

driver response just as intensely as interstate driving conditions. The veteran drivers in this proceeding have operated CMVs safely under those conditions for at least 3 years, most for much longer. Their experience and driving records lead us to believe that each applicant is capable of operating in interstate commerce as safely as he/she has been performing in intrastate commerce. Consequently, FMCSA finds that exempting these applicants from the vision requirement in 49 CFR 391.41(b)(10) is likely to achieve a level of safety equal to that existing without the exemption. For this reason, the Agency is granting the exemptions for the 2-year period allowed by 49 U.S.C. 31136(e) and 31315 to the 12 applicants listed in the notice of June 4, 2012 (77 FR 33017).

We recognize that the vision of an applicant may change and affect his/her ability to operate a CMV as safely as in the past. As a condition of the exemption, therefore, FMCSA will impose requirements on the 12 individuals consistent with the grandfathering provisions applied to drivers who participated in the Agency's vision waiver program.

Those requirements are found at 49 CFR 391.64(b) and include the following: (1) That each individual be physically examined every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the requirement in 49 CFR 391.41(b)(10) and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

#### Discussion of Comments

FMCSA received no comments in this proceeding.

#### Conclusion

Based upon its evaluation of the 12 exemption applications, FMCSA exempts Robert F. Bennett (NJ), Dale W. Coblentz (MT), Michael L. Dean (MI), Damon G. Gallardo (CA), Marc D. Groszkrueger (IA), Daniel L. Grover (KS), James E. Modaffari (OR), Gerardus

C. Molenaar (PA), James J. Narkewich (MA), Philip N. Polcastro (NY), Gregory A. Reinert (MN) and Scott J. Schlenker (WA) from the vision requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above (49 CFR 391.64(b)).

In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for 2 years unless revoked earlier by FMCSA. The exemption will be revoked if: (1) The person fails 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 and 31315.

If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: July 18, 2012.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Information Collection Activities (Depreciation Studies)

**ACTION:** 60-day notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-3519 (PRA), the Surface Transportation Board (Board) gives notice of its intent to request from the Office of Management and Budget (OMB) the information collection—Rail Depreciation Studies—further described below.

Comments are requested concerning (1) whether this collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility; (2) the accuracy of the Board's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate. Submitted comments will be included and/or summarized in the Board's request for OMB approval.

**DATES:** Written comments are due on September 28, 2012.

**ADDRESSES:** Direct all comments to Marilyn Levitt, Surface Transportation Board, Suite 1260, 395 E Street SW., Washington, DC 20423-0001, or to [levittm@stb.dot.gov](mailto:levittm@stb.dot.gov). Comments should be identified as "Paperwork Reduction Act Comments," and should refer to the title of the collection commented upon.

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s) contact Paul Aguiar at (202) 245-0323 or [aguiaarp@stb.dot.gov](mailto:aguiaarp@stb.dot.gov). [Federal Information Relay Service (FIRS) for the hearing impaired: (800) 877-8339.]

**Subjects:** In this notice the Board is requesting comments on the following information collection:

*Title:* Rail Depreciation Studies.

*OMB Control Number:* 2140-XXXX.

*Form Number:* None.

*Type of Review:* Collection in existence without a Control Number.

*Respondents:* Class I railroads.

*Number of Respondents:* 7.

*Estimated Time per Response:*

Between 500 and 540 hours annually, depending on whether the rail-carrier respondent has significant assistance from outside consultants, resulting in an average of 515 hours per response.

*Frequency of Response:* Every 3 years for equipment; every 6 years for other depreciable property.

*Total Annual Hour Burden:* 3,605 hours (515 hours × 7 Class I railroads).

*Total Annual "Non-Hour Burden" Cost:* Between \$8,340 and \$30,000 annually, depending on whether the rail-carrier respondent has significant assistance from outside consultants, resulting in an annual average of \$20,500 and a cumulative total for all 7 Class I railroads of \$143,500.

*Needs and Uses:* Under 49 U.S.C. 11145, the Board is required to identify those classes of property for which rail carriers may include depreciation charges under operating expenses and the Board must also prescribe a rate of depreciation that may be charged to those classes of property. Pursuant to the Board's authority under § 11145, Class I (large) rail carriers are required to submit to the Board Depreciation Studies. Information in these studies is not available from any other source. The Board uses the information in these studies to prescribe depreciation rates. These depreciation rate prescriptions state the period for which the depreciation rates therein are applicable. Class I railroads apply the prescribed depreciation rates to their investment base to determine monthly and annual depreciation expense. This expense is included in the railroads' operating expenses, which are reported

in their R-1 reports (OMB Control Number 2140-0009). Operating expenses are used to develop operating costs for application in various proceedings before the Board, such as in rate reasonableness cases and in the determination of railroad revenue adequacy.

**SUPPLEMENTARY INFORMATION:** Under the PRA, a Federal agency conducting or sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Under § 3506(c)(2)(A) of the PRA, Federal agencies are required, prior to submitting a collection to OMB for approval, to provide a 60-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: July 24, 2012.

**Jeffrey Herzig,**

Clearance Clerk.

[FR Doc. 2012-18428 Filed 7-27-12; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

July 25, 2012.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, on or after the date of publication of this notice.

**DATES:** Comments should be received on or before August 29, 2012 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at

[OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at [PRA@treasury.gov](mailto:PRA@treasury.gov).

### FOR FURTHER INFORMATION CONTACT:

Copies of the submission(s) may be obtained by calling (202) 927-5331, email at [PRA@treasury.gov](mailto:PRA@treasury.gov), or the entire information collection request maybe found at [www.reginfo.gov](http://www.reginfo.gov).

### Internal Revenue Service (IRS)

*OMB Number:* 1545-0132.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Amended U.S. Corporation Income Tax Return.

*Form:* 1120-X.

*Abstract:* Domestic corporations use Form 1120X to correct a previously filed Form 1120 or 1120A. The data is used to determine if the correct tax liability has been reported.

*Affected Public:* Private Sector: Business or other for-profits.

*Estimated Total Burden Hours:* 300,582.

*OMB Number:* 1545-0140.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Form 2210, Underpayment of Estimated Tax by Individuals, Estate, and Trusts; Form 2210-F, Underpayment of Estimated Tax by Farmers and Fishermen.

*Form:* 2210, 2210-F.

*Abstract:* Internal Revenue Code section 6654 imposes a penalty for failure to pay estimated tax. These forms are used by taxpayers to determine whether they are subject to the penalty and to compute the penalty if it applies. The Service uses this information to determine whether the taxpayer is subject to the penalty, and to verify the penalty amount.

*Affected Public:* Private Sector: Business or other for-profits.

*Estimated Total Burden Hours:* 2,405,663.

*OMB Number:* 1545-0820.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* REG-122917-02 (Final) Statutory Options.

*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.

*Affected Public:* Private Sector: Business or other for-profits.

*Estimated Total Burden Hours:* 16,650.

*OMB Number:* 1545-1086.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Excise Tax on Greenmail.

*Form:* 8725.

*Abstract:* Form 8725 is used by persons who receive "greenmail" to compute and pay the excise tax on greenmail imposed under section 5881. IRS uses the information to verify that the correct amount of tax has been reported.

*Affected Public:* Private Sector: Business or other for-profits.

*Estimated Total Burden Hours:* 92.

*OMB Number:* 1545-1225.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Notice of Plan Merger or Consolidation, Spinoff, or Transfer of Plan Assets or Liabilities; Notice of Qualified Separate Lines of Business.

*Form:* 5310-A.

*Abstract:* Plan administrators are required to notify IRS of any plan mergers, consolidations, spinoffs, or transfers of plan assets or liabilities to another plan. Employers are required to notify IRS of separate lines of business for their deferred compensation plans. Form 5310-A is used to make these notifications.

*Affected Public:* Private Sector: Business or other for-profits.

*Estimated Total Burden Hours:* 158,800.

*OMB Number:* 1545-1227.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* FI-104-90—Final Tax Treatment of Salvage and Reinsurance (TD 8390).

*Abstract:* The regulation provides a disclosure requirement for an insurance company that increases losses shown on its annual statement by the amount of estimated salvage recoverable taken into account.

*Affected Public:* Private Sector: Business or other for-profits.

*Estimated Total Burden Hours:* 5,000.

*OMB Number:* 1545-1241.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* PS-92-90 (TD 8395) Special Valuation Rules.

*Abstract:* Section 2701 of the Internal Revenue Code allows various elections by family members who make gifts of common stock or partnership interests and retain senior interest. The elections affect the value of the gifted interests and the retained interests. This document contains final regulations relating to chapter 14 of the Internal