

solutions to the problems of grade crossing device malfunctions. With this information, FRA is able to correlate accident data and equipment malfunctions with the types of circuits and age of equipment. FRA can then identify the causes of grade crossing system failures and investigate them to determine whether periodic maintenance, inspection, and testing standards are effective. FRA also uses the information collected to alert railroad employees and appropriate highway traffic authorities of warning system malfunctions so that they can take the necessary measures to protect motorists and railroad workers at the grade crossing until repairs have been made.

*Form Number(s):* FRA F 6180.83.  
*Annual Estimated Burden:* 8,152 hours.

*Title:* Bridge Worker Safety Rules.  
*OMB Control Number:* 2130-0535.

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

*Affected Public:* Railroads.

*Abstract:* Section 20139 of Title 49 of the United States Code required FRA to issue rules, regulations, orders, and standards for the safety of maintenance-of-way employees on railroad bridges, including for "bridge safety equipment" such as nets, walkways, handrails, and safety lines, and requirements for the use of vessels when work is performed on bridges located over bodies of water. FRA has added 49 CFR Part 214 to establish minimum workplace safety standards for railroad employees as they apply to railroad bridges. Specifically, section 214.15(c) establishes standards and practices for safety net systems. Safety nets and net installations are to be drop-tested at the job site after initial installation and before being used as a fall-protection system; after major repairs; and at six-month intervals if left at one site. If a drop-test is not feasible and is not performed, then a written certification must be made by the railroad or railroad contractor, or a designated certified person, that the net does comply with the safety standards of this section. FRA and State inspectors use the information to enforce Federal regulations. The information that is maintained at the job site promotes safe bridge worker practices.

*Form Number(s):* N/A.  
*Annual Estimated Burden:* 1 hour.  
*Title:* Railroad Police Officers.  
*OMB Control Number:* 2130-0537.  
*Type of Request:* Extension of a currently approved collection.

*Affected Public:* Railroads.

*Abstract:* Under 49 CFR Part 207, railroads are required to notify states of all designated police officers who are

discharging their duties outside of their respective jurisdictions. This requirement is necessary to verify proper police authority.

*Form Number(s):* N/A.

*Annual Estimated Burden:* 181 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. Alternatively, comments may be sent via e-mail to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget, at the following address: [oira\\_submissions@omb.eop.gov](mailto:oira_submissions@omb.eop.gov).

*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 June 22, 2009.

**Kimberly Orben,**

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

[FR Doc. E9-15028 Filed 6-25-09; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Informational Filing

For informational purposes only, the Federal Railroad Administration (FRA) is providing notice that it has received an informational filing from BNSF Railway Company (BNSF) to conduct testing of Configuration VI of BNSF's Electronic Train Management System (ETMS) submitted pursuant to Title 49 Code of Federal Regulations (CFR) 236.913. The informational filing is described below, including the submitting party and the requisite docket number where the informational filing and any related information may be found. The document is available for

public inspection; however, FRA is not accepting public comment on the document.

#### **BNSF Railway Company (Docket Number FRA-2006-23687)**

BNSF has submitted an informational filing to FRA to begin operational testing of ETMS Version VI on BNSF's Scenic Subdivision. This testing will allow BNSF to obtain the necessary assessments required to amend BNSF's currently approved Product Safety Plan (PSP) for ETMS Version I for a future submittal to the FRA. In addition, this testing will allow BNSF to substantiate the ETMS technology in tunnel operations on freight territories. The informational filing has been placed under Docket Number FRA-2006-23687 and is available for public inspection.

Interested parties are invited to review the informational filing and associated documents at the DOT Docket Management facility during regular business hours (9 a.m.—5 p.m.) at 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590. All documents in the public docket are also available for inspection and copying on the Internet at <http://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications received into any of our dockets by name of the individual submitting the document (or signing the document, if submitted on behalf of an association, business, labor union, etc.). You may review the 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 June 22, 2009.

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

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

[FR Doc. E9-15124 Filed 6-25-09; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Notice of Intent To Rule on Request To Release Airport Property at Pochontas Municipal Airport, Pochontas, AR**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of request to release airport property.

**SUMMARY:** The FAA proposes to rule and invites public comment on the release of

land at Pocahontas Municipal Airport under the provisions of Title 49, U.S.C. 47153(c).

