

these few instances, funding for private crossings may be provided for specific corridor projects, most commonly the high speed rail corridors.

3. *Legal status.* Private crossing rights vary from ownership of the fee simple (outright ownership of the underlying property), to documented easements, to prescriptive easements (where recognized), to documented licenses under contract, to verbal licenses subject to revocation without notice. The entities enjoying rights under these arrangements may be referred to as "holders" of the right to cross. Increasingly over the past 15 years, railroads have sought to establish maximum control over these intermodal intersections by requiring crossing holders to purchase insurance or provide other protection in the event a holder, railroad or a third party experiences a loss due to a collision. Contracts or other legal instruments may further define responsibilities (e.g., for maintenance of the crossing surface or providing notifications under stated conditions).

4. *Extent of regulation.* In general, private crossings are not subject to regulation at the State or Federal level. FRA's requirements for inspection, test and maintenance of active warning devices (49 CFR part 234) apply to the railroad where active warning has been installed; but there is no Federal mandate for providing such warning.<sup>1</sup> A handful of States require that railroads place crossbucks or special signage (in some cases a stop sign and a crossbuck on the same post) at private crossings. The subject of private crossings is otherwise largely unregulated. Accordingly, such recognized responsibilities as exist with respect to the safety of private crossings are generally the product of contracts and common law. (For a general description of responsibilities related to crossing safety, see Safety Advisory 2005-03; Highway-Rail Grade Crossing Safety (70 FR 22750; May 2, 2005)).

#### Request for Comments

While FRA solicits discussion and comments on all areas of safety at private highway-rail grade crossings, we particularly encourage comments on the following topics:

- At-grade highway-rail crossings present inherent risks to users, including the railroad and its employees, and to other persons in the

vicinity should a train derail into an occupied area or release hazardous materials. When passenger trains are involved, the risks are heightened. From the standpoint of public policy, how do we determine whether creation or continuation of a private crossing is justified?

- Is the current assignment of responsibility for safety at private crossings effective? To what extent do risk management practices associated with insurance arrangements result in "regulation" of safety at private crossings?
- How should improvement and/or maintenance costs associated with private crossing be allocated?
- Is there a need for alternative dispute resolution mechanisms to handle disputes that may arise between private crossing owners and the railroads?
- Should the State or Federal government assume greater responsibility for safety at private crossings?
- Should there be Nationwide standards for warning devices at private crossings, or for intersection design of new private grade crossings?
- How do we determine when a private crossing has a 'public purpose' and is subject to public use?
- Should some crossings be categorized as 'commercial crossings', rather than as 'private crossings'?
- Are there innovative traffic control treatments that could improve safety at private crossings on major rail corridors, including those on which passenger service is provided?
- Should the Department of Transportation request enactment of legislation to address private crossings? If so, what should it include?

Issued in Washington, DC, on July 20, 2006.

**Joseph H. Boardman,**  
Administrator.

[FR Doc. 06-6501 Filed 7-26-06; 8:45 am]

BILLING CODE 4910-06-P

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2006-25457]

#### Information Collection Available for Public Comments and Recommendations

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Maritime

Administration's (MARAD's) intention to request extension of approval for three years of a currently approved information collection.

**DATES:** Comments should be submitted on or before September 25, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Michael Franklin, Maritime Administration, (MAR-610), 400 Seventh St., SW., Washington, DC 20590. Telephone: 202-366-2628, fax: 202-366-3954; or e-mail: [michael.franklin@dot.gov](mailto:michael.franklin@dot.gov). Copies of this collection can also be obtained from that office.

**SUPPLEMENTARY INFORMATION:**

*Title of Collection:* Automated Mutual-Assistance Vessel Rescue System (AMVER).

*Type of Request:* Extension of currently approved information collection.

*OMB Control Number:* 2133-0025.  
*Form Numbers:* None.

*Expiration Date of Approval:* Three years from date of approval by the Office of Management and Budget.

*Summary of Collection of Information.* This collection of information is used to gather information regarding the location of U.S.-flag vessels and certain other U.S. citizen-owned vessels for the purpose of search and rescue in the saving of lives at sea and for the marshalling of ships for national defense and safety purposes.

*Need and Use of the Information:* This information collection is necessary for maintaining a current plot of U.S.-flag and U.S.-owned vessels.

*Description of Respondents:* Respondents are U.S.-flag and U.S. citizen-owned vessels.

*Annual Responses:* 29,280 responses.

*Annual Burden:* 2,342 hours.

