

Highway Administration, 711 S. Capitol Way, Suite 501, Olympia, WA 98501, Telephone (360) 753-9480 and Ed Conyers, Washington State Department of Transportation, Local Programs Engineer for Northwest Region, P.O. Box 330310, 15700 Dayton Avenue, Seattle, WA 98133, Telephone (206) 440-4734.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Washington State Department of Transportation (WSDOT) and the Seattle Department of Transportation (SDOT), issued a Notice of Intent on April 18, 2003 to prepare an EIS to evaluate the potential environmental impacts associated with the proposed replacement of the Magnolia Bridge, which spans from the intersection of 15th Avenue West and West Garfield Street to the intersection of West Galer Street and Dartmouth Avenue West in Seattle, Washington.

The initial proposal included the consideration of four alternatives (three build alternatives and a no action alternative) for evaluation in the proposed EIS. Since then, as the project elements have been refined and completion of associated discipline reports have helped to more specifically identify potential impacts, the build alternative with significant impacts was eliminated from consideration. As such, the FHWA, WSDOT, and SDOT have jointly decided that the project will likely not result in significant impacts to the environment and that an Environmental Assessment (EA) is the most appropriate environmental document for compliance with the National Environmental Policy Act (NEPA). The EA will be circulated, as appropriate, once it is completed.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 315; 49 CFR 1.48.

Issued on: January 25, 2007.

Elizabeth Healy,

Area Engineer, Federal Highway Administration, Olympia, Washington.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket FTA-2007-26859]

Notice of Establishment of Emergency Relief Docket for Calendar Year 2007

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice.

SUMMARY: As provided for in 49 CFR Part 601, Subpart D, (72 FR 910, Jan. 9, 2007), the Federal Transit Administration (FTA) must, by January 31 of each calendar year, establish an Emergency Relief Docket so grantees and subgrantees affected by national or regional emergencies may request relief from policy statements, circulars, guidance documents and regulations. By this notice, FTA is establishing an Emergency Relief Docket for calendar year 2007.

FOR FURTHER INFORMATION CONTACT: Bonnie L. Graves, Attorney-Advisor, Legislation and Regulations Division, Office of Chief Counsel, Federal Transit Administration, 400 Seventh Street, SW., Room 9316, Washington, DC, 20590, *phone:* (202) 366-4011, *fax:* (202) 366-3809, or e-mail, *Bonnie.Graves@dot.gov*.

SUPPLEMENTARY INFORMATION: The Administrator in his/her sole discretion shall determine the need for opening the Emergency Relief Docket. It may be opened at the request of a grantee or subgrantee, or on the Administrator's own initiative. When the Emergency Relief Docket is opened, FTA will post a notice on its Web site, at *www.fta.dot.gov*. In addition, a notice will be posted in the docket.

In the event a grantee or subgrantee believes the Emergency Relief Docket should be opened and it has not been opened, that grantee or subgrantee may submit a petition in duplicate to the Administrator, via U.S. mail, to: Federal Transit Administration, 400 Seventh Street, SW., Washington, DC 20590; via telephone, at: (202) 366-4043; or via fax, at (202) 366-3472, requesting opening of the Docket for that emergency and including the information set forth below.

All petitions for relief must be posted in the docket in order to receive consideration by FTA. The docket is publicly accessible and can be accessed 24 hours a day, seven days a week, via the Internet at the docket facility's Web site at *http://dms.dot.gov*. Petitions may also be submitted by U.S. mail or by hand delivery to the DOT Docket Management Facility, Room PL-401

(Plaza Level), 400 Seventh Street, SW., Washington, DC 20590.

In the event a grantee or subgrantee needs to request immediate relief and does not have access to electronic means to request that relief, the grantee or subgrantee may contact any FTA regional office or FTA headquarters and request that FTA staff submit the petition on their behalf.

Any grantee or subgrantee submitting petitions for relief or comments to the docket must include the agency name (Federal Transit Administration) and docket number 26859. Grantees and subgrantees making submissions by mail or hand delivery should submit two copies.

A petition for relief shall:

(a) Identify the grantee or subgrantee and its geographic location;

(b) Specifically address how an FTA requirement in a policy statement, circular, or agency guidance will limit a grantee's or subgrantee's ability to respond to an emergency or disaster;

(c) Identify the policy statement, circular, guidance document and/or rule from which the grantee or subgrantee seeks relief; and

(d) Specify if the petition for relief is one-time or ongoing, and if ongoing identify the time period for which the relief is requested. The time period may not exceed three months; however, additional time may be requested through a second petition for relief.

A petition for relief will be conditionally granted for a period of three (3) business days from the date it is submitted to the Emergency Relief Docket. FTA will review the petition after the expiration of the three business days and review any comments submitted thereto. FTA may contact the grantee or subgrantee that submitted the request for relief, or any party that submits comments to the docket, to obtain more information prior to making a decision. FTA shall then post a decision to the Emergency Relief Docket. FTA's decision will be based on whether the petition meets the criteria for use of these emergency procedures, the substance of the request, and the comments submitted regarding the petition. If FTA does not respond to the request for relief to the docket within three business days, the grantee or subgrantee may assume its petition is granted for a period not to exceed three months until and unless FTA states otherwise.

