

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration**

[Summary Notice No. PE-2013-07]

Petition for Exemption; Summary of Petition Received**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of petition for exemption received.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Title 14, Code of Federal Regulations (CFR) part 25. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number involved and must be received on or before March 20, 2013.

ADDRESSES: You may send comments identified by Docket Number FAA-2013-0101 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.
- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy: We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

Docket: To read background documents or comments received, go to

<http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Michael Menkin, ANM-113, Standardization Branch, Federal Aviation Administration, Transport Airplane Directorate, 1601 Lind Ave. SW., Renton, WA 98057; email michael.menkin@FAA.gov; 425-227-2793; fax: 425-227-1320; or Andrea Copeland, ARM-200, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW.; Washington, DC 20591; email andrea.copeland@faa.gov; (202) 267-8081.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on February 25, 2013.

Lirio Liu,
Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA-2013-0101.
Petitioner: The Boeing Company.
Section of 14 CFR Affected: § 25.853(d) and condition 1 of Special Conditions 25-370-SC.

Description of Relief Sought: To allow the use of Ensolite as an energy absorbing material on side-facing, business-class passenger seats with inflatable restraints on the Boeing Model 787-9 airplane.

[FR Doc. 2013-04688 Filed 2-27-13; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Notice of Final Federal Agency Actions on Proposed Highway in California****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans), pursuant to 23 U.S.C. 327.

SUMMARY: The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final within the meaning of 23 U.S.C. 139(j)(1). The actions relate to a proposed highway project, Palo Comado Canyon Road Interchange, along U.S. 101 from postmile 33.0 to 34.4 in the County of Los Angeles, State of California. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(j)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before July 28, 2013. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For Caltrans: Carlos J. Montez, Environmental Branch Chief, California Department of Transportation, 100 S. Main St., Los Angeles, CA 90012, Regular Office Hours 8:00am-5:00pm, Telephone Number (213) 897-9116, Email carlos.montez@dot.ca.gov.

SUPPLEMENTARY INFORMATION: Effective July 1, 2007, the Federal Highway Administration (FHWA) assigned, and the California Department of Transportation (Caltrans) assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans, has taken final agency actions subject to 23 U.S.C. 139(j)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: The U.S. 101/Palo Comado Canyon Road Interchange Project in the City of Agoura Hills would widen Palo Comado Canyon Road from two to four lanes between Driver Ave. and Chesebro Road. It would be widened from one lane in each direction to provide two lanes in each direction, along with a dedicated left-hand turn lane, for a total of five striped lanes. A Class II bike lane and sidewalks would be provided on both sides of the overcrossing. The project would take approximately 15 months to construct. The purpose of the project is to reduce congestion within the project limits, improve safety at this interchange, and accommodate pedestrian and bicycle traffic along Palo Comado Canyon Road. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) for the project, approved on January 12, 2012 and in the FHWA Mitigated Negative Declaration (MND) issued on November 15, 2012 and in other documents in the FHWA project records. The EA, MND, and other project records are available by contacting Caltrans at the address provided above. The Caltrans EA and MND can be viewed and downloaded from the project Web site at <http://www.dot.ca.gov/dist07/resources/envdocs/> or viewed at public libraries in the project area.

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. National Environmental Policy Act (NEPA)
2. Safe, Accountable, Flexible and Efficient, Transportation Equity Act, A Legacy for Users (SAFETEA-LU)
3. MAP 21—Moving Ahead for Progress in the 21st Century
4. Title VI of the Civil Rights Act of 1964
5. National Historic Preservation Act of 1966
6. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
7. Section 4(f) of the Transportation Act of 1966

(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).

Dated: February 20, 2013.

Matthew Schmitz,

Director, State Programs, Federal Highway Administration, Sacramento, California.

[FR Doc. 2013-04643 Filed 2-27-13; 8:45 am]

BILLING CODE 4910-RY-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Railroad Safety: Advisory Notice Related to Railroad Accidents in Vicinity of Underground Pipelines

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

ACTION: Advisory Notice.

