

Mail Vote 446—Resolution 010p—TC3 Special Passenger.
Amending Resolution between Japan and China excluding Hong Kong SAR and Macao SAR r1–r9.
Intended effective date: 25 April 2005.

Renee V. Wright,

*Acting Program Manager, Docket Operations,
Alternate Federal Register Liaison.*

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad
Administration, DOT.

ACTION: Third 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 describes the nature of the information collections and their expected burdens. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection of information was published on September 22, 2004 (69 FR 56819). An earlier **Federal Register** notice with a 30-day comment period soliciting comments on the following collection of information was published on December 2, 2004 (69 FR 70167).

DATES: Comments must be submitted on or before June 3, 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), Public Law 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 September 22, 2004, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 69 FR 56819. FRA received two comments after issuing this notice. On December 2, 2004, FRA published a first 30-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 69 FR 70167. FRA received no comments in response to this notice. Because of delays in providing information regarding the methodology of the proposed collection of information to the Bureau of Transportation Statistics (BTS) and to the Office of the Chief Information Officer (CIO) in U.S. Department of Transportation, FRA is publishing this second 30-day notice to provide another opportunity for timely comment.

In response to the 60-day notice, the first comment (letter) came from The Brotherhood of Locomotive Engineers and Trainmen (BLET), which represents both locomotive engineers and trainmen. BLET expressed its wholehearted support for the proposed study. In his letter, Don M. Hahs, the President of BLET, observed:

BLET, and others, believe the collection of this data will provide greater insight into the probability of safety related injury associated with these [critical incident] events. Given the fact that the frequency of these events may result in locomotive engineers experiencing several of them in their careers, the FRA and industry can be benefited in understanding the scope of this concern. The proposed data collection and purpose for which it is being collected can provide non-regulatory and preemptive approaches that may mitigate the negative effects to safety and health associated with Post-Traumatic Stress.

Mr. M. Hahs further remarked:

The identification of “best practices” for Critical Incident Stress Debriefing programs, as proposed in the study, will allow the transportation community to learn a great deal. The eventual publication of the study has the potential to add to the body of research of this recognized problem and will add value for the scientific community with no burden to the society at large. Therefore, the BLET encourages FRA to move forward with the proposed study and seek approval from the Office of Management and Budget as soon as possible.

BLET did address the paperwork burden for this proposed collection of information. Mr. Hahs noted: “BLET considers the estimates of the burden of information collection activities, its

methodologies, and assumptions to be valid.”

The Union Pacific Railroad also expressed its support for the project. In his comment (letter), Dr. Dennis W. Holland, Director, Occupational Health Psychology, Union Pacific Safety Department, stated the following:

The study is timely and of significant interest to the rail industry. UPRR is a pioneer in the development and implementation of Peer Support programs for employees involved in critical incidents. We believe the proposed study will benefit both the railroads and railroad labor by providing information on how best to respond to critical incidents. In addition, the information provided by the proposed study will enable railroad professionals to best use resources to assist employees dealing with tragic events.

There is no cost for materials to study participants, and the total burden hours are minimal. It should also be noted that FRA and its contractor, University of Denver, have been in contact with representatives of the Association of American Railroads (AAR), the BLET, and the United Transportation Union (UTU) from the beginning concerning the need for this study and the proposed procedures. These representatives have made several useful suggestions, which have been incorporated into the design of this study. Several useful suggestions were also provided, and used, by members of the CISD resource group—an entity established to assist in the development of this study. This resource group consists of representatives from the AAR, BLE, UTU, and several Class I and short line carriers. Finally, a team of epidemiologists and statisticians from reputable universities and establishments, including Yale University, the University of California at San Francisco, Colorado State University (Fort Collins), the University of Denver, the Denver VA Medical Center, the Centers for Disease Control and Prevention, and individuals from the U.S. Department of Transportation’s Volpe National Transportation Systems Center, reviewed the sampling plan of the proposed study and offered useful recommendations and feedback.

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 summary below describe the nature of the information collection requirements (ICRs) and the expected burden. These requirements are being submitted for clearance by OMB as required by the PRA.