*Comments:* Comments should refer to the docket number that appears at the top of this document. Written comments may be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. Comments may also be submitted by electronic means via the Internet at <http://dmses.dot.gov/submit>. Specifically address whether this information collection is necessary for proper performance of the functions of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance the quality, utility, and clarity of the information to be collected. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m. EDT (or EST), Monday through Friday, except

<sup>1</sup> Other FRA regulations applicable to the railroad are intended to address safety at private crossings, as well as public crossings, particularly requirements for alerting lights (49 CFR 219.125) and reflectorization of rail rolling stock (49 CFR part 224) to make trains more conspicuous.

Federal Holidays. An electronic version of this document is available on the World Wide Web at <http://dms.dot.gov>.

(Authority: 49 CFR 1.66)

By Order of the Maritime Administrator.

Dated: July 21, 2006.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. E6-12033 Filed 7-26-06; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No: MARAD-2006-25364]

#### Availability of a Draft Environmental Assessment

**AGENCY:** Department of Transportation, Maritime Administration.

**ACTION:** Notice of the Availability of a draft Environmental Assessment.

**SUMMARY:** The purpose of this Notice is to make available to the public the draft Environmental Assessment (EA) for the Removal of Non-Retention Vessels from the Suisun Bay Reserve Fleet. The draft EA analyzes the impacts associated with removal of all non-retention vessels for eventual disposal through various means such as recycling, museum donations, artificial reef creation, and/or military and civilian uses.

**DATES:** Comments on this draft Environmental Assessment must be received by August 28, 2006.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket Number MARAD-2006-25364] by any of the following methods:

- *Web Site:* <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 7th St., SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 7th St., SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

*Instructions:* All submissions must include the agency name and docket number for this action. Note that all comments received will be posted without change to <http://dms.dot.gov> including any personal information provided. Please see the Privacy Act heading below.

*Docket:* For access to the docket to read background documents or comments received, go to <http://>

[dms.dot.gov](http://dms.dot.gov) at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 7th St., SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

#### FOR FURTHER INFORMATION CONTACT:

Daniel E. Yuska, Jr., Environmental Protection Specialist, Office of Environmental Activities, U.S. Maritime Administration, 400 Seventh Street, SW., Washington, DC. 20590; telephone (202) 366-0714, fax (202) 366-6988.

**SUPPLEMENTARY INFORMATION:** An electronic version of this document and all documents entered into this docket are available at <http://dms.dot.gov>. In addition, copies of the draft EA are available for public viewing at the Benicia Public Library in Benicia, California.

#### Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

(Authority: 49 CFR 1.66)

By Order of the Maritime Administrator.

Dated: July 21, 2006.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. E6-12032 Filed 7-26-06; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-98-4470]

#### Pipeline Safety: Meeting of the Technical Pipeline Safety Standards Advisory Committee

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

**ACTION:** Notice of meeting.

**SUMMARY:** This notice announces a public meeting of PHMSA's Technical Pipeline Safety Standards Committee (TPSSC) to vote on a proposed rule requiring pipeline operators to consider internal corrosion when designing and constructing new and replaced gas transmission pipelines.

**DATES:** The TPSSC will meet on Thursday, August 24, 2006, from 1 p.m. to 3 p.m., EST.

**ADDRESSES:** The Committee members will participate via telephone conference call. Members of the public may attend the meeting at the U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC, in room 3246 A.

**FOR FURTHER INFORMATION CONTACT:** For additional information regarding this meeting contact Cheryl Whetsel at (202) 366-4431, or by e-mail at [cheryl.whetsel@dot.gov](mailto:cheryl.whetsel@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### 1. Meeting Details

Members of the public may attend the meeting. PHMSA will post any additional information or changes on its Web page (<http://phmsa.dot.gov>).

Members of the public may make short statements on the topics under discussion. Anyone wishing to make an oral statement should notify Cheryl Whetsel no later than August 21 of the topic and the length of the presentation. The presiding officer at the meeting may deny any request to present an oral statement and may limit the time of any presentation.

You may submit written comments by mail or deliver them to the Dockets Facility by August 24, 2006, at the U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. The Dockets Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays. You also may submit written comments to the docket electronically by logging onto the Web page <http://dms.dot.gov>. Click on "Help & Information" for instructions on how to file a document electronically. All written comments should reference docket number PHMSA-98-4470. Anyone who would like confirmation of mailed comments must include a self-addressed stamped postcard.

*Privacy Act Statement:* Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or you may visit <http://dms.dot.gov>.

*Information on Services for Individuals with Disabilities:* For information on facilities or services for individuals with disabilities, or to request special assistance at the meeting, please contact Cheryl Whetsel at (202) 366-4431 by August 21, 2006.