

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Availability of the Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for Issuing an Experimental Permit to SpaceX for Operation of the Grasshopper Vehicle at the McGregor Test Site, Texas**

AGENCY: Federal Aviation Administration (FAA), Department of Transportation.

ACTIONS: Notice.

SUMMARY: In accordance with the National Environmental Policy Act (NEPA) of 1969, 42 United States Code § 4321–4347 (as amended), Council on Environmental Quality (CEQ) NEPA implementing regulations (40 Code of Federal Regulations [CFR] Parts 1500–1508), and FAA Order 1050.1E, Change 1, the FAA is announcing the availability of the Final EA and FONSI for Issuing an Experimental Permit to SpaceX for Operation of the Grasshopper Vehicle at the McGregor Test Site, Texas.

The Final EA was prepared in response to an application for an experimental permit from Space Exploration Technologies Corporation (SpaceX). Under the Proposed Action, the FAA would issue an experimental permit to SpaceX to conduct suborbital launches and landings of the Grasshopper Reusable Launch Vehicle (RLV) from the McGregor test site in McGregor, Texas. The Grasshopper RLV is a vertical takeoff and vertical landing vehicle. The McGregor test site is located within the city limits of the City of McGregor, Texas in Coryell and McLennan Counties, approximately 20 miles southwest of Waco, Texas. The Final EA addresses the potential environmental impacts of implementing the Proposed Action and the No Action Alternative of not issuing an experimental permit to SpaceX.

The FAA has posted the Final EA and FONSI on the FAA/AST Web site at http://www.faa.gov/about/office_org/headquarters_offices/ast/. In addition, copies of the Final EA and FONSI were sent to persons and institutions on the distribution list (see Chapter 8 of the Final EA). A paper copy of the Final EA and FONSI may be reviewed during regular business hours at the following location: McGinley Memorial Library, 317 Main Street, McGregor, Texas 76657.

Additional Information: Under the Proposed Action, the FAA would issue an experimental permit to SpaceX, which would authorize SpaceX to

conduct suborbital launches and landings of the Grasshopper RLV from the McGregor test site in McGregor, Texas. SpaceX has determined that to support the Grasshopper RLV activities under the experimental permit, it would be necessary to construct a launch pad and additional support infrastructure (water lines). Therefore, the Proposed Action analyzed in the Final EA includes the activities that would be authorized by the experimental permit (*i.e.*, the operation of the launch vehicle) as well as the construction of the launch pad and installation of water lines. The experimental permit would be valid for one year and would authorize an unlimited number of launches. The FAA could renew the experimental permit if requested, in writing, by SpaceX at least 60 days before the permit expires. SpaceX anticipates that the Grasshopper RLV program would require up to 3 years to complete. Therefore, the Proposed Action considers one new permit and two potential permit renewals.

Although an experimental permit would authorize an unlimited number of launches, the FAA, in conjunction with SpaceX, developed a conservative set of assumptions regarding the possible number of launches that could be conducted under any one experimental permit for the Grasshopper RLV at the McGregor test site. The FAA has assumed that SpaceX would conduct up to 70 annual suborbital launches of the Grasshopper RLV under an experimental permit at the McGregor test site. This estimation is a conservative number and considers potential multiple launches per day and potential launch failures.

The only alternative to the Proposed Action analyzed in the Final EA is the No Action Alternative. Under the No Action Alternative, the FAA would not issue an experimental permit to SpaceX for operation of the Grasshopper RLV at the McGregor test site. Existing SpaceX activities would continue at the McGregor test site. Please refer to Section 2.2 of the Final EA for a brief discussion of existing SpaceX activities.

The resource areas considered in the Final EA include air quality; noise and compatible land use; land use (including U.S. Department of Transportation Section 4(f) Properties); biological resources (fish, wildlife, and plants); historical, architectural, archaeological, and cultural resources; hazardous materials, pollution prevention, and solid waste; light emissions and visual resources; natural resources and energy supply; water resources (surface waters and wetlands, groundwater, floodplains, and water

quality); socioeconomics, environmental justice, and children's environmental health and safety; and secondary (induced) impacts. Potential cumulative impacts of the Proposed Action were also addressed in the Final EA.

An analysis of the Proposed Action has concluded that there would be no significant short-term, long-term, or cumulative effects to the environment or surrounding populations. Therefore, an Environmental Impact Statement for the Proposed Action is not required. After careful and thorough consideration of the facts contained herein, the FAA finds that the proposed Federal action is consistent with existing national environmental policies and objectives as set forth in Section 101 of NEPA and other applicable environmental requirements and will not significantly affect the quality of the human environment or otherwise include any condition requiring consultation pursuant to Section 102(2)(c) of NEPA.

FOR FURTHER INFORMATION CONTACT: Mr. Daniel Czelusniak, Environmental Program Lead, Office of Commercial Space Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Room 325, Washington, DC 20591; telephone (202) 267–5924; email: Daniel.Czelusniak@faa.gov.

Issued in Washington, DC, on November 11, 2011.

