

in defining the need for and purpose of the proposed project, to assist in determining the range of alternatives considered in the draft EIS, and to comment on methods to evaluate alternatives. Public scoping meetings and a public hearing will be held during appropriate phases of the project development process. Public notices will be published in general circulation newspapers in the project area at least 30 days prior to the meeting, and again approximately 10 days prior to the meeting. The notices will be published in English and Spanish stating the date, time, and location of each. The Draft EIS will be available for public and agency review and comment prior to a public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to FHWA at the address provided.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning, and Construction. The regulations implementing Executive Order 12372, regarding intergovernmental consultation on Federal programs and activities, apply to this program.)

Issued on: October 13, 2011.

Gregory S. Punske,

District Engineer, Austin, Texas.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway Project in Wisconsin

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by FHWA, Army Corps of Engineers (USACE), and Other Federal Agencies.

SUMMARY: This notice announces actions taken by the FHWA that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project, US 41 (Memorial Drive to County M) in Brown County, Wisconsin. Those actions grant approvals for the project. The project will widen the US 41 freeway mainline from 4 to 6 lanes and add auxiliary lanes at certain locations along US 41 northbound and southbound from

Memorial Drive to County M. The project will also reconstruct I-43 from US 41 to Atkinson Drive and reconstruct the Velp Avenue, I-43, and County M interchanges. The I-43/US 41 interchange will be reconstructed as a System Interchange with directional ramps and will include a realignment of the US 41 mainline, raising of the northbound gradeline, and elimination of existing access between Velp Avenue and I-43 via US 41. The project limits on US 41 extend from Memorial Drive to County M, a distance of approximately 3.5 miles and the project limits on I-43 extend from US 41 to Atkinson Drive, a distance of approximately 2 miles. The project also includes construction of roundabouts, construction of new bridges and replacement of existing bridges.

DATES: By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed within 180 days of publication of this **Federal Register** notice. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT:

Tracey Blankenship, Major Projects Program Manager, Federal Highway Administration, 525 Junction Road Suite 8000, Madison, Wisconsin 53717; *telephone:* (608) 829-7510 or, *e-mail:* Tracey.Blankenship@dot.gov. The FHWA Wisconsin Division's normal office hours are 7 a.m. to 4 p.m. central time. For the Wisconsin Department of Transportation (WisDOT): Danielle Block, PE, Wisconsin Department of Transportation, US 41 Brown County Project Office, 1940 West Mason Street, Green Bay, Wisconsin 54303; *telephone:* (920) 492-2212; *e-mail:* Danielle.Block@dot.wi.gov.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FHWA has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing approvals for the following highway project: US 41 (Memorial Drive to County M), Brown County, Wisconsin, Project I.D. 1133-10-01. The project involves providing additional capacity on approximately 3.5 miles of US 41 from Memorial Drive to County M, reconstructing approximately 2 miles of I-43 from US 41 to Atkinson Drive, and reconstructing the Velp Avenue, IH-43, and County M interchanges on US 41. The actions taken by FHWA, and laws under which such actions were taken,

are described in the Final Environmental Impact Statement (FEIS) for the project, approved on July 7, 2011 (FHWA-WI-EIS-11-01-F), in the Record of Decision (ROD) issued on October 4, 2011, and in other documents in the FHWA/WisDOT administrative record for the project. The FEIS, ROD, and other project records are available by contacting FHWA or WisDOT at the addresses provided above.

The FEIS can also be viewed on the project Web site: <http://www.us41wisconsin.gov/overview/special-project-features/envdocsmemorialdrtoountym>.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act (FAHA) [23 U.S.C. 109 and 23 U.S.C. 128].

2. *Air:* Clean Air Act [42 U.S.C. 7401-7671(q)].

3. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [23 U.S.C. 138 and 49 U.S.C. 303], Section 6(f) of the Land and Water Conservation Act as amended [16 U.S.C. 4601], Farmland Protection Policy Act of 1980 [7 U.S.C. 4201-4209], and National Trails System Act [16 U.S.C. 1241-1249].

4. *Wildlife:* Endangered Species Act of 1973 [16 U.S.C. 1531-1543 and Section 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661-666(c)]; Migratory Bird Treaty Act [16 U.S.C. 760c-760g].

5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-470(ll)]; Archeological and Historic Preservation Act [16 U.S.C. 469-469(c)]; Native American Grave Protection and Repatriation Act [25 U.S.C. 3001 *et seq.*].

6. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000(d) *et seq.*]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Americans with Disabilities Act [42 U.S.C. 12101]; Uniform Relocation Assistance and Real Property Acquisition Act of 1970 [42 U.S.C. 4601 *et seq.* as amended by the Uniform Relocation Act Amendments of 1987 [Pub. L. 100-17].

7. *Wetlands and Water Resources:* Clean Water Act (Section 404, Section 401, Section 319) [33 U.S.C. 1251-1376]; Land and Water Conservation Fund [16 U.S.C. 4601-4 to 4601-11]; Safe Drinking Water Act [42 U.S.C. 300(f)-

300(j)(6)]; TEA-21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act, [42 U.S.C. 4001-4128]; Emergency Wetlands Resources Act, [16 U.S.C. 3921, 3931].

8. Hazardous Materials: Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended [42 U.S.C. 9601-9657]; Superfund Amendments and Reauthorization Act of 1986 [Pub. L. 99-499]; Resource Conservation and Recovery Act [42 U.S.C. 6901 *et seq.*].

9. Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management as amended by E.O. 12148; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139(l)(1).

Issued on: October 13, 2011.

Tracey Blankenship,

Major Projects Program Manager, FHWA Wisconsin Division, Madison, Wisconsin.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2011-0001-N-15]

Proposed Agency Information Collection Activities; Comment Request

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

ACTION: Notice and Request for Comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requirement (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection

and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection of information was published on August 12, 2011 (76 FR 50320).

DATES: Comments must be submitted on or before November 23, 2011.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., SE., 3rd Floor, Mail Stop 25, Washington, DC 20590 (telephone: (202) 493-6292), or Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE., 3rd Floor, Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6132). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, Section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On August 12, 2011, FRA published a 60-day notice in the **Federal Register** soliciting comment on this ICR for which the agency was seeking OMB approval. 76 FR 50320. FRA received no comments in response to this notice.

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30 day notice is published. 44 U.S.C. 3507 (b)-(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30 day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

The summary below describes the nature of the information collection requirement (ICR) and the expected burden for the ICR being submitted for clearance by OMB as required by the PRA.

Title: Inspection Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment (Power Brakes and Drawbars).

OMB Control Number: 2130-0008.

Type of Request: Extension of a currently approved collection.

Affected Public: Businesses.

Abstract: Section 7 of the Rail Safety Enforcement and Review Act of 1992, Public Law 102-365, amended Section 202 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 421, 431 *et seq.*), empowered the Secretary of Transportation to conduct a review of the Department's rules with respect to railroad power brakes and, where applicable, prescribe standards regarding dynamic brake equipment. In keeping with the Secretary's mandate and the authority delegated from him to the FRA Administrator, FRA issued revisions to the regulations governing freight power brakes and equipment in October 2008 by adding a new Subpart addressing electronically controlled pneumatic (ECP) brake systems. The revisions are designed to provide for and encourage the safe implementation and use of ECT brake system technologies. These revisions contain specific requirements relating to design, interoperability, training, inspection, testing, handling defective equipment and periodic maintenance related to ECP brake systems. The final rule also identifies provisions of the existing regulations and statutes where FRA is proposing to provide flexibility to facilitate the voluntary adoption of this advanced brake system technology. The collection of information is used by FRA to monitor and enforce current regulatory requirements related to power brakes on freight cars as well as the recently added requirements related to ECP brake systems. The collection of information is also used by locomotive engineers and road crews to verify that the terminal air brake test has been performed in a satisfactory manner.

Form Number(s): N/A.

Annual Estimated Burden Hours: 990,660 hours.

Addressee: Send comments regarding this information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, NW., Washington, DC, 20503, Attention: FRA Desk Officer. Comments may also be sent via e-mail to OMB at the following address: oir_submissions@omb.eop.gov.

Comments are invited on the following: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have