

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]

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## 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

owners, railroads, and their employees of the importance of ensuring that rails are properly aligned and movable spans are secured before permitting a train to pass a signal that is displaying a stop indication and protecting a movable bridge. FRA is issuing this notice in response to a recent train accident involving a derailment in which there was an unsecured swing span that moved laterally during the passage of a train. This notice recommends that track owners and railroads: (1) Evaluate the design and construction of existing movable bridges to determine if effective span locking is being provided; (2) review current operating rules and procedures to ensure that these instructions adequately protect movable bridges during the operation of trains; and (3) ensure that employees authorized to determine whether movable bridges are correctly aligned and secured are adequately trained to perform these duties.

**FOR FURTHER INFORMATION CONTACT:**

Carlo M. Patrick, Staff Director, Rail and Infrastructure Integrity Division, Office of Railroad Safety, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590, telephone (202) 493-6399; David R. Killingbeck, Chief Engineer—Structures, Rail and Infrastructure Integrity Division, Office of Railroad Safety, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590, telephone (202) 493-6251; or Anna Nassif Winkle, Trial Attorney, Office of Chief Counsel, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590, telephone (202) 493-6166.

**SUPPLEMENTARY INFORMATION:**

**Background**

On November 30, 2012, a Consolidated Rail Corporation mixed freight train with two locomotives and 82 freight cars, including 51 hazardous materials tank cars, derailed seven cars while crossing a single-leaf movable swing bridge. The derailed cars included loaded tank cars of vinyl chloride and ethanol. One vinyl chloride tank car was breached, resulting in the release of its contents into a waterway and the atmosphere, as well as in the subsequent evacuation of approximately 600 nearby residents.

Due to the typically limited train traffic over the bridge, it was normally left in an open position when not needed in order to allow pleasure craft to pass. Upon arriving at the bridge, a train crew would normally encounter a stop signal and the bridge in the fully-open position, oriented approximately perpendicular to the track. As such, once stopped at the signal, the train

crew normally would request the bridge to close using the key pad on the locomotive radio. Through the use of a programmable logic controller, an automated sequence would commence closing and seating the bridge and then moving the slide lock rails into the locked position. Once the slide lock rails were fully engaged, a signal to proceed would be displayed.

Following the derailment, the swinging end of the movable span was found to be laterally displaced approximately three feet. Although FRA's investigation of this accident is ongoing, and the probable causes and contributing factors have not yet been established, preliminary indications are that the movable span was not locked in place and moved or rotated laterally during the passage of the train. Unlike most swing bridges that possess end wedges that when driven, prevent rotation of the span, the subject bridge was a rare, shear-pole swing span that had neither end wedges nor span locks. The slide rails that were part of the movable bridge rail joints provided the only means of securing the span from rotating.

*Recommended Action:* In light of the above discussion, FRA recommends that track owners and railroads:

1. Evaluate the design of existing movable bridges, especially swing bridges, to determine if effective span locking, independent of rail locking, is being provided as recommended in Chapter 15 (Steel Structures) of the current American Railway Engineering and Maintenance-of-Way Association Manual for Railway Engineering.
2. Evaluate operating rules and procedures that permit the operation of trains past a stop signal protecting a movable bridge to ensure their adequacy to prevent operation of trains should the bridge not be properly aligned and secured.
3. Review the adequacy of all training given to employees authorized to determine that a movable bridge is properly aligned and locked to ensure that employees are capable of correctly determining that the movable bridge is safe for train movements.

FRA encourages track owners and railroads to take actions that are consistent with the preceding recommendations and to take other actions to help ensure the safety of the Nation's railroads, their employees, and the general public. FRA may modify this Safety Advisory 2013-01, issue additional safety advisories, or take other appropriate actions it deems necessary to ensure the highest level of safety on the Nation's railroads,

including pursuing other corrective measures under its rail safety authority.

Issued in Washington, DC, on February 22, 2013.

**Jo Strang,**

*Associate Administrator for Railroad Safety/  
Chief Safety Officer.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Transit Administration**

**Environmental Impact Statement for  
the East San Fernando Valley Transit  
Corridor Project, Los Angeles,  
California**

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notice of Intent to Prepare an Environmental Impact Statement (EIS).

**SUMMARY:** The Federal Transit Administration (FTA) and the Los Angeles County Metropolitan Transportation Authority (LACMTA) are issuing this Notice of Intent (NOI) to advise other agencies and the public that they will jointly prepare an Environmental Impact Statement (EIS) for proposed transit improvements in the East San Fernando Valley Transit Project Corridor in Los Angeles County, California. The proposed project would provide new transit service and related infrastructure in the eastern San Fernando Valley. The EIS will evaluate new light rail and bus rapid transit services alternatives, generally running north-south along portions of Van Nuys and Sepulveda Boulevards.

The EIS will be prepared in accordance with the requirements of the National Environmental Policy Act (NEPA) and its implementing regulations. The EIS process will evaluate alternatives recommended for further study as a result of the planning Alternatives Analysis approved by the LACMTA Board on January 24, 2013, and available on the LACMTA Web site (<http://www.metro.net/east-sfv>). Pursuant to 23 CFR 771.123(j), at the conclusion of the Draft Environmental Impact Statement (DEIS) circulation period, LACMTA will prepare a report identifying the locally preferred alternative (LPA). Prior to commencement of a Final EIS, the LPA will be adopted by the LACMTA Board and included in the Metropolitan Transportation Plan identifying sufficient federal and other funding for the project, in order to be evaluated under the NEPA process.