

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Executive Committee of the Aviation Rulemaking Advisory Committee; Meeting**

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the Executive Committee of the Aviation Rulemaking Advisory Committee.

DATES: The meeting will be held on December 16, 2010, at 10 a.m.

ADDRESSES: The meeting will take place at the Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, 10th floor, MacCracken Room.

FOR FURTHER INFORMATION CONTACT: Renee Butner, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267- 5093; fax (202) 267-5075; e-mail Renee.Butner@faa.gov.

SUPPLEMENTARY INFORMATION: Under section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 2), we are giving notice of a meeting of the Executive Committee of the Aviation Rulemaking Advisory Committee taking place on December 16, 2010, at the Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC, 20591. The Agenda includes:

1. Updates on:
 - a. Commercial Air Tour Maintenance (CATM) Working Group
 - b. Process Improvement Working Group (PIWG)
 - c. Charter Renewal
 - d. "One Stop Shopping" Web Site
 - e. Committee Manual Revisions
2. Issue Area Status Reports from Assistant Chairs
3. Remarks from other EXCOM members

Attendance is open to the interested public but limited to the space available. The FAA will arrange teleconference service for individuals wishing to join in by teleconference if we receive notice by December 7. Arrangements to participate by teleconference can be made by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Callers outside the Washington metropolitan area are responsible for paying long-distance charges.

The public must arrange by December 7 to present oral statements at the meeting. The public may present written statements to the executive committee by providing 25 copies to the

Executive Director, or by bringing the copies to the meeting.

If you are in need of assistance or require a reasonable accommodation for this meeting, please contact the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC on November 22, 2010.

Dennis Pratte,

Acting Deputy Director, Office of Rulemaking.

[FR Doc. 2010-29922 Filed 11-26-10; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration**

[Docket No. FRA-2000-7257; Notice No. 64]

Railroad Safety Advisory Committee; Notice of Meeting

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

ACTION: Announcement of Railroad Safety Advisory Committee (RSAC) Meeting.

SUMMARY: FRA announces the forty-third meeting of the RSAC, a Federal advisory committee that develops railroad safety regulations through a consensus process. The RSAC meeting topics will include opening remarks from the FRA Administrator, and status reports will be provided by the Passenger Hours of Service, Training Standards, Track Safety Standards, Passenger Safety, and Medical Standards Working Groups. Further discussions will also be held on the previously accepted RSAC Task 10-02 regarding the Development, Use, and Implementation of Rail Safety Technology in Dark Territory. This agenda is subject to change, including the possible addition of further proposed tasks under the Rail Safety Improvement Act of 2008.

DATES: The meeting of the RSAC is scheduled to commence at 9:30 a.m. on Tuesday, December 14, 2010, and will adjourn by 4:30 p.m.

ADDRESSES: The RSAC meeting will be held at the National Association of Home Builders National Housing Center, 1201 15th Street, NW., Washington, DC 20005. The meeting is open to the public on a first-come, first-served basis, and is accessible to individuals with disabilities. Sign and oral interpretation can be made available if requested 10 calendar days before the meeting.

FOR FURTHER INFORMATION CONTACT: Larry Woolverton, RSAC Administrative

Officer/Coordinator, FRA, 1200 New Jersey Avenue, SE., Mailstop 25, Washington, DC 20590, (202) 493-6212; or Robert Lauby, Deputy Associate Administrator for Regulatory and Legislative Operations, FRA, 1200 New Jersey Avenue, SE., Mailstop 25, Washington, DC 20590, (202) 493-6474.

SUPPLEMENTARY INFORMATION: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), FRA is giving notice of a meeting of the RSAC. The RSAC was established to provide advice and recommendations to FRA on railroad safety matters. The RSAC is composed of 54 voting representatives from 31 member organizations, representing various rail industry perspectives. In addition, there are non-voting advisory representatives from the agencies with railroad safety regulatory responsibility in Canada and Mexico, the National Transportation Safety Board, and the Federal Transit Administration. The diversity of the Committee ensures the requisite range of views and expertise necessary to discharge its responsibilities. See the RSAC Web site for details on prior RSAC activities and pending tasks at: <http://rsac.fra.dot.gov/>. Please refer to the notice published in the **Federal Register** on March 11, 1996 (61 FR 9740), for additional information about the RSAC.

Issued in Washington, DC, on November 22, 2010.

