

REPORTING BURDEN—Continued

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
235.20—Protest letters .....	80 railroads .....	84 protest letters .....	30 minutes .....	42
236.110—Results of tests—recordkeeping .....	80 railroads .....	936,660 forms .....	27 minutes .....	427,881
236.587—Departure test .....	18 railroads .....	730,000 tests .....	4 minutes .....	48,667
236.590—Pneumatic apparatus—stenciling/tagging pneumatic valves.	18 railroads .....	6,697 stencilings .....	22.5 minutes .....	2,511

*Total Estimated Responses:* 1,674,373.  
*Total Estimated Annual Burden:* 480,988 hours.  
*Status:* Regular Review.  
*Title:* U.S. DOT Crossing Inventory Form.  
*OMB Control Number:* 2130-0017.  
*Type of Request:* Extension of a currently approved collection.  
*Abstract:* Form FRA F 6180.71 is a voluntary form, and is used by States and railroads to periodically update certain site specific highway-rail crossing information which is then transmitted to FRA for input into the National Inventory File. This information has been collected on the U.S. DOT-AAR Crossing Inventory Form (previous designation of this form) since 1974 and maintained in the National Inventory File database since

1975. The primary purpose of the National Inventory File is to provide for the existence of a uniform database which can be merged with accidents data and used to analyze information for planning and implementation of crossing safety programs by public, private, and governmental agencies responsible for highway-rail crossing safety. Following the official establishment of the National Inventory in 1975, the Federal Railroad Administration (FRA) assumed the principal responsibility as custodian for the maintenance and continued development of the U.S. DOT/AAR National Highway-Rail Crossing Inventory Program. The major goal of the Program is to provide Federal, State, and local governments, as well as the railroad industry, information for the

improvement of safety at highway-rail crossings. Good management practices necessitate maintaining the database with current information. The data will continue to be useful only if maintained and updated as inventory changes occur. FRA previously cleared the reporting and recordkeeping burden for this form under Office of Management and Budget (OMB) Clearance Number 2130-0017. OMB approved the burden for this form through August 31, 2009. FRA is requesting a new three year approval from OMB for this information collection.  
*Form Number(s):* Form FRA F 6180.71.  
*Affected Public:* Businesses.  
*Respondent Universe:* 683 Railroads.  
*Frequency of Submission:* On occasion; monthly.

REPORTING BURDEN

	Respondent universe	Total annual responses	Average time per response (min)	Total annual burden hours
Crossing Inventory—Forms .....	683 railroads .....	1,311 forms .....	30	656
Crossing Inventory—Mass Update Printouts .....	683 railroads .....	290 printouts (3,630 updated records).	30	145
Crossing Inventory—Disc/Tape (non-GX) .....	683 railroads .....	798 discs/tapes (117,498 records updated).	30	399
Crossing Inventory—GX Electronic Updates .....	683 railroads .....	28 GX Electronic files (11,411 records updated).	6	1,141

*Total Responses:* 133,850.  
*Estimated Total Annual Burden:* 2,341 hours.  
*Status:* Regular Review.  
 Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.  
**Authority:** 44 U.S.C. 3501-3520.

Issued in Washington, DC on February 25, 2009.  
**Kimberly Orben,**  
*Director, Office of Financial Management, Federal Railroad Administration.*  
 [FR Doc. E9-4458 Filed 3-2-09; 8:45 am]  
**BILLING CODE 4910-06-P**

**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

[Docket ID PHMSA-97-2995]

**Pipeline Safety: Random Drug Testing Rate**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of minimum annual percentage rate for random drug testing.

**SUMMARY:** PHMSA has determined that the minimum random drug testing rate for covered employees will remain at 25 percent during calendar year 2009.

**DATES:** Effective January 1, 2009 through December 31, 2009.

**FOR FURTHER INFORMATION CONTACT:** Stanley Kastanas, Director, Office of Substance Abuse Policy, Investigations and Compliance, PHMSA, U.S. Department of Transportation, telephone 202-550-0629 or e-mail [stanley.kastanas@dot.gov](mailto:stanley.kastanas@dot.gov).

