

The motorsport park will consist of 4 racecourses, 2 paddock areas, 2 motels, 2 hotels, clubhouses, *etc.*

Any comments the agency receives will be considered as a part of the decision.

**DATES:** Comments must be received on or before June 1, 2005.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Philip Brito, Manager, FAA New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, New York 11530.

In addition, a copy of any comments submitted to the FAA must be mailed or delivered to Mr. James Johnson, Executive Director, Delaware River and Bridge Authority at the following address: Mr. James Johnson, Executive Director, Delaware River and Bay Authority, P.O. Box 71, New Castle, Delaware 19720.

**FOR FURTHER INFORMATION CONTACT:** Mr. Philip Brito, Manager, New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, New York 11530; telephone (516) 227-3803; FAX (516) 227-3813; E-mail [Philip.brito@faa.gov](mailto:Philip.brito@faa.gov).

**SUPPLEMENTARY INFORMATION:** Section 125 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR21) requires the FAA to provide an opportunity for public notice and comment prior to the "waiver" or "modification" of a sponsor's Federal obligation to use certain airport land for aeronautical.

Issued in Garden City, New York.

**Philip Brito,**

Manager New York Airports District Office,  
Eastern Region.

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**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

**Proposed Agency Information  
Collection Activities; Comment  
Request**

**AGENCY:** Federal Railroad  
Administration, DOT.

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

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requirements (ICRs) abstracted below have been forwarded to the Office of Management and Budget

(OMB) for review and comment. The ICRs describe the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collections of information was published on February 22, 2005 (70 FR 8661-8662).

**DATES:** Comments must be submitted on or before June 1, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292), or Mr. Victor Angelo, Office of Support Systems, RAD-20, 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 issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On February 22, 2005, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 70 FR 8661-8662. FRA received no comments in response to this notice.

Before OMB decides whether to approve this proposed collection of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507(b)-(c); 5 CFR 1320.12(d); see also 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30-day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); see also 60 FR 44983, Aug. 29, 1995.

The summaries below describe the nature of the information collection requirements (ICRs) and the expected burden. The revised requirements are

being submitted for clearance by OMB as required by the PRA.

**Title:** Qualifications For Locomotive Engineers.

**OMB Control Number:** 2130-0533.

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

**Affected Public:** Businesses.

**Form(s):** N/A.

**Abstract:** Section 4 of the Rail Safety Improvement Act of 1988 (RSIA), Public Law 100-342, 102 Stat. 624 (June 22, 1988), later amended and re-codified by Public Law 103-272, 108 Stat. 874 (July 5, 1994; now codified at 49 U.S.C. 20135) required that FRA issue regulations to establish any necessary program for certifying or licensing locomotive engineers. The collection of information is used by FRA to ensure that railroads employ and properly train qualified individuals as locomotive engineers and designated supervisors of locomotive engineers. The collection of information is also used by FRA to verify that railroads have established the required certification programs for locomotive engineers and that these programs fully conform to the standards specified in the regulation.

**Annual Estimated Burden Hours:** 203,568.

**Title:** Locomotive Cab Sanitation Standards.

**OMB Control Number:** 2130-0552.

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

**Affected Public:** Businesses.

**Form(s):** N/A.

**Abstract:** The collection of information is used by FRA to promote rail safety and the health of railroad workers by ensuring that all locomotive crew members have access to toilet/sanitary facilities—on as needed basis—which are functioning and hygienic. Also, the collection of information is used by FRA to ensure that railroads repair defective locomotive toilet/sanitary facilities within 10 calendar days of the date on which these units becomes defective.

**Annual Estimated Burden Hours:** 1,105.

**Addressee:** Send comments regarding these information collections to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, NW., Washington, DC, 20503; Attention: FRA Desk Officer.

**Comments are invited on the following:** Whether the proposed collections of information are necessary 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 April 25, 2005.

**D.J. Stadler,**

*Director, Office of Budget, Federal Railroad Administration.*

[FR Doc. 05–8627 Filed 4–29–05; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Safety Advisory 2005–03; Highway-Rail Grade Crossing Safety

**AGENCY:** Federal Railroad Administration (FRA), DOT.

**ACTION:** Notice of safety advisory.

**SUMMARY:** FRA is issuing a safety advisory to facilitate improved cooperation in the investigation of collisions at highway-rail grade crossings. The advisory describes the roles of the Federal and state governments and of the railroads in highway-rail grade crossing safety. FRA reminds railroads of their responsibility to: Properly report any accident involving grade crossing signal failure; properly maintain records relating to credible reports of grade crossing warning system malfunctions; properly preserve the data from all locomotive-mounted recording devices following highway-rail grade crossing collisions; and cooperate fully with local law enforcement authorities during their investigations of such accidents. FRA also offers assistance to local authorities in the investigation of highway-rail grade crossing collisions where information or expertise within FRA's control is required to complete the investigation.