Glenn H. Rizner,

Deputy Manager, Space Transportation Development Division.

[FR Doc. 2011–29892 Filed 11–17–11; 8:45 am]

BILLING CODE 4310–13–P

DEPARTMENT OF TRANSPORTATION**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA–2010–0166]

Parts and Accessories Necessary for Safe Operation; Grant of Temporary Exemption for Con-way Freight, TK Holdings, Inc., and Iteris, Inc.

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of final disposition.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) announces its decision to grant an exemption to enable Con-way Freight (Con-way), TK Holdings, Inc. (Takata), and Iteris, Inc. (Iteris) to mount lane departure warning system sensors lower in the windshield of a commercial motor vehicle (CMV) than is currently permitted by the Agency's regulations. The lane departure warning system

alerts drivers who unintentionally drift out of their lane of travel, thus promoting improved safety performance.

DATES: This exemption is effective November 18, 2011 through November 18, 2013.

FOR FURTHER INFORMATION CONTACT: Mr. Luke W. Loy, Vehicle and Roadside Operations Division, Office of Bus and Truck Standards and Operations, MC-PSV, (202) 366-0676, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 31315 and 31136(e), FMCSA may grant an exemption from the prohibition on obstructions to the driver's field of view requirements in 49 CFR 393.60(e) for a two-year period if it finds "such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level of safety that would be achieved absent such exemption," (49 CFR 381.305(a)).

Applications for Exemptions

On November 11, 2009, Con-way applied for an exemption from 49 CFR 393.60(e)(1) to allow it to install lane departure warning system sensors on 1,272 of its newly purchased power units. Takata and Iteris submitted nearly identical exemption applications for their lane departure warning system sensors on December 15, 2009 and on February 25, 2010, respectively. On June 14, 2010, FMCSA published a notice of these applications, and asked for public comment (75 FR 33666).

Section 393.60(e)(1) of the FMCSRs prohibits the obstruction of the driver's field of view by devices mounted at the top of the windshield. Antennas, transponders and similar devices (collectively, devices) must not be mounted more than 152 mm (6 inches) below the upper edge of the windshield. These devices must be located outside the area swept by the windshield wipers and outside the driver's sight lines to the road and highway signs and signals.

Con-way, Takata, and Iteris state that over the last several years, truck manufacturers have increased the windshield area to maximize driver visibility. As a result, manufacturers have voluntarily installed larger windshield wipers on these windshields that increase the swept area beyond that which is minimally required by Federal Motor Vehicle Safety Standard (FMVSS) No. 104, "Windshield wiping and washing systems." FMVSS No. 104 establishes the requirements applicable

to vehicle and equipment manufacturers for windshield wiper system coverage for passenger cars, multi-purpose passenger vehicles, trucks, and buses.

Con-way, Takata, and Iteris provided diagrams and photos showing the dimensions of the lane departure sensors and their mounting locations on vehicle windshields. Specifically, the lane departure sensor device itself measures 2 inches by 3.5 inches and is mounted within the top 2 inches of the windshield wiper sweep. The lane departure system requires the forward lens of the sensor to be in the swept area of the windshield for a clear view in inclement weather.

Con-way, Takata, and Iteris cited the findings of a report published by FMCSA's Office of Analysis, Research and Technology titled "Benefit-Cost Analyses of Onboard Safety Systems," which summarizes the projected safety benefits for various CMV onboard safety technologies, including lane departure warning systems. Using projected efficacy rates ranging from 23 percent to 53 percent, the report estimated that, based on industry-wide use, lane departure warning systems have the potential to eliminate approximately 1,609-2,463 single-vehicle roadway departure crashes, 627-1,307 single-vehicle roadway departure rollovers, 1,111-2,223 same-direction lane departure sideswipes, 997-1,992 opposite-direction lane departure sideswipes, and 59-118 opposite-direction lane departure head-on collisions. Con-way, Takata, and Iteris each stated that without the exemption, they will be unable to (1) implement the lane departure warning system, and (2) realize the potential safety benefits that can be expected with the utilization of this technology as estimated in the FMCSA report described above.

Comments

In response to its notice requesting public comment, the Agency received one comment, from the American Trucking Associations (ATA). The ATA supports the use of lane departure warning systems and identified no specific objection to the exemption applications. The ATA stated that the devices present relatively minor visual obstruction when placed near the upper edge of the windshield wiper sweep, and should not adversely impact the driver's ability to clearly see out of the windshield.

FMCSA Decision

The FMCSA has evaluated the Con-way, Jakarta, and Iteris exemption applications. The Agency believes that granting the temporary exemptions to

allow the placement of lane departure warning system sensors lower in the windshield than is currently permitted by the Agency's regulations will provide a level of safety that is equivalent to, or greater than the level of safety achieved without the exemption because (1) based on the technical information available, there is no indication that the lane departure warning system sensors would obstruct drivers' views of the roadway, highway signs and surrounding traffic; (2) generally, trucks and buses have an elevated seating position that greatly improves the forward visual field of the driver, and any impairment of available sight lines would be minimal; and (3) the location within the top two inches of the area swept by the windshield wiper and out of the driver's normal sightline will be reasonable and enforceable at roadside. In addition, the Agency believes that the use of lane departure warning systems by fleets is likely to improve the overall level of safety to the motoring public.

