

August 1995, TVA issued a ROD stating the agency decision to complete WBN Unit 1. In 1998, TVA prepared an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for a project to provide supplemental condenser cooling water to WBN for the purpose of increasing power generation from Unit 1 that was constrained by cooling tower performance.

TVA participated as a cooperating agency with the Department of Energy (DOE) on an environmental review evaluating the production of tritium at one or more commercial light water reactors (CLWRs) to ensure safe and reliable tritium supply for U.S. defense needs. In March 1999, the Secretary of the DOE designated the TVA Watts Bar and Sequoyah Nuclear Plants as the Preferred Alternative for CLWR tritium production in the CLWR EIS. DOE issued its Record of Decision (ROD) in May of 1999. TVA subsequently issued its own Notice of Adoption and ROD for the Final EIS in May of 2000. Tritium production subsequently began at WBN Unit 1 in 2003. TVA's proposed completion and operation of WBN Unit 2 does not include provision for tritium production, however pertinent information on spent nuclear fuel management is included in the CLWR EIS. As appropriate, TVA intends to incorporate, utilize, and update information from these earlier plant-specific analyses for the present Supplemental EIS.

In December 1995, TVA also completed a comprehensive environmental review of alternative means of meeting demand for power on the TVA system through the year 2020. This review was in the form of a Final EIS titled the Integrated Resource Plan—Energy Vision 2020. Completion of WBN Unit 2 was evaluated in this Final EIS. To address future demand for electricity, TVA decided to rely on a portfolio of energy resource options, including new generation and conservation. Because of uncertainties about performance and cost, completion of WBN Unit 2 was not included in the portfolio of resource options. In the Integrated Resource Plan, TVA made conservative assumptions about the capacity factor (roughly how much a unit would be able to run) nuclear units generally would achieve and this capacity factor was used in conducting the economic analyses of nuclear resource options. TVA nuclear units, consistent with U.S. nuclear industry performance, now routinely exceed this earlier assumed capacity factor, which changes the earlier analyses and will be taken into account in the current

consideration of completing WBN Unit 2.

In February of 2004, TVA issued a Final EIS for its Reservoir Operations Study (ROS) evaluating the potential environmental impacts of alternative ways for operating the agency's reservoir system to produce overall greater public value for the people of the Tennessee Valley. That Final EIS review included provision of adequate water supply for reliable, efficient operation of TVA generating facilities, such as WBN, within their operating limits of National Pollutant Discharge Elimination System (NPDES) and other permits. A ROD for the ROS Final EIS was subsequently issued in May of 2004.

TVA will incorporate assumptions for reservoir operations resulting from the ROS Final EIS review in the present evaluation.

#### **Proposed Action and Need for Power**

The proposal under consideration by TVA is to meet the demand for additional baseload capacity on the TVA system and maximize the use of existing assets by completing and operating WBN Unit 2 alongside its sister unit, WBN Unit 1 that has been operating since 1996. The environmental impacts of other energy resource options were evaluated as part of TVA's Energy Vision 2020 Final EIS. As part of the present supplemental environmental review, TVA will update the Need for Power analysis, as well as consider any new environmental information.

#### **Preliminary Identification of Environmental Issues**

This Supplemental EIS will discuss the need to complete WBN Unit 2 and will update information on existing environmental, cultural, recreational, and socioeconomic resources, as appropriate. The Supplemental EIS will also update the analysis of potential environmental impacts resulting from construction, operation, and maintenance of WBN Unit 2, and the total impacts occurring with concurrent operation of WBN Unit 1. The update of potential environmental impacts will include, but not necessarily be limited to, the potential impacts on water quality, vegetation, wildlife, aquatic ecology, endangered and threatened species, floodplains, wetlands, land use, cultural and historic resources, socioeconomic, spent fuel management, and radiological impacts, as well as an analysis of severe accident mitigation alternatives. Information from TVA's and NRC's previous environmental reviews (described above) that is relevant to the current

assessment would be incorporated by reference and appropriately summarized in the Supplemental EIS.