Title: Post-Traumatic Stress in Train Crew Members After a Critical Incident.
OMB Control Number: 2130-NEW.

Type of Request: Approval of a New Collection of Information.

Affected Public: Train Crew Members (Locomotive engineers, firers, and conductors).

Form(s): FRA F 6180.120; FRA F 6180.121; FRA F 6180.122.

Abstract: Nearly 1,000 fatalities occur every year in this country from trains striking motor vehicles at grade crossings and individual trespassers along the track. These events can be very traumatic to train crew members, who invariably are powerless to prevent such collisions. Exposure of train crews to such work-related traumas can cause extreme stress and result in safety-impairing behaviors, such as are seen in Post-Traumatic Stress Disorder or Acute Stress Disorder. Most railroads have Critical Incident Stress Debriefing (CISD) intervention programs designed to mitigate problems caused by exposure to these traumas. However, they are quite varied in their approach, and it is not certain which components of these programs are most effective. The purpose of this collection of information is to identify "best practices" for CISD programs in the railroad industry. By means of written and subsequent oral interviews with train crew members that will each take approximately 45 minutes, the proposed study aims to accomplish the following: (1) Benchmark rail industry best practices of CISD programs; (2) establish the extent of traumatic stress disorders due to grade crossing and trespasser incidents in the rail industry (not by region or railroad) and identify at-risk populations; and (3) evaluate the effectiveness of individual components of CISD programs. It should be noted that only the components of CISD programs will be evaluated, not an individual railroad's overall intervention program.

Annual Estimated Burden Hours: 2,043 hours.

ADDRESSES: 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 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 estimates 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.

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 28, 2005.

D.J. Stadler,

Director, Office of Budget, Federal Railroad Administration.

[FR Doc. 05-8823 Filed 5-3-05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2005-21081; Notice 1]

Graco Children's Products Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

Graco Children's Products Inc. (Graco) has determined that certain child restraints that it produced in 2004 do not comply with S4.3(a) of 49 CFR 571.302, Federal Motor Vehicle Safety Standard (FMVSS) No. 302, "Flammability of interior materials." Graco has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Graco has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Graco's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of

judgment concerning the merits of the petition.

Affected are a total of approximately 450 Graco Comfort Sport convertible child restraints manufactured on December 27, 2004. S4.3(a) of FMVSS No. 302 requires that material "shall not burn * * * at a rate of more than 102 mm per minute." Two nylon warning labels which are a component of these child restraints do not comply with this requirement.

Graco explains that the seat pad used on the Comfort Sport model contains two warning labels sewn onto the backside of the seat pad. Graco states:

The pad is an Easy Wash pad with flaps that allow for easy removal of the seat pad without disconnecting the harness. The labels are sewn to the backside of the two flaps. The label is manufactured of nylon material and when tested as a single material does not meet the requirements of * * * S4.3(a) . * * *

Graco believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. Graco states that the risk of injury from the noncompliance is inconsequential for several reasons:

Location of labels on backside of pad. The labels are located on the backside of the pad and directly behind a child seated in the child restraint. This location is not directly accessible to any flame source. * * * The contribution of the labels to any flame spread is negligible.

Small size of labels. The labels are relatively small compared to the overall size of the seat pad. * * * The size of each label is 1 3/16" x 5 1/2" x 0.003" thick.

Seat pad and child restraint materials comply with FMVSS No. 302. The labels are the only material * * * that do not comply with FMVSS No. 302. * * * This overwhelming amount of material that complies . * * * affords the occupant(s) the necessary protection from any flammability hazard . * * *

Composite flammability testing complies. Although the label is not adhered to the pad at every point as specified by FMVSS No. 302 for composite testing, Graco has tested the labels in a composite * * * [and] it burns well within the accepted rate established by FMVSS No. 302.

Graco states that it is unaware of any complaints of a fire in this seat and consequently there has been no injury.

Interested persons are invited to submit written data, views, and arguments on the petition described above. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods. Mail: Docket Management Facility, U.S. Department of Transportation, Nassif Building, Room