FTA reserves the right to reopen any docket and reconsider any decision made pursuant to these emergency procedures based upon its own initiative, based upon information or comments received subsequent to the

three business day comment period, or at the request of a grantee or subgrantee upon denial of a request for relief. FTA shall notify the grantee or subgrantee if it plans to reconsider a decision. FTA decision letters, either granting or denying a petition, shall be posted in the appropriate Emergency Relief Docket and shall reference the document number of the petition to which it relates.

Issued in Washington, DC this 25th day of January 2007.

James S. Simpson,
 FTA Administrator.
 [FR Doc. E7-1488 Filed 1-30-07; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-07-26922]

Highway Safety Programs; Conforming Products List of Screening Devices to Measure Alcohol in Bodily Fluids

AGENCY: National Highway Traffic Safety Administration, DOT.
ACTION: Notice.

SUMMARY: This Notice amends and updates the list of devices that conform to the Model Specifications for

Screening Devices to Measure Alcohol in Bodily Fluids.

EFFECTIVE DATE: January 31, 2007.

FOR FURTHER INFORMATION CONTACT: J. De Carlo Ciccel, Impaired Driving Division (NTI-111), National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590; Telephone: (202) 366-1694.

SUPPLEMENTARY INFORMATION: On August 2, 1994, NHTSA published Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids (59 FR 39382). These specifications established performance criteria and methods for testing alcohol screening devices to measure alcohol content. The specifications support State laws that target youthful offenders (*e.g.*, “zero tolerance” laws) and the Department of Transportation’s workplace alcohol testing program. NHTSA published its first Conforming Products List (CPL) for screening devices on December 2, 1994 (59 FR 61923, with corrections on December 16, 1994 in 59 FR 65128), identifying the devices that meet NHTSA’s Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids. Five (5) devices appeared on that first list. Thereafter, NHTSA amended the CPL on August 15, 1995 (60 FR 42214) and on May 4, 2001 (66 FR 22639), adding seven (7) devices to the CPL in those two (2) actions.

On September 19, 2005, NHTSA published an updated CPL (70 FR 54972), adding several devices to the list and removing several other devices. Subsequently NHTSA discovered an error regarding the name of a device listed on the CPL and republished the CPL on December 5, 2005 (70 FR 72502) to correct the error.

Since the publication of the last CPL, NHTSA has evaluated additional devices at the Volpe National Transportation Systems Center (VNTSC) in Cambridge, Massachusetts, resulting in the addition of three (3) new breath alcohol screening devices to the CPL.

(1) Q3 Innovations, Inc. submitted two (2) screening devices for testing. Their trade names are: AlcoHAWK Micro and AlcoHAWK Slim. These devices meet the NHTSA Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids.

(2) Akers Biosciences, Inc. submitted the Breath Alcohol ✓ .02 Detection System for testing. This device meets the NHTSA Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids.

Consistent with paragraphs (1) and (2) above, NHTSA amends the Conforming Products List of Screening Devices to Measure Alcohol in Bodily Fluids to read as follows:

CONFORMING PRODUCTS LIST OF ALCOHOL SCREENING DEVICES

Manufacturer	Device(s)
AK Solutions, Inc., Palisades Park, NJ ¹	Alcoscan AL-2500. AlcoChecker. AlcoKey. AlcoMate. AlcoMate Pro. Alcoscan AL-5000. Alcoscan AL-6000.
Alco Check International, Hudsonville, MI	Alco Check 3000 D.O.T. Alco Check 9000.
Akers Biosciences, Inc., Thorofare, NJ	Breath Alcohol ✓ .02 Detection System. ²
Chematics, Inc., North Webster, IN	ALCO-SCREEN 02™. ³
Guth Laboratories, Inc., Harrisburg, PA	Alco Tector Mark X. Mark X Alcohol Checker. Alcotector WAT89EC-1.
Han International Co., Ltd., Seoul, Korea ⁴	A.B.I. (Alcohol Breath Indicator).
OraSure Technologies, Inc., Bethlehem, PA	Q.E.D. A150 Saliva Alcohol Test.
PAS Systems International, Inc., Fredericksburg, VA	PAS Vr.
Q3 Innovations, Inc., Independence, IA ⁵	AlcoHAWK Precision. AlcoHAWK Slim. AlcoHAWK Elite. AlcoHAWK ABI. AlcoHAWK Micro. AlcoHAWK PRO.
Repco Marketing, Inc., Raleigh, NC	Alco Tec III.
Seju Co. of Taejeon, Korea	Safe-Slim.
Sound Off, Inc., Hudsonville, MI	Digitox D.O.T.
Varian, Inc., Lake Forest, CA	On-Site Alcohol. ⁶

¹ The AlcoMate was manufactured by Han International of Seoul, Korea, but marketed and sold in the U.S. by AK Solutions.

² The Breath Alcohol ✓ .02 Detection System consists of a single-use disposable breath tube used in conjunction with an electronic analyzer that determines the test result. The electronic analyzer and the disposable breath tubes are lot specific and manufactured to remain calibrated throughout the shelf-life of the device. This screening device cannot be used after the expiration date.