This action is consistent with previous Agency actions permitting the similar placement of video event recorders on CMVs, within the swept area of the windshield wipers. FMCSA has granted temporary exemptions to Greyhound Lines, Inc. and to DriveCam, Inc. regarding the use of the video event recorders to increase safety through (1) identification and remediation of risky driving behaviors such as distracted driving and drowsiness, (2) enhanced monitoring of passenger behavior on CMVs in passenger service, and (3) enhanced collision review and analysis. Both of these exemptions have been renewed for a second 2-year period, as FMCSA is not aware of any evidence showing that the installation of the devices in the upper area of the windshield has resulted in any degradation in safety. Further, FMCSA continues to believe that the potential safety gains from the use of video event recorders to improve driver behavior will improve the overall level of safety to the motoring public. The Agency believes the same is true regarding the use of lane departure warning systems.

Terms and Conditions for the Exemption

The Agency hereby grants the exemptions for a two-year period, beginning November 18, 2011 and ending November 18, 2013. During the temporary exemption period, Con-way and motor carriers using the Takata and Iteris lane departure warning systems must ensure that the sensors are mounted not more than 50 mm (2 inches) below the upper edge of the area swept by the windshield wipers, and

outside the driver's sight lines to the road and highway signs and signals. The exemption will be valid for two years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) Motor carriers and/or commercial motor vehicles fail to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b).

Interested parties possessing information that would demonstrate that Con-way commercial motor vehicles using lane departure warning systems or commercial motor vehicles using lane departure warning systems manufactured by Takata and Iteris are not achieving the requisite statutory level of safety should immediately notify FMCSA. The Agency will evaluate any such information and, if safety is being compromised or if the continuation of the exemption is not consistent with 49 U.S.C. 31136(e) and 31315(b), will take immediate steps to revoke the exemptions granted to Con-way, Takata, and Iteris.

Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with or is inconsistent with this exemption with respect to a person operating under the exemption.

Issued on: November 8, 2011.

Anne S. Ferro,
Administrator.

[FR Doc. 2011-29600 Filed 11-17-11; 8:45 am]

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DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

November 14, 2011.

The Department of Treasury will submit the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13 on or after the date of publication of this notice. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11010, 1750

Pennsylvania Avenue NW., Washington, DC 20220.

DATES: Written comments should be received on or before December 19, 2011 to be assured of consideration.

United States Mint

OMB Number: 1525-0013.

Type of Review: Revision of a currently approved collection.

Title: Application for Intellectual Property Use.

Form: Mint Form 3045.

Abstract: The application form allows individuals and business entities to apply to use United States Mint intellectual property and trademark and copyright materials.

Affected Public: Private Sector: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 84.

Bureau Clearance Officer: Yvonne Pollard, United States Mint, 799 9th Street NW., 4th Floor, Washington, DC 20220; (202) 354-6784.

OMB Reviewer: Shagufta Ahmed, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503; (202) 395-7873.

Dawn D. Wolfgang,

Treasury PRA Clearance Officer.

[FR Doc. 2011-29790 Filed 11-17-11; 8:45 am]

BILLING CODE 4810-37-P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

November 15, 2011.

The Department of the Treasury will submit the following public information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13 on or after the date of publication of this notice. A copy of the submission may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury PRA Clearance Officer, Department of the Treasury, 1750 Pennsylvania Avenue NW., Suite 11010, Washington, DC 20220.

DATES: Written comments should be received on or before December 19, 2011 to be assured consideration.

Internal Revenue Service (IRS)

OMB Number: 1545-NEW.

Type of Review: New collection.

Title: Report of Organizational Actions Affecting Basis of Securities.

Forms: 8937.

Abstract: Organizational actions that affect the basis of stock will be reported on this form. This form will be sent to stock holders of record and nominees affected.

Respondents: Private Sector: Businesses or other for-profits.

Estimated Total Burden Hours: 206,500.

Bureau Clearance Officer: Yvette Lawrence, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224; (202) 927-4374.

OMB Reviewer: Shagufta Ahmed, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503; (202) 395-7873.

Dawn D. Wolfgang,

Treasury PRA Clearance Officer.

[FR Doc. 2011-29814 Filed 11-17-11; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 8892

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The 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 IRS is soliciting comments concerning Form 8892, Payment of Gift/GST Tax and/or Application for Extension to File Form 709.

DATES: Written comments should be received on or before January 17, 2012 to be assured of consideration.

ADDRESSES: Direct all written comments to Yvette Lawrence, Internal Revenue Service, room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Allan Hopkins, at (202) 622-6665, or at Internal Revenue Service, room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet, at Allan.M.Hopkins@irs.gov.

SUPPLEMENTARY INFORMATION: