

[wisconsin.gov/Pages/projects/by-region/sw/5139901218/reports.aspx](https://wisconsin.gov/Pages/projects/by-region/sw/5139901218/reports.aspx).

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) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128].

2. Section 7 of the Endangered Species Act of 1973 (ESA) [16 U.S.C. 1531–1544 and Section 1536].

3. National Historic Preservation Act of 1966, as amended (16 U.S.C. 470(f) *et seq.*)

4. Clean Air Act [42 U.S.C. 7401–7671 (q)].

5. Clean Water Act [Section 404, Section 401, Section 319].

6. Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].

7. Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.

8. Migratory Bird Treaty Act (MBTA) of 1918, as amended.

(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).

Issued on: August 24, 2021.

**Glenn Fulkerson,**

*Division Administrator, Federal Highway Administration, Madison, Wisconsin.*

[FR Doc. 2021–18522 Filed 8–26–21; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2021–0143]

#### Agency Information Collection Request Concerning Certain Motor Carrier Activities When Responding to Emergency Declarations Under OMB Review

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

**ACTION:** Notice of request for emergency OMB approval.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the new Information Collection Request (ICR) discussed below has been

forwarded to the Office of Management and Budget (OMB) for review and an emergency approval of a new information collection. FMCSA would collect this information from motor carriers engaged in providing direct assistance in response to certain emergency declarations issued by the Agency to provide regulatory relief for such carriers in continued support of the Nation's coronavirus disease 2019 (COVID–19) recovery efforts. The ICR describes the nature of the information collection and their expected paperwork burdens. FMCSA requests that OMB approve this collection within 7 days.

**DATES:** Comments must be submitted on or before August 30, 2021.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent by August 30, 2021, to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). All comments received are part of the public record. Comments will generally be posted without change. Upon receiving the requested 6-month emergency approval by OMB, FMCSA will follow the normal PRA procedures to obtain extended approval for this proposed information collection.

#### FOR FURTHER INFORMATION CONTACT:

Larry W. Minor, Associate Administrator, Office of Policy, Department of Transportation, Federal Motor Carrier Safety Administration, 6th Floor, West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; 202–366–4012; [larry.minor@dot.gov](mailto:larry.minor@dot.gov). Office hours are from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

#### SUPPLEMENTARY INFORMATION:

*Title:* Acknowledgement of use of COVID–19 Emergency Declaration Relief.

*OMB Control Number:* 2126–TBD.

*Type of Request:* Request for emergency approval of an information collection.

*Respondents:* Motor carriers that operate under the terms of the extended COVID–19 Emergency Declaration No. 2020–002.

*Estimated Total Respondents:* 203,894.

*Estimated Total Responses:* 1,223,364 for 6 months.

*Estimated Burden Hours:* 305,841 for 6 months.

*Estimated Burden per Response:* 15 minutes per response.

*Frequency:* Monthly for 6 months.

#### Background

FMCSA issued Emergency Declaration No. 2020–002 in response to the March 13, 2020, declaration of a

national emergency under 42 U.S.C. 5191(b) related to COVID–19, and the immediate risk COVID–19 presents to public health and welfare. FMCSA modified Emergency Declaration 2020–002 to expand and remove categories of supplies, equipment, and persons covered by the Emergency Declaration to respond to changing needs for emergency relief. On May 26, 2021, FMCSA extended the modified Emergency Declaration No. 2020–002 and associated regulatory relief through August 31, 2021, in accordance with 49 CFR 390.25. FMCSA continued the exemption and associated regulatory relief in accordance with 49 CFR 390.25, because the presidentially declared emergency remained in place and because a continued exemption was needed to support direct emergency assistance for some supply chains. This extension of the expanded modified Emergency Declaration addresses conditions that create a need for immediate transportation of essential supplies and provides necessary relief from the Federal Motor Carrier Safety Regulations (FMCSRs) for motor carriers and drivers.

In accordance with the expanded modified Emergency Declaration No. 2020–002, motor carriers and drivers providing direct assistance in support of relief efforts related to the COVID–19 public health emergency are granted emergency relief from certain portions of 49 CFR parts 390 through 399 of the FMCSRs, except as restricted in the Emergency Declaration. Direct assistance means transportation and other relief services provided by a motor carrier or its driver(s) incident to the immediate restoration of essential services (such as medical care) or essential supplies related to COVID–19 during the emergency. The notice extending the declaration provides a list of relief services and essential supplies.

Neither the Emergency Declaration nor the regulations covering Emergency Declarations (found in 49 CFR 390.23 and 390.25) require that motor carriers or drivers operating under the Emergency Declaration report their operation to FMCSA. As a result, FMCSA does not know how many motor carriers or drivers are relying on the Emergency Declaration. Given the unprecedented period that the expanded modified Emergency Declaration No. 2020–002 has now been in place, FMCSA has determined that it is necessary to seek information on the number of motor carriers and drivers relying upon Emergency Declaration No. 2020–002, and any subsequent extension currently in effect, to evaluate the need for future

extensions or modifications if that Agency determines that additional extensions are needed.

#### Public Comments Invited

You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for FMCSA to perform its functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information.

Issued under the authority delegated in 49 CFR 1.87.

**Thomas P. Keane,**

*Associate Administrator, Office of Research and Registration.*

[FR Doc. 2021-18442 Filed 8-26-21; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2018-0100]

#### Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on July 27, 2021, Norfolk Southern Corporation (NS) petitioned the Federal Railroad Administration (FRA) for an amendment of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 232, Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-Of-Train Devices. The relevant FRA Docket Number is FRA-2018-0100.

Specifically, NS requests to amend an existing waiver from the requirements of 49 CFR 232.203, *Training requirements*, to allow electronic air brake test refresher training via customized simulation software in place of hands-on training. The current waiver applies to conductors and supervisors and is limited to an 18-month pilot program for freight car repair personnel reporting for duty at Birmingham, Alabama; Elkhart, Indiana; Enola, Pennsylvania; Kansas City, Missouri; Macon, Georgia; Norfolk, Virginia; and Portsmouth, Ohio.

As the pilot period has concluded, NS requests to amend the waiver to allow electronic air brake test training as an optional replacement for hands-on training for refresher training of freight

car repair personnel on the entire NS system. In support of its request, NS states that (1) all personnel intended for inclusion have already received electronic training; (2) feedback from electronically-trained personnel has been positive; (3) delivering training electronically achieves safety benefits; and (4) NS has improved the training since the original pilot waiver was granted.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Communications received by October 12, 2021 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), the U.S. Department of Transportation (DOT) solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy,**

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

[FR Doc. 2021-18509 Filed 8-26-21; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2018-0049]

#### Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on August 18, 2021, BNSF Railway (BNSF) petitioned the Federal Railroad Administration (FRA) for an expansion of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 232, Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-Of-Train Devices. The relevant FRA Docket Number is FRA-2018-0049.

The existing waiver provides BNSF certain relief from 49 CFR 232.15, *Movement of defective equipment*; 49 CFR 232.103(f), *General requirements for all train brake systems*; and 49 CFR 232.213, *Extended haul trains*; and a statutory exemption from the requirements of title 49, United States Code section 20303. BNSF renews its request to expand the scope of the waiver to include coal trains operating over the Pikes Peak Subdivision in Colorado and across the Sand Hills Subdivision in Nebraska.<sup>1</sup>

On April 12, 2019, FRA granted BNSF a test waiver to conduct a pilot program on a segment of its system to “demonstrate that the use of wheel temperature detectors to prove brake health effectiveness (BHE) will improve safety, reduce risks to employees, and provide cost savings to the industry.”

BNSF asserts the expansion would improve train braking performance and safety by reducing brake pipe air losses on all BNSF coal trains (particularly important during winter operations), and accomplish the following goals:

- Validation of braking performance of BNSF coal trains moving south through Colorado and east through Alliance, Nebraska;
- Improvement of the braking performance of individual cars identified with cold or hot wheels;
- Increased testing of car brake systems with Automatic Single Car Test (ASCT) devices;

<sup>1</sup> BNSF initially requested expansion of the waiver on March 18, 2021. See <https://www.regulations.gov/document/FRA-2018-0049-0018>. Public notice of the request was issued on April 5, 2021. See <https://www.regulations.gov/document/FRA-2018-0049-0021>. By letter dated May 5, 2021, BNSF requested an initial 30-day hold on processing the petition. See <https://www.regulations.gov/document/FRA-2018-0049-0022>.