

Furthermore, as a result of the maximum 14 consecutive-hour duty period rule, they may “work short,” creating on-time delivery issues for other employees in the department, as they are not allowed to work an entire “double shift” (16 hours) when necessary.

RockTenn requested a limited exemption from 49 CFR part 395 for its shipping department CMV drivers, as well as others with a valid CDL who on occasion must substitute, allowing all such drivers to work up to 16 hours in a day and return to work with a minimum of at least 8 hours off duty. If exempt from the normal HOS requirements, these employees can follow the same work schedule as other RockTenn employees on their shift, and will be able to work for the full 16 hours of a “double shift.” RockTenn can therefore minimize the chances of delayed shipments that may occur when their drivers are not allowed to work the same schedule as other employees.

RockTenn acknowledged in its application that these drivers would still be subject to all of the other Federal Motor Carrier Safety Regulations (FMCSRs), including possessing a CDL, random drug testing, medical certification, and other driver-qualification requirements.

A copy of RockTenn’s application for exemption is available for review in the docket for this notice.

Comments

On June 14, 2010, FMCSA published notice of this application, and asked for public comment (75 FR 33664). One set of comments was received to the public docket. The Advocates for Highway and Auto Safety (Advocates) claimed that there is nothing in RockTenn’s application demonstrating that directing workers to work 16 hours in a shift with 8 hours off duty would produce a safety outcome that is equivalent to or greater than the safety secured by adhering to the 14-hour rule. Advocates further indicated that approval of their request would be for the convenience of the applicant, with no assurance of safety benefit or equivalency.

FMCSA Decision

The FMCSA has evaluated RockTenn’s application for exemption and the public comments. The Agency believes that RockTenn’s overall safety performance as reflected in its “satisfactory” safety rating, as well as a number of other factors discussed below, will likely enable it to achieve a level of safety that is equivalent to, or greater than, the level of safety achieved

without the exemption (49 CFR 381.305(a)).

This exemption is being granted under extremely narrow conditions. The exemption is restricted to CDL holders employed by RockTenn who are exclusively assigned to a specific route. This specific route is entirely on one street (Compress Street), between their shipping and receiving departments—approximately 275 feet in one direction. The CMVs operated by RockTenn’s shipping department shuttle drivers will only be exposed to travel on a public road for very brief periods of time.

The exemption enables RockTenn’s shipping department employees and occasional substitute CDL holders who transport paper mill products between their shipping and receiving locations to work up to 16 consecutive hours in a duty period and return to work with a minimum of at least 8 hours off duty when necessary. This is comparable to current HOS regulations that allow certain “short-haul” drivers a 16-hour driving “window” once a week and other non-CDL short-haul drivers two 16-hour duty periods per week, provided specified conditions are met. Furthermore, 49 CFR 381.305(a) specifies that motor carriers “* * * may apply for an exemption if one or more FMCSR prevents you from implementing more efficient or effective operations that would maintain a level of safety equivalent to, or greater than, the level achieved without the exemption.”

Terms of the Exemption

Period of the Exemption

The exemption from the requirements of 49 CFR 395.3(a)(2) (the “14-hour rule”) is granted for the period from 12:01 a.m. on April 17, 2012, through 11:59 p.m. on April 16, 2014, for drivers employed by RockTenn operating CMVs on Compress Street between the company’s shipping and receiving departments.

Extent of the Exemption

The exemption is restricted to drivers employed by RockTenn operating CMVs on the route specified above. This exemption is limited strictly to the provisions of 49 CFR 395.3(a)(2) (Maximum driving time for property-carrying vehicles), commonly referred to as the “14-hour rule”. In addition, on each trip, the CMV must only travel on Compress Street—approximately 275 feet in one direction—between RockTenn’s shipping and receiving departments. These drivers must comply with all other applicable provisions of the FMCSRs.

Preemption

In accordance with 49 U.S.C. 31315(d), during the period this 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 firm or person operating under the exemption.

Notification to FMCSA

RockTenn must notify FMCSA within 5 business days of any accident (as defined in 49 CFR 390.5), involving any of the motor carrier’s CMVs operating under the terms of this exemption. The notification must include the following information:

- a. Date of the accident,
 - b. City or town, and State, in which the accident occurred, or closest to the accident scene,
 - c. Driver’s name and license number,
 - d. Vehicle number and state license number,
 - e. Number of individuals suffering physical injury,
 - f. Number of fatalities,
 - g. The police-reported cause of the accident,
 - h. Whether the driver was cited for violation of any traffic laws, motor carrier safety regulations, and
 - i. The total driving time and total on-duty time period prior to the accident.
- Reports filed under this provision shall be emailed to MCPSD@DOT.GOV.

Termination

FMCSA does not believe the drivers covered by this exemption will experience any deterioration of their safety record. However, should this occur, FMCSA will take all steps necessary to protect the public interest, including revocation of the exemption. The FMCSA will immediately revoke the exemption for failure to comply with its terms and conditions. RockTenn and each driver may be subject to periodic monitoring by FMCSA during the period of the exemption.

Issued on: May 21, 2012.

Anne S. Ferro,
Administrator.

[FR Doc. 2012–12819 Filed 5–25–12; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Saint Lawrence Seaway Development Corporation

Advisory Board; Notice of Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463; 5 U.S.C. App. I), notice is

hereby given of a meeting of the Advisory Board of the Saint Lawrence Seaway Development Corporation (SLSDC), to be held from 1:00 p.m. to 2:30 p.m. (EDT) on Tuesday, June 12, 2012 at the Corporation's Administration Headquarters, 55 M Street SE., Suite 930, Washington, DC 20003. The agenda for this meeting will be as follows: Opening Remarks; Consideration of Minutes of Past Meeting; Quarterly Report; Old and New Business; Closing Discussion; Adjournment.

Attendance at the meeting is open to the interested public but limited to the space available. With the approval of the Acting Administrator, members of the public may present oral statements at the meeting. Persons wishing further information should contact, not later than Friday, June 8, 2012, Anita K. Blackman, Chief of Staff, Saint Lawrence Seaway Development Corporation, Suite W32-300, 1200 New Jersey Avenue SE., Washington, DC 20590; 202-366-0091.

Any member of the public may present a written statement to the Advisory Board at any time.

Issued at Washington, DC, on May 21, 2012.

Craig H. Middlebrook,

Acting Administrator.

[FR Doc. 2012-12932 Filed 5-25-12; 8:45 am]

BILLING CODE 4910-61-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Regulation Project

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 statutory options.

DATES: Written comments should be received on or before July 30, 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 regulations 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:

Title: Statutory Options.

OMB Number: 1545-0820.

Regulation Project Number: REG-122917-02.

Abstract: The affected public includes corporations that transfer stock to employees after 1979 pursuant to the exercise of a statutory stock option. The corporation must furnish the employee receiving the stock with a written statement describing the transfer. The statement will assist the employee in filing their tax return.

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit institutions.

Estimated Number of Respondents: 50,000.

Estimated Time per Respondent: 25 minutes.

Estimated Total Burden Hours: 16,650.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record.

Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d)

ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: May 22, 2012.

Allan Hopkins,

Tax Analyst.

[FR Doc. 2012-12854 Filed 5-25-12; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Regulation Project

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 tax treatment of salvage and reinsurance.

DATES: Written comments should be received on or before July 30, 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 regulations should be directed to Allan Hopkins at Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or at (202) 622-6665, or through the Internet at Allan.M.Hopkins@irs.gov.

SUPPLEMENTARY INFORMATION:

Title: Tax Treatment of Salvage and Reinsurance.

OMB Number: 1545-1227.

Regulation Project Number: FI-104-90.

Abstract: Section 1.832-4(d) of this regulation allows a nonlife insurance company to increase unpaid losses on a yearly basis by the amount of estimated salvage recoverable if the company