

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit object, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6467). The address is U.S. Department of State, L/PD, SA-5, 2200 C Street, NW., Suite 5H03, Washington, DC 20522-0505.

Dated: September 11, 2009.

Maura M. Pally,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2009-0001-N-23]

Notice and Request for Comments

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 Requirement (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes 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 collection of information was published on July 6, 2009 (74 FR 32029).

DATES: Comments must be submitted on or before October 21, 2009.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., SE., 3rd Floor, Mail Stop 25, Washington, DC 20590 (telephone: (202) 493-6292), or Ms. Nakia Jackson, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE., 3rd Floor, Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6073). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law No. 104-13, Section 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 July 6, 2009, FRA published a 60-day notice in the **Federal Register** soliciting comment on this ICR that the agency was seeking OMB approval. 74 FR 32029. FRA received one comment—a letter—in response to this notice.

The letter came from Mr. Freddie Simpson, President of the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters (BMWED). BMWED is a rail labor organization representing approximately 36,000 railroad workers who build, maintain, repair and inspect tracks, bridges, and related railroad infrastructure throughout North America. In his remarks, Mr. Simpson stated the following:

In response to the Proposed Agency Information Collection Activities; Comment Request published in the **Federal Register** on July 6, 2009, (Volume 74, Number 127, pages 32029-32030) BMWED supports the proposed study and related information collection activities. As such, BMWED respectfully requests OMB approval.

BMWED offers the following comments in support:

- The proposed collection of information is necessary for the Department to fulfill its Congressional mandate under the RSIA to conduct a track inspection time study. This information is necessary to evaluate the conditions under which visual track inspections are conducted and to develop a report to the Congress responsive to Section 403 of the RSIA.
- The collected information will have practical utility to the Secretary of Transportation and the Federal Railroad Administration (FRA) in their analysis of track inspection issues within the industry.
- The Department's estimates of burden hours and costs are reasonable.
- The methodology proposed for this information collection activity is suitable and appropriate for the study and the respondent population and will facilitate the collection of data with high utility.
- The proposed information collection activity has been designed to be minimally burdensome on respondents and the proposed information collection activity is of limited duration.

Visual track inspections conducted under 49 CFR Parts 213.233, 213.235 and 213.365 play a vital and integral role in maintaining track structural integrity and the safety of railroad operations. BMWED believes that the "Track Transportation [track inspection] Time Study, OMB Control Number: 2130-NEW, Docket No. FRA-2009-0001-N-16" is necessary to allow the Secretary to fulfill the Congressional mandate of Section 403 of the RSIA to: (1) determine whether the required

intervals of track inspections for each class of track should be amended; (2) determine whether track remedial action requirements should be amended; (3) determine whether different track inspection and repair priorities or methods should be required; and (4) determine whether the speed at which railroad track inspection vehicles operate and the scope of the territory they generally cover allow for proper inspection of the track and whether such speed and appropriate scope should be regulated by the Secretary.

FRA received no other comments in response to this notice. Accordingly, DOT announces that these information collection activities have been evaluated and certified under 5 CFR 1320.5(a) and forwarded to OMB for review and approval pursuant to 5 CFR 1320.10(a).

Before OMB decides whether to approve these proposed collections 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 describes the nature of the information collection requirement (ICR) and the expected burden for the ICR being submitted for clearance by OMB as required by the PRA.

Title: Track Transportation Time Study.

OMB Control Number: 2130-New.
Type of Request: Regular Approval of a New Collection of Information.

Affected Public: Track Inspectors/Track Inspector Supervisors/Division and Chief Engineers

Abstract: The Rail Safety Improvement Act of 2008 (Pub. L. 110-432) calls for a track inspection time study to be performed by FRA. The information required to develop the report will be at least partially obtained through a series of information gathering surveys which are focused on various aspects of track inspection. Each survey will be customized for a particular segment of the workforce and will include track inspectors, track supervisors or roadmasters, middle management (division engineers), and senior management (chief engineers).

The purpose of the proposed study is to address four issues raised in the Rail Safety Improvement Act: (1.) Determine whether the required intervals of track inspections for each class of track should be amended; (2.) Determine whether track remedial action requirements should be amended; (3.) Determine whether different track inspection and repair priorities or methods should be required; and (4.) Determine whether the speed at which railroad track inspection vehicles operate and the scope of the territory they generally cover allow for proper inspection of the track and whether such speed and appropriate scope should be regulated by the Secretary.

Form Number(s): FRA F 6180.136; FRA F 6180.137.

Annual Estimated Burden Hours: 133 hours.

Addressee: Send comments regarding this information collection 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 may also be sent via e-mail to OMB at the following address: oir_submissions@omb.eop.gov.

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 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.

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 September 14, 2009.

Kimberly Orben,

*Director, Office of Financial Management,
Federal Railroad Administration.*

[FR Doc. E9–22583 Filed 9–18–09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2009–0080]

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) Part 235 and 49 U.S.C. 20502(a), the following railroad has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

Applicant: Canadian National Railway, Southern Region, Mr. Mark Ryon, Senior Manager Signal and Communications, 17641 South Ashland Avenue, Homewood, Illinois 60430.

The Canadian National Railway (CN) seeks approval of the proposed discontinuance and removal of the traffic control system (TCS) from Milepost (MP) 8.7 to MP 11.8, on the Elsdon Subdivision, Chicago, Illinois, to include the control signals and the conversion of the power-operated switch to hand-operation at Elsdon control point, MP 8.7. TCS is to be replaced with the extension of CN Rule 520 from MP 8.7 to MP 11.8. The application includes the removal of the signals No. 1, 2, 3, and 4 at the railroad-at-grade crossing on the connection track. Railroad-at-grade signals to be replaced with gate and stop signs on connection track to govern movement over the diamond.

Nine signals, including automatic signals No. 102 and 103, are to be removed and the power-operated switch is to be converted to hand-operation. The power-operated switch provides for movement from the main track to the connection track.

The reason given for the proposed changes is that there have been no train movements on the connection track in over 5 years with any plans for future use.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made and include a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral

hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

All communications concerning this proceeding should be identified by Docket Number FRA–2009–0080 and may be submitted by one of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the instructions for submitting comments on the DOT electronic site;
- *Fax:* 202–493–2251;
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590; or
- *Hand Delivery:* Room W12–140 of the U.S. Department of Transportation West Building Ground Floor, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

FRA wishes to inform all potential commenters that 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).

Issued in Washington, DC on September 14, 2009.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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