

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>10</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Privacy Act of 1974: System of Records

**AGENCY:** Bureau of Transportation Statistics, DOT.

**ACTION:** Notice to establish a system of records.

**SUMMARY:** DOT intends to establish a system of records under the Privacy Act of 1974.

**DATES:** *Effective Date:* June 1, 2010. If no comments are received, the proposal will become effective on the above date. If comments are received, the comments will be considered and, where adopted, the documents will be republished with changes.

**ADDRESSES:** Send comments to: Habib Azarsina, Departmental Privacy Officer, S-80, United States Department of Transportation, Office of the Secretary of Transportation, 1200 New Jersey Ave., SE., Washington, DC 20590, or [habib.azarsina@dot.gov](mailto:habib.azarsina@dot.gov).

**FOR FURTHER INFORMATION CONTACT:** Habib Azarsina, Departmental Privacy Officer, S-80, United States Department of Transportation, Office of the Secretary of Transportation, 1200 New Jersey Ave., SE., Washington, DC 20590, telephone 202-366-1965 or [habib.azarsina@dot.gov](mailto:habib.azarsina@dot.gov)

**SUPPLEMENTARY INFORMATION:** The Department of Transportation system of records notice subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, has been published in the **Federal Register** and is available from the above mentioned address.

**SYSTEM NUMBER:** DOT/ALL 21

**SYSTEM NAME:**

Close Call Confidentiality Reporting System (C<sup>3</sup>RS).

**SECURITY CLASSIFICATION:**

Unclassified, sensitive.

**SYSTEM LOCATION:**

The system is housed on a stand-alone desktop in the C<sup>3</sup>RS secure room located in room E36-311 at the Bureau

of Transportation Statistics, United States Department of Transportation, 1200 New Jersey Ave., SE., Washington, DC 20590.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM OF RECORDS:**

Railroad employees who report close calls to BTS, either by telephone or mail, as part of a five-year demonstration/research project are covered by this system of records. These individuals are employees of three rail carriers participating in the C<sup>3</sup>RS demonstration project. The rail carriers are: Union Pacific Railroad, Canadian Pacific Railroad, and New Jersey Transit.

The C<sup>3</sup>RS demonstration project is a research effort to improve safety by using information from close call events to prevent serious accidents in the rail industry. A close call or near miss is an unsafe event with the potential for a more serious incident resulting in greater injury to personnel or damage to equipment above FRA's reportable threshold level.

Employees can report about a near miss event that happened to their crew or an event they witnessed about another crew (third party reporting). In the case of third party reporting, the employee does not provide any PII information on those involved in the reported close call. Reporting employees are not allowed to make anonymous close call reports.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Records in the C<sup>3</sup>RS system contain information pertinent to an actual close call event submitted to BTS in a C<sup>3</sup>RS report. The following PII data elements are included in every C<sup>3</sup>RS report accepted into the system: The reporting employee's name, age, job classification, home address, and home and mobile telephone number(s) (if available).

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), which was enacted August 10, 2005 as Public Law 109-59.

**PURPOSES:**

The C<sup>3</sup>RS collects name, home address, and telephone number(s) of railroad employees reporting close calls events to BTS. Qualified BTS/C<sup>3</sup>RS staff will use the contact information as follows:

- The employee's name and home telephone number will be used to generate and give the employee his/her unique confirmation number, upon receiving the employee's close call phone message;

- The employee's name and home telephone number will be used to notify the employee that BTS has received the employee's C<sup>3</sup>RS report and to schedule an interview time with the employee for further discussion of the close call incident;

- The employee's name and home telephone number will be used to initiate the close call interview;
- The employee's name and home address will be used to create and mail out a confirmation/rejection letter notifying the employee about the status of his/her close call report; and
- The employee's job classification will be used to understand the employee's role in the close call incident.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

BTS does not share PII information collected for the C<sup>3</sup>RS study with other entities. A primary goal of the C<sup>3</sup>RS is to protect the identity of any employee who reports a close call incident to BTS. Reports collected and maintained in the C<sup>3</sup>RS are protected from disclosure as provided in the BTS confidentiality statute (49 U.S.C. 111(k)) and the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) of 2002.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

None.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

The C<sup>3</sup>RS Demonstration Project stores all data in an electronic database in a stand-alone desktop computer attached to a non-network printer. The computer and printer are in a secure data collection room. Hard-copy documents (work papers) are stored in the secure room and shredded after project completion.

**RETRIEVABILITY:**

Records are retrieved from the C<sup>3</sup>RS database by confirmation number, which uniquely identifies individual reports and by employee identification numbers.

**SAFEGUARDS:**

All the information BTS obtains, including the PII data, is kept in a secure room in the Department of Transportation Headquarters building in Washington, DC. Only members of the C<sup>3</sup>RS team who have taken confidentiality training and signed a non-disclosure agreement have access to

<sup>10</sup> 17 CFR 200.30-3(a)(12).

the secure room. The door of the secure room is kept closed during work hours and kept locked when the room is not in use. The stand-alone workstation that contains the database is password protected. All paper working documents are stored in the secure room and shredded immediately after case completion.

**RETENTION AND DISPOSAL:**

The C<sup>3</sup>RS project is a five-year research/feasibility study subject to availability of funds. BTS will retain the entire C<sup>3</sup>RS database for up to ten years after completion of the project (*i.e.*, up to fifteen years total). The system is currently unscheduled; pending approval of a retention schedule by the National Archives and Records Administration (NARA), the records must be kept indefinitely. The retention periods that will be proposed to NARA are as follows: upon project completion, all PII data fields will be destroyed, and all non-PII data will be retired to the Federal Records Center (FRC). The non-PII data will be destroyed 10 years after completion of the study.

**SYSTEM MANAGER(S) AND ADDRESS:**

C<sup>3</sup>RS Data Collection Officer, Bureau of Transportation Statistics, Research & Innovative Technology Administration, Department of Transportation, 1200 New Jersey Ave., SE., RTS-31, Washington, DC 20590.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether their information is contained in this system should address written inquiries to: C<sup>3</sup>RS Data Collection Officer, Bureau of Transportation Statistics, Research & Innovative Technology Administration, Department of Transportation, 1200 New Jersey Ave., SE., RTS-31, Washington, DC 20590. Requests should include name, address and telephone number and a description of the request.

**RECORD ACCESS PROCEDURES:**

Same as "Notification Procedure."

**CONTESTING RECORD PROCEDURES:**

Same as "Notification Procedure."

**RECORD SOURCE CATEGORIES:**

Information is obtained directly from the individuals who report close call incidents to BTS.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

Dated: April 13, 2010.

**Habib Azarsina,**

*Departmental Privacy Officer, 202-366-1965.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Transit Administration**

**Intent To Prepare an Environmental Impact Statement for Expansion of Light Rail Transit Service From Glassboro, NJ to Camden, NJ**

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of Intent to prepare an Environmental Impact Statement.

**SUMMARY:** FTA, in coordination with the Delaware River Port Authority (DRPA)/ Port Authority Transit Corporation (PATCO), is issuing this Notice of Intent (NOI) to advise the public that it proposes to prepare an Environmental Impact Statement (EIS) to assess the potential environmental impacts associated with the construction and operation of the Glassboro-Camden Line (GCL) light rail system, as well as assess and document a No-Action Alternative and a Transportation System Management (TSM) Alternative. The proposed GCL system is approximately 18 miles long and would operate between the Borough of Glassboro in Gloucester County and the City of Camden in Camden County along, and primarily within, the existing Conrail railroad right-of-way. Light Rail technology along this alignment was selected as the Recommended Alternative based on a two-year Alternatives Analysis completed by DRPA/PATCO in 2009.

FTA is issuing this notice to solicit public and agency input regarding the scope of the EIS and to advise the public and agencies that outreach activities conducted by DRPA/PATCO and its representatives will be considered in the preparation of the EIS. FTA is the lead federal agency for the environmental review, with DRPA/PATCO as the joint lead agency.

**DATES:** Written comments on the scope of the EIS, including the project's purpose and need, the alternatives to be considered, and the impacts to be evaluated should be sent to DRPA on or before June 10, 2010. *See ADDRESSES* below for the address to which written comments may be sent. Oral comments on the scope of the EIS can be made at Public Scoping Meetings on the following dates:

- Thursday, May 6, 2010 at Camden County College—Camden Technology Center, 200 North Broadway, Camden, NJ 08102 from 5:30 to 8:30 p.m.

- Tuesday, May 11, 2010 at Rowan University (Henry M. Rowan Bldg.), 201 Mullica Hill Road, Glassboro, NJ 08028 from 1:30 to 4:30 p.m.

- Tuesday, May 11, 2010 at Rowan University (Henry M. Rowan Bldg.), 201 Mullica Hill Road, Glassboro, NJ 08028 from 5:30 to 8:30 p.m.

An informational session explaining the proposed project will occur during the first hour of each meeting, followed by the opportunity for the public and/or agency representatives to provide oral comments on the scope of the EIS. Those individuals wishing to speak at the meetings are required to register at the particular meeting location on the day of that meeting. Anyone who requires special assistance at a scoping meeting should contact Ms. Victoria Malaszecki, Public Involvement Coordinator at (856) 223-0800, via e-mail at [publicinvolvement@GlassboroCamdenLine.com](mailto:publicinvolvement@GlassboroCamdenLine.com), or at the address listed below at least 3 days prior to the meeting.

An agency scoping meeting will be held on Monday, May 3, 2010 at 2 p.m., at DRPA, One Port Center, 2 Riverside Drive, Camden, NJ. Representatives from federal, state, regional, tribal, and local agencies that may have an interest in the project will be invited to serve as either participating or cooperating agencies.

**ADDRESSES:** Comments will be accepted orally at the public scoping meetings, or they may be sent to Ms. Victoria Malaszecki, Public Outreach Liaison, Envision Consultants, Ltd. by mail at PO Box 536, Mullica Hill, NJ 08062, by fax (856)-223-8886, or by e-mail at [publicinvolvement@GlassboroCamdenLine.com](mailto:publicinvolvement@GlassboroCamdenLine.com). The addresses of the scoping meetings are listed above under **DATES**.

**FOR FURTHER INFORMATION CONTACT:** Either Mr. Keith Lynch, Project Advisor, Federal Transit Administration, 1716 Market Street, Suite 500, Philadelphia, PA 19103 or (215) 656-7056; or Mr. Michael Venuto, Project Manager, Delaware River Port Authority, One Port Center, 2 Riverside Drive, Camden, NJ 08101 or (856) 968-2079.

Additional project information and scoping materials will be available at the meetings and on the project Web site (<http://www.GlassboroCamdenLine.com>).

**SUPPLEMENTARY INFORMATION:**

**I: Scoping**

FTA and DRPA/PATCO will undertake a scoping process that will allow the public and interested agencies to comment on the scope of the environmental review process. Scoping is the process of determining the scope, focus, and content of an EIS. NEPA scoping has specific objectives, identifying the significant issues that