SUMMARY: In response to Safety Recommendation R-12-04 issued by the National Transportation Safety Board (NTSB), FRA is issuing this Advisory Notice to inform railroads of the circumstances surrounding the June 19, 2009, derailment of eastbound Canadian National Railway (CN) Freight Train U70691-18 in Cherry Valley, IL, and to remind railroads of the need to immediately notify pipeline operators of rail accidents occurring in railroad rights-of-way where pipelines are present and the need to ensure that pipeline inspections are accomplished prior to resumption of service.

FOR FURTHER INFORMATION CONTACT: Karl Alexy, Staff Director, Hazardous

Materials Division, Office of Railroad Safety, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone: (202) 493-6245; or *Karl.Alexy@dot.gov*; or Elisabeth Galotto, Trial Attorney, Office of Chief Counsel, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone: (202) 493-0270; or *Elisabeth.Galotto@dot.gov*.

SUPPLEMENTARY INFORMATION: On June 19, 2009, at approximately 8:36 p.m. (CST), CN Freight Train U70691-18, traveling eastbound at 36 mph, derailed at a highway-rail grade crossing in Cherry Valley, IL. The train consisted of two locomotives and 114 cars, 19 of which derailed. All of the derailed cars were tank cars carrying denatured fuel ethanol, a flammable liquid. Thirteen of the derailed tank cars were breached or lost product and caught fire. At the time of the derailment, several motor vehicles were stopped on either side of the grade crossing waiting for the train to pass. As a result of the fire that erupted after the derailment, a passenger in one of the stopped cars was fatally injured, two passengers in the same car received serious injuries, and five occupants of other cars waiting at the highway-rail grade crossing were injured. Two responding firefighters also sustained minor injuries. The release of ethanol and the resulting fire prompted a mandatory evacuation of about 600 residences within a half-mile radius of the accident site.

The NTSB determined that the probable cause of the accident was the washout of the track structure that was discovered about 1 hour before the train's arrival, and CN's failure to notify the train crew of the known washout in time to stop the train because of the inadequacy of CN's emergency communication procedures.

At the derailment site was a 12-inch diameter underground natural gas transmission pipeline operated by Nicor Gas. The pipeline well exceeded Federal standards for protective ground cover. Yet, as the wreckage was removed from above the pipeline, Nicor's crews discovered that a railcar wheel and axle assembly had impacted the pipeline. Although the pipeline was buried about 11 feet deep and protected within a 16-inch diameter casing, the railcar wheels severely dented the pipeline. The impact caused a severe flattening of the pipe casing with sharp angular bends at two locations where the railcar wheel assembly contacted it. This degree of deformation to the 16-inch pipe casing likely caused similar damage to the 12-inch carrier pipe. The NTSB concluded that had the gas pipeline been installed at the railroad crossing with only the

minimum level of ground cover permitted by the current Federal and industry pipeline construction standards, it likely would have failed as a result of being struck by derailed equipment in this accident. Accordingly, NTSB issued Safety Recommendation R-12-04 recommending that FRA "[i]nform railroads about the circumstances of the accident and advise them of the need to immediately notify pipeline operators of accidents occurring in railroad rights-of-way and ensure that pipeline inspections are accomplished prior to resumption of service."

On July 31, 2012, the Pipeline and Hazardous Materials Safety Administration (PHMSA) issued an advisory bulletin in the **Federal Register** (77 FR 45417-45418), encouraging pipeline owners and operators, as a part of their public awareness programs, to inform rail operators and emergency response officials of the benefits of using the 811 "Call Before You Dig" program to identify and notify underground utilities that an incident has occurred in the vicinity of their buried facilities.

Like PHMSA, FRA encourages railroads to use the 811 "Call Before You Dig" program to notify pipeline operators of rail accidents occurring in railroad rights-of-way where pipelines are present and to ensure that pipeline inspections are accomplished prior to resumption of service. By calling 811, pipeline owners and operators will be notified of potential problems the accident may have caused to the pipeline, and enable the pipeline owners and operators to work with the involved railroads to prevent further injury to individuals cleaning up the accident site.

Issued in Washington, DC, on February 25, 2013.

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

[FR Doc. 2013-04684 Filed 2-27-13; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Safety Advisory 2013-01; Passing Stop Signals Protecting Movable Bridges

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

ACTION: Notice of Safety Advisory.

SUMMARY: FRA is issuing Safety Advisory 2013-01 to remind track