

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Aviation Rulemaking Advisory Committee**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of withdrawal of task assignment to the Aviation Rulemaking Advisory Committee (ARAC).

**SUMMARY:** The FAA has withdrawn a task assigned to the Aviation Rulemaking Advisory Committee (ARAC) concerning all weather operations. This notice is to inform the public of the FAA's decision to withdraw this task.

**FOR FURTHER INFORMATION CONTACT:**

Brenda D. Courtney, Manager, Aircraft and Airport Rules Division, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, [brenda.courtney@faa.gov](mailto:brenda.courtney@faa.gov).

**SUPPLEMENTARY INFORMATION:****Background**

The FAA established ARAC to provide advice and recommendations to the FAA Administrator on the FAA's rulemaking activities. This includes obtaining advice and recommendations on the FAA's commitments to harmonize Title 14 of the Code of Federal Regulations (14 CFR) with its partners in Europe and Canada.

On November 26, 2003, the FAA published a notice in the **Federal Register** (68 FR 66524) informing the public of ARAC's acceptance of a new task, and its decision to assign the task to the All Weather Operations Harmonization Working Group. Over the years since assigning this task to ARAC, the working group has provided support to the FAA, other civil aviation authorities and the International Civil Aviation Organization (ICAO). This collaborative effort has brought about standardized and harmonized systems and processes such as the Enhanced Flight Vision System and use of radar altimeters in Europe. The working group has also provided support to the ICAO Operations Panel and provided updates to the All Weather Operations Manual for ICAO. These efforts are important to the FAA and other civil aviation authorities; however, they are not tasks typically assigned to ARAC. As such, the FAA has decided to continue these efforts under a different venue. We anticipate establishing a separate committee charged to work collaboratively among the international aviation community, the FAA and other

civil aviation authorities to ensure regulatory standards and policies related to all weather operations activities are standardized and harmonized in the interest of safety, and global economic efficiencies.

Withdrawal of the all weather operations task completes the activities that were assigned to ARAC's Air Carrier Operations Technical Subject Area. Because the FAA does not intend to assign any additional tasks to this technical area, the Air Carrier Operations Technical Subject Area is closed. The FAA has vetted the withdrawal of this task and our decision to close the Air Carrier Operations Technical Subject Area with the ARAC.

Issued in Washington, DC, on February 13, 2012.

**Pamela Hamilton-Powell,**

*Executive Director, Aviation Rulemaking Advisory Committee.*

[FR Doc. 2012-3891 Filed 2-22-12; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration**

**[Docket Number FRA-2001-10237]**

**Petition for Waiver of Compliance**

In accordance with Part 211 of Title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that by a document dated February 1, 2012, the Port of Los Angeles, with the cooperation and input of Pacific Harbor Line (PHL), has petitioned the Federal Railroad Administration (FRA) for an extension of its waivers of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 217, Railroad Operating Rules; part 220, Railroad Communications; part 221, Rear End Marking Device—Passenger, Commuter and Freight Trains; part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses; part 225, Railroad Accidents/Incidents: Reports Classification, and Investigations; part 228, Hours of Service of Railroad Employees; Recordkeeping and Reporting; Sleeping Quarters; part 228, Subpart A—General, and Subpart B—Records and Reporting; part 229, Railroad Locomotive Safety Standards; part 231, Railroad Safety Appliance Standards; part 238, Passenger Equipment Safety Standards; and part 239, Passenger Train Emergency Preparedness. FRA assigned the petition Docket Number FRA-2001-10237.

The Port of Los Angeles explained that their request is consistent with the

waiver process for shared use. See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment, 65 FR 42529 (July 10, 2000); see also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems, 65 FR 42626 (July 10, 2000). The Port of Los Angeles received its initial waiver and permission from FRA on May 8, 2002. The Port of Los Angeles was granted a 5-year extension of the terms and conditions of the original waiver on April 24, 2007.

The Port of Los Angeles stated in its most recent petition that it desires to continue the operation of the Red Car Line under the same rules, procedures, and directives as originally prescribed and granted by FRA. The Port of Los Angeles operates the "Waterfront Red Car Line" over 1.5 miles of PHL track, located in the Port of Los Angeles. Freight and vintage trolley operations are temporally separated on this portion of track. PHL no longer services Westway Terminal's tank farm on this portion of track.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

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 the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- **Web site:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202-493-2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590.

• **Hand Delivery:** 1200 New Jersey Avenue SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received by April 9, 2012 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and 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 online at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on February 16, 2012.

**Ron Hynes,**

*Acting Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2012-4159 Filed 2-22-12; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Revised Guidance for Requesting One-Time Movement (OTM) Approvals

**AGENCY:** Federal Railroad

Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of Availability.

**SUMMARY:** FRA is notifying the public of the availability of revised guidance for requesting OTM approvals for the transportation by rail of nonconforming or leaking bulk hazardous material packages.

**FOR FURTHER INFORMATION CONTACT:** Karl Alexy, Acting Staff Director, Hazardous Materials Division, Office of Safety Assurance and Compliance, FRA, 1200 New Jersey Avenue SE., Mailstop 25, Washington, DC 20590, telephone: (202) 493-6245; or Lisa Matsinger, Railroad Safety Specialist, Hazardous Materials Division, Office of Safety Assurance and Compliance, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590, telephone: (202) 493-0324.

**SUPPLEMENTARY INFORMATION:** The Hazardous Materials Regulations (HMR) issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA) govern the rail transportation

of hazardous materials. Title 49 CFR 174.50 of the HMR forbids the transportation by rail of a bulk packaging that no longer conforms to HMR or that is leaking, unless otherwise approved by FRA's Associate Administrator for Railroad Safety/Chief Safety Officer. These approvals are generally referred to as one-time movement approvals (OTMA).

Recently, FRA revised its OTMA procedures to streamline the overall OTMA process and to minimize unnecessary administrative burdens. On January 31, 2012, FRA issued Guidance Document HMG-127, which explains these revised procedures and the criteria for issuance of OTMAs. Guidance Document HMG-127 is available for review on FRA's Web site at: <http://www.fra.dot.gov/Pages/789.shtml>. In addition, FRA has created a revised OTMA application information document that also reflects the revised OTMA procedures. The new OTMA application information document is also available on FRA's Web site at: [http://www.fra.dot.gov/rrs/pages/fp\\_1799.shtml](http://www.fra.dot.gov/rrs/pages/fp_1799.shtml). FRA staff can provide copies of these documents for review upon request if contacted at the address and telephone numbers listed above.

Issued in Washington, DC, on February 14, 2012.

**Ron Hynes,**

*Acting Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2012-3927 Filed 2-22-12; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD 2012 0014]

#### Requested Administrative Waiver of the Coastwise Trade Laws: Vessel FLAMINGO; Invitation for Public Comments

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

**DATES:** Submit comments on or before March 26, 2012.

**ADDRESSES:** Comments should refer to docket number MARAD-2012-0014. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W21-203, Washington, DC 20590. Telephone 202-366-5979, Email [Joann.Spittle@dot.gov](mailto:Joann.Spittle@dot.gov).

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel FLAMINGO is:

*Intended Commercial Use of Vessel:* "Charter work with the Boy Scouts at the Florida Sea Base in Islamorada, Florida. Teaching, sailing, snorkeling, fishing, etc."

*Geographic Region:* "Florida."

The complete application is given in DOT docket MARAD-2012-0014 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

#### 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