#### **Public and Agency Participation**

This Supplemental EIS is being prepared to update information and to inform decision-makers and the public about the potential environmental impacts of completing and operating WBN Unit 2. The Supplemental EIS process also will provide the public an opportunity to comment on TVA's analyses. Other federal, state, and local agencies and governmental entities will be asked to comment, including the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and the Tennessee Department of Environmental and Conservation.

TVA will invite the public and agencies to submit written, verbal or e-mail comments on the draft Supplemental EIS. It is anticipated the draft Supplemental EIS will be released in the spring of 2007. Notice of availability of the Supplemental EIS will be published in the **Federal Register**, as well as announced in local news media. TVA expects to release a final Supplemental EIS in the summer of 2007.

Dated: November 28, 2006.

**Kathryn J. Jackson,**

*Executive Vice President, River System Operations & Environment.*

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**BILLING CODE 8120-08-P**

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## **DEPARTMENT OF TRANSPORTATION**

### **National Highway Traffic Safety Administration**

**[U.S. DOT Docket Number NHTSA-2006-26251]**

#### **Reports, Forms and Recordkeeping Requirements**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** 60-day Notice—Request for public comment on proposed collection of information.

**SUMMARY:** Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995 (PRA), before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information. In this case, the information collection consists of a load carrying capacity label applied to all motor homes and recreation vehicle

(RV) trailers and a load carrying capacity modification label which corrects original load carrying capacity information on all RVs and light vehicles when significant additional weight is added between final vehicle certification and first retail sale. The load carrying capacity modification label is an alternative to current methods of information correction which requires the original label to be replaced. A PRA 60-day notice was included with the published notice of proposed rulemaking (NPRM) on October 31, 2005 (70 FR 51707), however, since the original notice was a year old and the PRA burden information has been updated, NHTSA decided to publish a second 60-day notice. This notice is related only to obtaining OMB information collection approval under the PRA and is not part of or a substitute for the final rule amending FMVSS Nos. 110 and 120 by adding load carrying capacity requirements which should be published in the near future.

**DATES:** Comments must be received on or before February 5, 2007.

**ADDRESSES:** Comments may be submitted in writing to: Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC, 20590. Alternatively, comments may be submitted electronically by logging onto the Docket Management System. The Web site can be accessed at <http://dms.dot.gov>. Click on "Help" to view instructions on how to make an electronic submission. Regardless of how comments are submitted, the docket number of this document must be mentioned. The Docket Management Office hours are from 10 a.m. to 5 p.m., Monday through Friday except Federal holidays and may be contacted by calling 202-366-9324.

**FOR FURTHER INFORMATION CONTACT:** William D. Evans, NHTSA, NVS-123, Room 5320i, 400 Seventh Street, SW., Washington, DC, 20590. Mr. Evans may also be reached by calling 202-366-2272.

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before an agency submits a collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) Whether the proposed collection of information will have practical utility;

(ii) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) How to enhance the quality, utility, and clarity of the information to be collected;

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical or other technological collection techniques or other forms of information technology.

In compliance with these requirements, NHTSA asks for public comments on the following proposed collection of information for which the agency is seeking OMB approval.

*Title:* Load Carrying Capacity Label for Motor Homes and RV Trailers.

*OMB Control Number:* New.

*Affected Public:* Manufacturers and Dealers of Motor Homes and RV Trailers.

*Form Number:* No standard form will be used in this collection.

*Abstract:* Information collection under this proposal consists of a load carrying capacity label applied to all motor homes and recreation vehicle (RV) trailers. The information collection also involves a load carrying capacity modification label which corrects original load carrying capacity information on all RVs and light vehicles when significant additional weight is added between final vehicle certification and first retail sale. The load carrying capacity modification label is a voluntary alternative to current requirements which states that the original label or placard must be replaced when additional weight is added. A PRA 60-day notice was included with the published NPRM on August 31, 2005 (70 FR 51707), however, since the original notice was a year old and the PRA burden information has been updated, NHTSA decided to publish a second 60-day notice. This notice is related only to obtaining OMB information collection approval under the PRA and is not part of or a substitute for the final rule amending FMVSS Nos. 110 and 120 by adding load carrying capacity requirements which should be published in the near future.