**FOR FURTHER INFORMATION CONTACT:** Ron Ries, Staff Director, Highway-Rail Crossing Safety, RRS–23, Mail Stop 25, 1120 Vermont Avenue, NW., Washington, DC 20590 (telephone: (202) 493–6285); Ronald Newman, Staff Director, Motive Power and Equipment Division, FRA Office of Safety Assurance and Compliance, RRS–14, Mail Stop 25, 1120 Vermont Avenue, NW., Washington, DC 20590 (telephone:

(202) 493–6241), Tom McFarlin, Staff Director, Signal and Train Control (telephone: (202)–493–6203), or Kathryn Shelton, Trial Attorney, FRA Office of Chief Counsel, Mail Stop 10, 1120 Vermont Avenue, NW., Washington, DC 20590 (telephone: (202) 493–6063).

**SUPPLEMENTARY INFORMATION:** Public interest in the prevention of collisions at highway-rail grade crossings remains strong. In June of 2004, the Secretary of Transportation released the Department's new Action Plan for Highway-Rail Crossing Safety and Trespass Prevention, which noted that fatalities at highway-rail grade crossings were cut by 42% over the period 1994–2002, despite growing exposure in terms of motor vehicle and train miles. This progress has continued since 2002. Although 2004 saw an increase in fatalities over 2003, 2004 was the safest year on record in terms of the rate at which highway-rail grade crossing incidents occurred. FRA is confident that continued emphasis on education, engineering, and enforcement can drive further reductions in risk.

This advisory describes basic responsibilities of public and private entities that have responsibilities related to highway-rail grade crossing safety, with a specific focus on engineering and railroad operations.<sup>1</sup> In addition, this advisory provides information regarding the roles of FRA, railroads, and state and local officials in the investigation of grade crossing collisions, including suggestions for making the process work better. FRA notes that a basic responsibility of railroads and public authorities at all levels of government is to derive information from these often tragic events to help prevent future occurrences.

#### Role of the FRA

FRA administers and enforces regulatory requirements and exercises statutory powers that bear on highway-rail grade crossing safety:

1. FRA regulations entitled “Railroad Accidents/Incidents: Reports, Classification, and Investigations” (49 CFR Part 225) require each railroad to report in writing, within 30 days following the end of the month in which the event occurred, specified significant events, including any impact between railroad on-track equipment and an automobile, bus, truck, motorcycle, bicycle, farm vehicle or pedestrian at a

<sup>1</sup> This notice does not establish new requirements or specify new responsibilities. Its purpose is to describe responsibilities rooted in statutes, regulations, and established practice upon which persons have come to rely and to suggest additional actions that public and private entities should consider based upon recent events of note.

highway-rail grade crossing (49 CFR 225.5, 225.19). Information is required to be provided on Form FRA 6180.57 for each such event, and separate forms must be filed to provide additional detail if an injury occurs or if damage to railroad property exceeds the current threshold (presently \$6,700). The information is available in full detail on the agency's Web site (<http://www.fra.dot.gov>).

2. Effective May 1, 2003, section 225.9 requires that FRA receive immediate telephonic notification of any fatality at a highway-rail grade crossing. This provision was intended to create a parallel structure with a longstanding requirement of the National Transportation Safety Board (NTSB) and to provide FRA with early information regarding fatal collisions for which FRA might elect to conduct an investigation. (FRA and the NTSB both employ the National Response Center to receive these types of notifications.)

3. FRA is authorized to conduct an investigation of any accident or casualty associated with railroad operations. FRA judiciously exercises its discretion to investigate accidents, because its inspectors have such a broad array of other duties, including inspection and enforcement activities. Accordingly, FRA must confine its accident investigations to those events most likely to yield important information for use in achieving regulatory compliance, improving regulations, or fashioning other countermeasures. These are often cases where significant harm to multiple members of the public, railroad passengers, railroad personnel or property—or strong public interest in the circumstances (*e.g.*, involvement of a school bus)—warrant use of agency resources.

Historically, FRA has also investigated most accidents where questions have arisen regarding the proper functioning of active warning systems. FRA's Office of Safety has now adopted a formal accident assignment criterion under which each highway-rail grade crossing collision involving a credible allegation that the warning device failed to provide the required warning will be routinely investigated.

Additional collisions will be assigned for investigation, as warranted, based upon supportable concerns regarding the railroad's discharge of its responsibilities for grade crossing safety. (FRA regional managers sometimes assign for less intensive investigation additional collisions, where available information and resources warrant.)

4. FRA enforces regulations entitled “Grade Crossing Signal System Safety” (49 CFR Part 234) which require the