**DATES:** Comments must be received on or before July 27, 2009.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Mr. Edward N. Agnew, Manager, Federal Aviation Administration, Southwest Region, Airports Division, Arkansas/Oklahoma Airports Development Office, ASW-630, 2601 Meacham Boulevard, Fort Worth, Texas 76137.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to The Honorable Gary Crocker, Mayor of Pocahontas, at the following address: City of Pocahontas, 410 North Marr, Pocahontas, AR 72455.

**FOR FURTHER INFORMATION CONTACT:** Mr. Paul Burns, Federal Aviation Administration, Airports Development Office, ASW-630, 2601 Meacham Boulevard, Fort Worth, Texas 76137.

The request to release property may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release property at the Pocahontas Municipal Airport.

On June 18, 2009, the FAA determined that the request to release property at Pocahontas Municipal Airport submitted by the City of Pocahontas met the procedural requirements of the Federal Aviation Regulations, Part 155. The FAA may approve the request, in whole or in part, no later than July 30, 2009.

The following is a brief overview of the request:

The City of Pocahontas requests the release of 5.1 acres of airport property. The release of property will allow Pinnacle Frames, a local manufacturing facility, to improve its existing facilities which are on lands previously released by the Federal Aviation Administration. The release will also allow the airport to receive, in exchange for the 5.1-acre tract, a cash payment in the amount of \$25,000.00, which the City will use for a 2010 capital improvement project to construct 1-hangars at Pocahontas Municipal Airport.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

**CONTACT.**

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Pocahontas Municipal Airport.

Issued in Fort Worth, Texas on June 19, 2009.

**Lacey D. Spriggs,**

*Acting Manager, Airports Division.*

[FR Doc. E9-15130 Filed 6-25-09; 8:45 am]

**BILLING CODE M**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. 2009-0057, Notice No. 1]

#### Interim Statement of Agency Policy and Interpretation on the Hours of Service Laws as Amended; Proposed Interpretation; Request for Public Comment

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Interim statement of agency policy and interpretation; request for public comment.

**SUMMARY:** In this document FRA informs the public at large of the agency's interim position on certain interpretive questions arising out of the complex and important amendments enacted in 2008 to the Federal railroad safety laws that govern such matters as how long an employee in a certain category may remain on duty and how long the employee must be given off duty before the employee may go on duty again. In addition, FRA proposes an interpretation of one very significant provision of those amended laws that differs from FRA's existing interpretation of the laws before the 2008 amendments. Finally, FRA requests public comment on both the interim interpretations and the proposed interpretation.

**DATES:** This document is effective on July 16, 2009. Comments on the interim interpretations are due by July 27, 2009. Comments on the proposed interpretation are due by October 26, 2009. Late-filed comments will be considered to the extent practicable.

**ADDRESSES:** You may submit comments on the interim interpretations set forth in this document or the proposed interpretation set forth in this document, identified by the docket number FRA-2009-0057, by any of the following methods:

- *Web Site:* The Federal eRulemaking Portal, <http://www.regulations.gov>. Follow the Web site's online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.

- *Hand Delivery:* Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC between 9 a.m. and 5 p.m. Monday through Friday, except Federal holidays.

*Instructions:* All submissions must include the agency name and docket number for this interim statement of agency policy and interpretation and the proposed interpretation. Note that all petitions received will be posted without change to <http://www.regulations.gov> including any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted petitions, comments, or materials.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or to Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC between 9 a.m. and 5 p.m. Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Daniel Norris, Operating Practices Specialist, Operating Practices Division, Office of Safety Assurance and Compliance, FRA, 1200 New Jersey Avenue, SE., RRS-11, Mail Stop 25, Washington, DC 20590 (telephone 202-493-6242); or Colleen A. Brennan, Trial Attorney, Office of Chief Counsel, FRA, 1200 New Jersey Avenue, SE., RCC-12, Mail Stop 10, Washington, DC 20590 (telephone 202-493-6028 or 202-493-6052).

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents for Supplementary Information

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- II. Changes in the Old Hours of Service Laws Made by Section 108 of the RSIA of 2008
  - A. Extending Hours of Service Protections to Employees of Contractors and Subcontractors to Railroads Who Perform Certain Signal-Related Functions
  - B. Changing Hours of Service Requirements Related to Train Employees
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- III. Proposed Change in Interpretation of Prohibition Against a Train or Signal Employee Being on Duty Without Having Had a Minimum Number of Hours Off Duty During the Prior 24 Hours; Proposed Interpretation of That Prohibition in Context of New Prohibition Against Communication With Train and Signal Employees; and Request for Comments