Our estimates of the burden that this rulemaking imparts on all motor home and RV trailer manufacturers and manufacturers of light vehicles other than motor homes are given below. There is no burden to the general public. RV estimates are based on the

fact that approximately 95% of all RV manufacturers currently belong to RVIA and already voluntarily apply load carrying capacity labels to the vehicles they produce. When this proposal becomes a final rule and the final rule becomes effective, it is predicted that these 95% of RVs will replace the current voluntary label with the NHTSA label at no additional cost. Therefore, any additional cost for information collection imparted by this final rule is a result of the remaining 5% of RV manufacturers to apply load carrying capacity labels and the cost to RV dealers/service facilities that choose to apply the load carrying capacity modification label. The cost to manufacturers of light vehicles other than RVs is minimal as most vehicles will not exceed a predetermined threshold for compliance that dealers/service facilities will not be required to update load carrying capacity information. The additional cost for information collection to light vehicle manufacturers other than RV manufacturers result from those who choose to correct load carrying capacity information by applying the load carrying capacity modification label. The label is not mandatory; it is simply an alternative to correcting load carrying capacity information by replacing or updating the original tire placard/label when the added weight threshold is exceeded.

The following are the cost and hour burden estimates resulting from the proposed load carrying capacity information requirements. Numbers are based on 2005 estimates.

RV manufacturers and manufacturers of light vehicles other than RVs already have the following knowledge, information and resources and therefore these items will not impose any additional cost and/or hour burden.

Vehicle gross vehicle weight rating (GVWR).

Means to print or procure labels.

Scale system for weighing vehicles.

*Estimated annual hour burden to the 5% of RV manufacturers that are not RVIA members to weigh an RV in order to determine unloaded vehicle weight (UVW):*

Estimated labor hours to weigh an RV = .16 hours/RV.

Approximately 419,500 RVs shipped in 2005.

It is estimated that 5%, or 20,975 RVs/year, currently do not voluntarily display CCC information, as their manufacturers are not members of RVIA.

20,975 RVs/year × .16 hours/RV = 3,356 hours/year.

*Estimated annual cost to the 5% of RV manufacturers that are not RVIA members to procure or produce motor home load carrying capacity labels and RV trailer cargo carrying capacity labels:*

Estimated cost to produce labels = \$0.15/RV.

Approximately 419,500 RVs shipped in 2005.

It is estimated that 5%, or 20,975 RVs/year, currently do not voluntarily display CCC information, as their manufacturers are not members of RVIA.

$20,975 \text{ RVs/year} \times \$0.15/\text{RV} = \$3,146/\text{year}$ .

*Estimated annual hour burden to the 5% of RV manufacturers that are not RVIA members to install motor home load carrying capacity labels and RV trailer cargo carrying capacity labels:*

Estimated labor hours to install labels = .02 hours/RV.

Approximately 419,500 RVs shipped in 2005.

It is estimated that 5%, or 20,975 RVs/year, currently do not voluntarily display CCC information, as their manufacturers are not members of RVIA.

$20,975 \text{ RVs/year} \times .02 \text{ hours/RV} = 420 \text{ hours/year}$ .

*Estimated annual cost to RV manufacturers to procure or produce the load carrying capacity modification labels when necessary:*

Estimated cost to procure or produce labels = \$0.05/RV.

Approximately 419,500 RVs shipped in 2005.

An estimated 25%, or 104,875 RVs/year, will receive the CCC modification label.

$104,875 \text{ RVs/year} \times \$0.05/\text{RV} = \$5,245/\text{year}$ .

*Estimated annual hour burden to RV manufacturers to install the load carrying capacity modification labels when necessary:*

Estimated labor hours to install labels = .02 hours/RV.