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

[FR Doc. 2010-29870 Filed 11-26-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration**

[Docket Number FRA-2010-0027]

Notice of Petition for Waiver of Compliance; Notice of Petition for Statutory Exemption

In accordance with 49 U.S.C. 21102(b), Cargill Incorporated (CI), on behalf of its employees performing work governed by the hours of service law (HSL) (49 U.S.C. Chapter 211) at its Channelview, TX, facility, has petitioned the Federal Railroad Administration (FRA) for an exemption from certain provisions of the HSL. Specifically, CI requests an exemption from the requirements of 49 U.S.C. 21103(a)(1) and 21103(a)(4) as it applies to employees at its Channelview facility. In a separate petition, which CI requests that FRA consider in the event that FRA

denies its exemption petition, CI seeks a waiver from the requirements of 49 U.S.C. 21103(a)(1) as it applies to employees performing covered service at its Channelview facility, for the purpose of conducting a pilot project. Both petitions may be viewed at <http://www.regulations.gov> under the docket number listed above.

CI's Petition for Statutory Exemption

In its petition for statutory exemption, CI seeks an exemption from the statutory requirement contained in 49 U.S.C. 21103(a)(1), limiting train employees to a total of 276 on-duty hours per calendar month, awaiting or in deadhead transportation from a duty assignment to a place of final release, and in any other mandatory service for a railroad carrier, and from 49 U.S.C. 21103(a)(4), which requires railroads to provide train employees 48 hours of rest after an employee has initiated an on-duty period on 6 consecutive days and 72 hours of rest after an employee has initiated an on-duty period on 7 consecutive days. In support of its exemption request, CI states that its Channelview facility has 15 or fewer employees covered by the HSL and that the facility is operated independently of other CI facilities. CI further explains that its employees subject to the HSL spend the majority of their on-duty time performing non-covered service (e.g., unloading grain from stationary railcars, general housekeeping duties in accordance with the Occupational Safety and Health Administration's combustible dust standards) and that covered service accounts for less than 12 percent of covered employees' monthly hours worked. CI also explains that with certain seasonal exceptions, employees at its Channelview facility generally work in two shifts that rotate every 2 weeks; from 7 a.m.–3 p.m. and from 3 p.m.–11 p.m. (extended to 3 a.m. if needed). CI asserts that the employees' current work schedules ensure safe operations by providing the employees greater control over rest periods and the scheduling of personal affairs and that the statutory restrictions of 49 U.S.C. 21103(a)(1) and 21103(a)(4) unnecessarily lower the earning potential of employees subject to the HSL as compared to other workers at the facility.

CI's Petition for Waiver

In its petition for waiver, in lieu of using a calendar month for measuring the on-duty hours of an employee pursuant to 49 U.S.C. 21103(a)(1), CI proposes to implement a pilot program for establishing an alternative calculation period for the 276-hour

monthly limitation. CI and its employees propose a pilot program that would divide a "calendar month" into two measuring periods or groups. The first group would calculate its time toward the 276-hour monthly limitation from the first day of each month to the last day of each month. The second group would calculate its time toward the 276-hour monthly limitation from the 15th day of a month to the 14th day of the following month. By staggering the calculation of the 276-hour monthly limitation, CI notes that the pilot program would ensure that not all employees reach the monthly limitation at the same time.

CI included with its petitions, documentation indicating that its employees supported the request for relief. (49 U.S.C. 21103(a)(1) and 21103(a)(4)). As previously stated, the requests for relief are specially limited to CI's Channelview, TX, facility and, as such, the other facilities of CI are not covered by the requests.

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-2010-0027) 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 November 22, 2010.

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2010-0153; Notice 1]

Continental Tire North America, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

Continental Tire North America, Inc., (Continental),¹ has determined that certain passenger car replacement tires manufactured in 2009 do not fully comply with paragraph S5.5(b) of Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Radial Tires for Light Vehicles*. Continental has filed an appropriate report pursuant to 49 CFR Part 573, *Defect and Noncompliance Responsibility and Reports*, dated August 10, 2010.

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Continental has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Continental's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Affected are approximately 17,121 size 235/45ZR17 94W Continental brand Extremecontact DWS model passenger car tires manufactured from March 2009

¹ Continental Tire North America, Inc. (Continental) is a replacement equipment manufacturer and importer that is incorporated in the State of Ohio.