**SUPPLEMENTARY INFORMATION:** Operators of gas, hazardous liquid, and carbon dioxide pipelines and operators of liquefied natural gas facilities must select and test a percentage of covered employees for random drug testing. Pursuant to 49 CFR 199.105(c)(2), (3), and (4), the PHMSA Administrator's decision on whether to change the minimum annual random drug testing rate is based on the reported random drug test positive rate for the pipeline industry. The data considered by the Administrator comes from operators' annual submissions of Management Information System (MIS) reports required by 49 CFR 199.119(a). If the reported random drug test positive rate is less than one percent, the Administrator may continue the minimum random drug testing rate at 25 percent. In 2007, the random drug test positive rate was less than one percent. Therefore, the minimum random drug testing rate will remain at 25 percent for calendar year 2009.

In reference to the notice published in 70 FR 20800, PHMSA intends to publish an Advisory Bulletin specifying the methodology for reporting MIS contractor data to PHMSA. Therefore, operators must ensure records on contract employees continue to be maintained.

**Authority:** 49 U.S.C. 5103, 60102, 60104, 60108, 60117, and 60118; 49 CFR 1.53.

Issued in Washington, DC on February 23, 2009.

**Alan Mayberry,**

*Director, Engineering and Emergency Support.*

[FR Doc. E9-4485 Filed 3-2-09; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-364 (Sub-No. 15X)]

#### Mid-Michigan Railroad, Inc.— Discontinuance of Service Exemption—in Kent and Ottawa Counties, MI

On February 11, 2009, Mid-Michigan Railroad, Inc. (MMRR) filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49

U.S.C. 10903 to discontinue service over a 6.94-mile line of railroad between milepost 159.5 at Grand Rapids (Walker) and milepost 166.44 at Marne, in Kent and Ottawa Counties, MI.<sup>1</sup> The line traverses United States Postal Service Zip Codes 49404, 49435, and 49544, and includes the stations of Grand Rapids and Marne.

MMRR states that the line does not contain federally granted rights-of-way. Any documentation in MMRR's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by June 1, 2009.

Any offer of financial assistance (OFA) for subsidy under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,500 filing fee. See 49 CFR 1002.2(f)(25).<sup>2</sup>

All filings in response to this notice must refer to STB Docket No. AB-364 (Sub-No. 15X) and must be sent to: (1) Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001; and (2) Louis E. Gitomer, 600 Baltimore Ave., Suite 301, Towson, MD 21204. Replies to the petition are due on or before March 23, 2009.

Persons seeking further information concerning discontinuance procedures may contact the Board's Office of Public Assistance, Governmental Affairs and Compliance at (202) 245-0238 or refer to the full abandonment and discontinuance regulations at 49 CFR part 1152. Questions concerning

<sup>1</sup> As part of a corporate family transaction, Grand Rapids Eastern Railroad, Inc. (GRE) was merged into MMRR in 1999. See *RailTex, Inc., Mid-Michigan Railroad, Inc., Michigan Shore Railroad, Inc.—Corporate Family Transaction*, STB Finance Docket No. 33693 (STB served Jan. 20, 1999). GRE had leased the line from the Coopersville and Marne Railway Company Line (C&M) in 1997. See *Grand Rapids Eastern Railroad, Inc.—Lease and Operation Exemption—Coopersville and Marne Railway Company Line*, STB Finance Docket No. 33344 (STB served Feb. 10, 1997). C&M had acquired the line from the Central Michigan Railway Company in 1996. See *Coopersville & Marne Railway Company—Acquisition and Operation Exemption—Central Michigan Railway Company*, STB Finance Docket No. 32942 (STB served May 21, 1996).

<sup>2</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Similarly, no environmental or historic documentation is required under 49 CFR 1105.6(c)(2) and 1105.8.

environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 245-0305. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

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

Decided: February 20, 2009.

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

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. E9-4034 Filed 3-2-09; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### Proposed Collection; Comment Request

**ACTION:** Notice and request for comments.

**SUMMARY:** The U.S. Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Community Development Financial Institutions Fund (the "Fund"), an office within the Department of the Treasury, is soliciting comments concerning the CDFI Program Application.

**DATES:** Written comments should be received on or before May 4, 2009 to be assured of consideration.

**ADDRESSES:** Direct all comments to Ruth Jaure, CDFI Program Manager, at the Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, by e-mail to [cdjihelp@cdfi.treas.gov](mailto:cdjihelp@cdfi.treas.gov) or by facsimile to (202) 622-7754. Please note this is not a toll free number.

**FOR FURTHER INFORMATION CONTACT:** The CDFI Program Application may be obtained from the CDFI Program page of the Fund's Web site at <http://www.cdfifund.gov>. Requests for additional information should be directed to Ruth Jaure, CDFI Program Manager, Community Development Financial Institutions Fund, U.S.