Approximately 419,500 RVs shipped in 2005.

An estimated 25%, or 104,875 RVs/year, will receive the CCC modification label.

$104,875 \text{ RVs/year} \times .02 \text{ hours/RV} = 2,098 \text{ hours/year}$ .

*Estimated annual cost to light vehicle manufacturers to procure or produce the load carrying capacity modification labels when necessary:*

Estimated cost to procure or produce labels = \$0.05/light vehicle.

Approximately 17,000,000 light vehicles shipped in 2005.

An estimated 1%, or 170,000 light vehicles/year, will receive the CCC modification label.

$170,000 \text{ light vehicles/year} \times \$0.05/\text{light vehicle} = \$8,500/\text{year}$ .

*Estimated annual hour burden to light vehicle manufacturers to insert values and install the load carrying capacity modification labels when necessary/desired:*

Estimated labor hours to install labels = .02 hours/light vehicle.

Approximately 17,000,000 light vehicles shipped in 2005.

An estimated 1%, or 170,000 light vehicles/year, will receive the CCC modification label.

$170,000 \text{ light vehicles/year} \times .02 \text{ hours/light vehicle} = 3,400 \text{ hours/year}$ .

*Total estimated Annual Burden:* 9,274 hours.

*Number of Respondents:* 99.

Comments are invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued on: December 1, 2006.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. 06-9560 Filed 12-6-06; 8:45 am]

**BILLING CODE 4910-59-M**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34953]

#### **Midtown TDR Ventures LLC—Acquisition Exemption—American Premier Underwriters, Inc., The Owasco River Railway, Inc., and American Financial Group, Inc.**

Midtown TDR Ventures LLC, a noncarrier, filed a notice of exemption under 49 CFR 1150.31 to acquire 156 miles of rail line and certain assets related to Grand Central Terminal in New York City (collectively, Properties) from American Premier Underwriters, Inc. (APU), a noncarrier, APU's wholly owned subsidiary, The Owasco River Railway, Inc., a noncarrier, and APU's parent, American Financial Group, Inc., a noncarrier, (collectively, Sellers). The acquired rail line, referred to as the "Harlem-Hudson Line," extends from milepost 0.0 at Grand Central Terminal in New York City to milepost 5.2 at Mott

Junction, thereafter, diverging in two directions, with one line running north to milepost 75.7 at Poughkeepsie, NY, and a second line proceeding east to milepost 11.8 at Woodlawn Junction, then north to milepost 82.0 at Wassaic, NY.

Midtown will acquire a fee simple interest in the Properties, subject to an existing long-term lease to Metropolitan Transportation Authority (MTA), which grants MTA exclusive control over the Harlem-Hudson Line (MTA lease).<sup>1</sup> Midtown indicates that it will not provide any transportation services or acquire a common carrier obligation to provide freight rail service on the Properties.<sup>2</sup>

Freight rail service over the Harlem-Hudson Line is provided pursuant to trackage rights agreements MTA has entered into with CSX Transportation, Inc. (CSXT), and the Delaware and Hudson Railway Company, Inc. (D&H). Midtown indicates that, like the MTA lease, the CSXT and D&H trackage rights agreements will remain in place following the consummation of the proposed transaction, and will be unaffected by this transaction.

Midtown certifies that its projected annual freight revenues as a result of this transaction will not exceed \$5 million, and will not result in the creation of a Class II or Class I rail carrier.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34953, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on George W. Mayo, Jr., Hogan & Hartson LLP, 555 Thirteenth Street, NW., Washington, DC 20004-1109.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: November 30, 2006.

<sup>1</sup> The MTA lease term expires on February 28, 2024. MTA uses the Harlem-Hudson Line to provide commuter service through its subsidiary, Metro-North Commuter Railroad Company.

<sup>2</sup> Simultaneously with the filing of this notice, Midtown has filed a motion to dismiss the notice of exemption in this proceeding, arguing that the Board lacks jurisdiction over the proposal. The motion will be addressed in a subsequent Board decision.