

for two years unless revoked earlier by FMCSA. The exemption will be revoked if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315. If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: September 25, 2008.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

[FR Doc. E8-24380 Filed 10-14-08; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Closing of Funding Availability and Request for Comments for the Capital Assistance to States—Intercity Passenger Rail Service Program for Fiscal Year 2008

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

**ACTION:** Closing of Funding Availability and Request for Comments.

**SUMMARY:** On February 19, 2008, FRA issued a Notice of Funding Availability and Solicitation of Applications for the Capital Assistance to States—Intercity Passenger Rail Service Program for Fiscal Year (FY) 2008. On September 30, 2008, DOT announced the selection of awardees for the available FY 2008 funding. Therefore, FRA is now announcing that it will no longer be accepting applications for awards of the FY 2008 funding. FRA is also requesting, in preparation for a possible FY 2009 Notice of Funding Availability and Solicitation of Applications, that past and prospective applicants (or associations representing past and prospective applicants) submit comments regarding their experience with the program and suggestions for possible improvements.

**DATES:** Comments should be submitted no later than December 5, 2008.

**ADDRESSES:** Past and prospective applicants (or associations representing past and prospective applicants) may submit comments identified by the docket number FRA-2008-0115 by any of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.

- **Mail:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- **Hand Delivery:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- **Fax:** 1-202-493-2251.

**Instructions:** All submissions must include the agency name and docket number (FRA-2008-0115) for this program. Note that all comments received will be posted, without change, to <http://www.regulations.gov>, including any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials. Internet users may access comments received by DOT at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Peter Schwartz, Office of Railroad Development (RDV-11), Federal Railroad Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Phone: (202) 493-6360; Fax: (202) 493-6330.

**SUPPLEMENTARY INFORMATION:** FRA anticipates that it will publish during the second quarter of FY 2009 a Notice of Funding Availability and Solicitation of Applications for the Capital Assistance to States—Intercity Passenger Rail Service Program for funding made available for FY 2009. In preparation for such an announcement, FRA is requesting that past and prospective applicants submit comments regarding their experience with the program during FY 2008 and their suggestions for possible improvements. Those interested in submitting comments should do so by the methods specified in the **ADDRESSES** heading above no later than December 5, 2008.

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

Issued in Washington, DC, on October 8, 2008.

**Mark E. Yachmetz,**

*Associate Administrator for Railroad Development.*

[FR Doc. E8-24524 Filed 10-14-08; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2008-0009, Notice No. 4]

#### Declaration of Emergency Event

**AGENCY:** Federal Railroad Administration, Department of Transportation.

**ACTION:** Notice of declaration of emergency event.

**SUMMARY:** On September 26, 2008, the Administrator of the Federal Railroad Administration (FRA) determined that the impending landfall of tropical storm Kyle on the coast of the United States and the potential of that storm to reach hurricane status constituted an emergency event as related to railroad operations. Accordingly, the Administrator activated the Emergency Relief Docket. This document provides notice of the Administrator's determination.

**SUPPLEMENTARY INFORMATION:** On September 26, 2008, the Administrator of FRA determined that the impending landfall of tropical storm Kyle on the coast of the United States and that potential of that storm to reach hurricane status constituted an emergency event pursuant to Title 49 Code of Federal Regulations (CFR) Part 211.45(c) and that public safety required the implementation of FRA's emergency waiver rule directly related to the emergency. Accordingly, the Administrator activated the Emergency Relief Docket (Docket Number FRA-2008-0009) and in accordance with 49 CFR Part 211.45(g), petitions received in that docket pursuant to this emergency event will be handled according to the requirements of 49 CFR Part 211.45(g)-(j).

Interested parties are reminded that the procedures in 49 CFR Part 211.45 provide for expedited review and processing of emergency waiver petitions. Accordingly, in accordance with 49 CFR Part 211.45(h), any person wishing to comment on petitions for emergency waivers should submit their comments to the docket within 72 hours from the close of business on the day that the petition is posted in the public docket. Any person desiring a public

hearing on any petition being processed in accordance with the emergency waiver procedures must notify FRA of such request in their comments submitted to the docket. Interested persons may submit their comments using any of the following methods:

(1) E-mail to FRA at [RRS.Correspondence@dot.gov](mailto:RRS.Correspondence@dot.gov);  
 (2) Fax to FRA at 202-493-6309; or  
 (3) Hand deliver or expedited delivery to the Docket Clerk, Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590 or electronically via the internet at <http://www.regulations.gov>. All communications concerning any petition in the Emergency Relief Docket should identify the appropriate docket number (e.g., Docket Number FRA-2008-0009).

Anyone is able to search 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 7, Pages 19477-78). The statement may also be found at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on October 6, 2008.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. E8-24379 Filed 10-14-08; 8:45 am]

BILLING CODE 4910-06-P

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD 2008 0099]

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

**ACTION:** Notice of intention to request extension of OMB approval 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 (with modifications) for three years of a currently approved information collection.

**DATES:** Comments should be submitted on or before December 15, 2008.

**FOR FURTHER INFORMATION CONTACT:** Otto Strassburg, Maritime Administration,

1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-366-4161; or e-mail: [joe.strassburg@dot.gov](mailto:joe.strassburg@dot.gov). Copies of this collection also can be obtained from that office.

**SUPPLEMENTARY INFORMATION:** Maritime Administration (MARAD).

*Title of Collection:* Approval of Underwriters for Marine Hull Insurance.

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

*OMB Control Number:* 2133-0517.

*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 involves the approval of marine hull underwriters to insure MARAD program vessels. Foreign and domestic applicants will be required to submit financial data upon which MARAD approval would be based.

*Need and Use of the Information:* This information is needed in order that MARAD officials can evaluate the underwriters and determine their suitability for providing marine hull insurance on MARAD vessels.

*Description of Respondents:* Marine insurance brokers and underwriters of marine insurance.

*Annual Responses:* 62 responses.

*Annual Burden:* 46 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 W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. Comments also may be submitted by electronic means via the Internet at <http://www.regulations.gov/search/index.jsp>. 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 Federal Holidays. An electronic version of this document is available on the World Wide Web at <http://www.regulations.gov/search/index.jsp>.

*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://www.regulations.gov/search/index.jsp>.

**Authority:** 49 CFR 1.66.

By order of the Maritime Administrator.

Dated: October 7, 2008.

**Leonard Sutter,**

*Secretary, Maritime Administration.*

[FR Doc. E8-24362 Filed 10-14-08; 8:45 am]

BILLING CODE 4910-81-P

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD 2008 0098]

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

**ACTION:** Notice of intention to request extension of OMB approval 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 (with modifications) for three years of a currently approved information collection.

**DATES:** Comments should be submitted on or before December 15, 2008.

#### FOR FURTHER INFORMATION CONTACT:

Albert Bratton, Maritime Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-366-5769; or e-mail: [albert.bratton@dot.gov](mailto:albert.bratton@dot.gov). Copies of this collection also can be obtained from that office.

**SUPPLEMENTARY INFORMATION:** Maritime Administration (MARAD).

*Title of Collection:* Determination of Fair and Reasonable Rates for Carriage of Agriculture Cargoes on U.S.-Flag Commercial Vessels.

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

*OMB Control Number:* 2133-0514.

*Form Numbers:* MA-1025, MA-1026, and MA-172.

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

*Summary of Collection of Information:* This data collection requires U.S.-flag operators to submit