

for the proper performance of the functions of FRA, including whether the information will have practical utility; the accuracy of FRA's estimates of the burden of the proposed information collections; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collections of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the **Federal Register**.

Authority: 44 U.S.C. 3501–3520.

Issued in Washington, DC on July 26, 2006.

D.J. Stadler,

Director, Office of Budget, Federal Railroad Administration.

[FR Doc. E6–12404 Filed 8–1–06; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration, DOT.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking renewal of the following currently approved information collection activities. Before submitting these information collection requirements for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Comments must be received no later than October 2, 2006.

ADDRESSES: Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 17, Washington, DC 20590, or Mr. Victor Angelo, Office of Support Systems, RAD–43, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a

self-addressed stamped postcard stating, “Comments on OMB control number 2130–0008.” Alternatively, comments may be transmitted via facsimile to (202) 493–6230 or (202) 493–6170, or E-mail to Mr. Brogan at *robert.brogan@dot.gov*, or to Mr. Angelo at *victor.angelo@dot.gov*. Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 21, Washington, DC 20590 (telephone: (202) 493–6292) or Victor Angelo, Office of Support Systems, RAD–43, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493–6470). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Pub. L. No. 104–13, § 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501–3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) Whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A)(i)–(iv); 5 CFR 1320.8(d)(1)(i)–(iv). FRA believes that

soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a “user friendly” format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Below is a brief summary of the currently approved information collection request (ICR) that FRA will submit for clearance by OMB as required under the PRA:

Title: Inspection Brake System Safety Standards For Freight and Other Non-Passenger Trains and Equipment (Power Brakes and Drawbars).

OMB Control Number: 2130–0008.

Abstract: Section 7 of the Rail Safety Enforcement and Review Act of 1992, Public Law No. 102–365, amended Section 202 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 421, 431 et seq.), empowered the Secretary of Transportation to conduct a review of the Department's rules with respect to railroad power brakes and, where applicable, prescribe standards regarding dynamic brake equipment. In keeping with the Secretary's mandate and the authority delegated from him to the FRA Administrator, FRA recently published a comprehensive regulatory revision of the then current requirements related to the inspection, testing, and maintenance of the brake equipment used in freight car operations. The Final Rule focused solely on freight and other non-passenger trains, and codified and solidified the maintenance requirements related to the power brake system and its components. The collection of information is used by FRA to monitor and enforce safety requirements related to power brakes on freight cars. The collection of information is also used by locomotive engineers and road crews to verify that the terminal air brake test has been performed in a satisfactory manner.

Form Number(s): None.

Affected Public: Businesses.

Respondent Universe: 545 railroads.

Frequency of Submission: On occasion.

Affected Public: Businesses.

Reporting Burden:

