

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]

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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 minutes20	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 rpt.	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	20,700	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