologic repository at Yucca Mountain, Nye County, NV.<sup>1</sup> The purpose of this proposed rail line is to allow DOE to transport materials needed to construct the proposed repository as well as spent nuclear fuel and high-level radioactive waste to the completed repository for disposal. DOE has also proposed the line so that common carrier rail service can reach communities situated along the line.

On April 11, 2008, the Board published a **Federal Register** notice (74 FR 20748) announcing DOE's application. The Board, on its own motion, established a procedural schedule with filing due dates longer than those set forth in the Board's regulations. See 49 CFR 1150.10(g) and (h). Pursuant to the schedule, parties submitted comments on the transportation aspects of DOE's proposed line, and DOE submitted a reply to the comments. As the transportation record has developed in this proceeding, so has the environmental record. Both records are currently under review at the Board.

At the hearing, the Board will hear testimony concerning DOE's application to construct and operate the rail line. Speakers at the hearing may, but are not required to, bring written copies of their

<sup>1</sup> The proposed repository is not subject to the Board's jurisdiction, and DOE does not seek this agency's authority to construct and operate it.