| CFR section | Respondent universe | Total annual responses | Average time per response | Total annual burden hours | Total annual burden cost |
|--|-----------------------------|-------------------------|---------------------------|---------------------------|--------------------------|
| 229.27—Annual Tests | 20,000 Locomotives | 18,000 tests | 15 minutes | 4,500 | \$166,500 |
| 232.1—Scope—Requests For Earlier Application of Requirements in Subparts A–C, F. | 545 Railroads | 4 requests | 1 hour | 4 | 224 |
| 232.3—Applicability—Cars Not Used in Service. | 545 Railroads | 8 cards | 10 minutes | 1 | 35 |
| 232.7—Waivers | 545 railroads | 20 petitions | 40 hours | 800 | 28,000 |
| 232.11—Penalties | 545 railroads | 1 false record | 10 minutes | .20 | 6 |
| 232.15—Movement of Defective Equipment. | 1,620,000 cars/locomotives. | 128,400 tags | 2.5 minutes | 5,350 | 197,950 |
| 232.15—Notice of Defective Car/Locomotive and Restrictions. | 1,620,000 cars/locomotives. | 25,000 notices | 3 minutes | 1,250 | 46,250 |
| 232.17—Special Approval Procedure | 545 railroads | 4 petitions | 100 hours | 400 | 22,400 |
| —Petitions For Special Approval of Pre-Revenue Service Acceptance Testing Plan. | 545 railroads | 2 petitions | 100 hours | 200 | 11,200 |
| —Copies of Petitions For Special Approval Procedure. | 545 railroads | 4 petitions | 40 hours | 160 | 5,600 |
| —Statements of Interest | Public/Railroads | 14 statements | 8 hours | 112 | 3,920 |
| —Comments on Special Approval Procedure Petition. | Public/Railroads | 13 comments | 4 hours | 52 | 1,820 |
| 232.103—General Requirements For All Train Brakes. | 370,000 cars | 66,660 stickers | 10 minutes | 11,110 | 230,644 |
| 232.105—General Requirements For Locomotives. | 20,000 locomotives | 20,000 forms | 5 minutes | 1,667 | 61,679 |
| 232.107—Air Source Requirements—Plans To Monitor All Air Yard Sources: First Year. | 545 railroads | 50 plans | 40 hours | 2,000 | 112,000 |
| —Subsequent Years | 25 new railroads | 1 plan | 40 hours | 40 | 2,240 |
| —Amendments to Plan | 50 Existing Plans | 10 amendments | 20 hours | 200 | 11,200 |
| —Record Keeping | 50 Existing Plans | 1,150 records | 20 hours | 23,000 | 805,000 |
| —Written Operating Procedures/Plans | 545 railroads | 37 plans | 20 hours | 740 | 41,440 |
| 232.109—Dynamic Brake Requirements—Records. | 545 railroads | 1,656,000 records | 4 minutes | 110,400 | 3,864,000 |
| —Repair of Inoperative Dynamic Brakes | 20,000 locomotives | 6,358 records | 4 minutes | 424 | 14,840 |
| —Locomotives with Inoperative Dynamic Brakes—Tag. | 20,000 locomotives | 6,358 tags | 30 seconds | 53 | 1,961 |
| —Deactivated Dynamic Brakes—Markings. | 8,000 locomotives | 2,800 markings | 5 minutes | 233 | 8,621 |
| —Subsequent Years—Markings | 8,000 locomotives | 20 markings | 5 minutes | 2 | 74 |
| —Written Operating Rules—Safe Train Handling. | 545 railroads | 100 oper. rules | 4 hours | 400 | 22,400 |
| —Subsequent Years—Safe Train Handling Procedures. | 5 new railroads | 5 oper. rules | 4 hours | 20 | 1,120 |
| —Amendments | 545 railroads | 15 amendments | 1 hour | 15 | 525 |
| —Over Speed Top Rules | 545 railroads | 545 rules | 1 hour | 545 | 30,520 |
| —Requests to Increase 5 MPH Over Speed Restriction. | 545 railroads | 5 requests | 20.5 hours | 103 | 3,605 |
| —Locomotive Engineer Certification Programs/PBake. | 545 railroads | 100 amendments | 16 hours | 1,600 | 89,600 |
| —Subsequent Years | 5 new railroads | 5 amendments | 16 hours | 80 | 4,480 |
| 232.111—Train Information Handling—Procedures. | 545 railroads | 545 procedures | 140 hours | 21,890 | 1,225,840 |
| —Subsequent Years | 10 new railroads | 10 procedures | 40 hours | 400 | 22,400 |
| —Amendments | 100 railroads | 100 amendments | 20 hours | 2,000 | 70,000 |
| —Reports to Train Crews | 545 railroads | 2,112,000 rpts. | 10 minutes | 352,000 | 13,024,000 |
| 232.203—Training Requirements: Training Programs. | 545 railroads | 300 programs | 100 hours | 30,000 | 1,680,000 |
| —Subsequent Years | 15 railroads | 1 program | 100 hours | 100 | 5,600 |
| —Amendments to Written Program | 545 railroads | 545 amendments | 8 hours | 4,360 | 152,600 |
| —Training Records | 545 railroads | 67,000 records | 8 minutes | 8,933 | 312,655 |
| —Training Notifications | 545 railroads | 67,000 notices | 3 minutes | 3,350 | 117,250 |
| —Validation/Assessment Plans | 545 railroads | 545 copies | 40 hours/1 minute | 49 | 2,375 |
| Amendments to Validation/Assessment Plans. | 545 railroads | 50 amendments | 20 hours | 1,000 | 35,000 |
| 232.205—Class I Brake Test—Initial Terminal Insp. | 545 railroads | 1,656,000 | 45 minutes | 20,7000 | 931,500 |
| 232.207—Class I A Brake Tests: 1000 Mile Insp. | 545 railroads | 25 designations | 30 minutes | 13 | 455 |
| —Subsequent Years | 545 railroads | 1 designation | 1 hour | 1 | 35 |
| —Amendments | 545 railroads | 5 amendments | 1 hour | 5 | 175 |
| 232.209—Class II Brake Tests—Intermediate Insp. | 545 railroads | 1,600,000 commnt | 3 seconds | 1,333 | 59,985 |

| CFR section | Respondent universe | Total annual responses | Average time per response | Total annual burden hours | Total annual burden cost |
|--|-------------------------|------------------------|---------------------------|---------------------------|--------------------------|
| 232.213—Extended Haul Trains—Designations. | 84,000 train movements. | 100 designations | 15 minutes | 25 | 875 |
| —Records | 84,000 train movements. | 25,200 records | 20 minutes | 8,400 | 294,000 |
| 232.303—General Requirements—Track Brake Test. | 1,600,000 freight cars. | 5,600 tags | 5 minutes | 467 | 17,279 |
| —Location of Last Track Brake Test/Single Car Test. | 1,600,000 freight cars. | 320,000 stenciling ... | 5 minutes | 26,667 | 986,679 |
| 232.305—Single Car Tests | 1,600,000 freight cars. | 320,000 tests/rcds. | 45 minutes | 240,000 | 8,880,000 |
| 232.309—Equipment and Devices—Tests/Calibrations. | 640 shops | 5,000 tests | 30 minutes | 2,500 | 92,500 |
| 232.403—Design Standards For One-way EOT Devices—Unique Code. | 245 railroads | 12 requests | 5 minutes | 1 hour | 35 |
| 232.407—Operations Requiring 2-Way EOTs. | 245 railroads | 50,000 commun | 30 seconds | 417 | 18,765 |
| 232.409—Inspection and Testing of 2-Way EOTs. | 245 railroads | 450,000 commun ... | 30 seconds | 3,750 | 138,750 |
| —Testing Telemetry Equipment | 245 railroads | 32,708 markings | 60 seconds | 545 | 20,165 |
| 232.503—Process to Introduce New Brake System Technology—Special Approval. | 545 railroads | 1 request/letter | 60 minutes | 1 | 56 |
| —Pre-Revenue Service Demonstration ... | 545 railroads | 1 request | 3 hours | 3 | 168 |
| 232.505—Pre-Revenue Service Acceptance Testing Plan: Maintenance Procedure—1st Year. | 545 railroads | 1 procedure | 160 hours | 160 | 8,960 |
| —Subsequent Years | 545 railroads | 1 procedure | 160 hours | 160 | 8,960 |
| —Amendments | 545 railroads | 1 amendment | 40 hours | 40 | 1,400 |
| —Design Description-Petitions | 545 railroads | 1 petition | 67 hours | 67 | 3,752 |
| —Results Pre-Revenue Service Acceptance Testing. | 545 railroads | 1 report | 13 hours | 13 | 455 |
| —Description of Brake Systems Technologies Previously Used in Revenue Service. | 545 railroads | 5 descriptions | 40 hours | 200 | 7,000 |

Total Responses: 8,644,448.

Total Estimated Total Annual Burden: 895,011 hours.

Status: Regular Review.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Issued in Washington, DC on July 24, 2006.

D.J. Stadler,

Director, Office of Budget, Federal Railroad Administration.

[FR Doc. E6–12406 Filed 8–1–06; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety

standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

New Jersey Transit (Waiver Petition Docket Number FRA–2006–24918)

New Jersey Transit (NJTR) seeks a waiver of compliance from certain provisions of 49 CFR 238, *Passenger Equipment Safety Standards*. Specifically, NJTR seeks a waiver of compliance from the requirements of 49 CFR 238.231(b) (prohibiting the brake system design of passenger equipment ordered on or after September 8, 2000, or placed in service for the first time on or after September 9, 2002, from requiring that an inspector place himself on, under, or between components of the equipment in order to observe brake actuation or release). NJTR is in the process of receiving two hundred thirty-four new bi-level passenger coaches equipped with tread brakes and inboard disk brakes. Placement of the inboard disk brake equipment does not allow for an inspector to observe the brake actuation or release without placing

himself on, under, or between components of the equipment.

NJTR proposes that it be allowed to perform all brake inspections to the extent possible on a daily basis, that the two hundred thirty-four cars would also be equipped with brake indicators, two per truck, that are fed downstream of the truck air brake cutout valves. NJTR also proposes these brake indicators functionality would be tested at the required one-hundred-eighty day periodic inspection. In addition, the two hundred thirty-four new cars would receive an under car inspection to be performed by “Qualified Maintenance Person” over a pit not less often than every five days. NJTR indicates that the pit inspection will allow for a full and complete inspection of all brake system components.

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, they should notify FRA, in writing, before