

expected burdens. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collections of information was published on January 17, 2007 (72 FR 2084).

**DATES:** Comments must be submitted on or before April 27, 2007.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 25, Washington, DC 20590 (telephone: (202) 493-6292), or Ms. Gina Christodoulou, Office of Support Systems Staff, RAD-20, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 43, Washington, DC 20590 (telephone: (202) 493-6139). (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 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 January 17, 2007, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 72 FR 2084. FRA received no comments after issuing this notice. Accordingly, DOT announces that these information collection activities have been re-evaluated and certified under 5 CFR 1320.5(a) and forwarded to OMB for review and approval pursuant to 5 CFR 1320.12(c).

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 summaries below describe the nature of the information collection

requirements (ICRs) and the expected burden. The revised requirements are being submitted for clearance by OMB as required by the PRA.

**Title:** Passenger Train Emergency Preparedness.

**OMB Control Number:** 2130-0545.

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

**Affected Public:** Railroads.

**Form(s):** None.

**Abstract:** The collection of information is due to the passenger train emergency regulations set forth in 49 CFR parts 223 and 239 which require railroads to meet minimum Federal standards for the preparation, adoption, and implementation of emergency preparedness plans connected with the operation of passenger trains, including freight railroads hosting operations of rail passenger service. The regulations require luminescent or lighted emergency markings so that passengers and emergency responders can readily determine where the closest and most accessible exit routes are located and how the emergency exit mechanisms are operated. Windows and doors intended for emergency access by responders for extrication of passengers must be marked with retro-reflective material so that emergency responders, particularly in conditions of poor visibility, can easily distinguish them from the less accessible doors and windows. Records of the inspection, maintenance, and repair of emergency windows and door exits, as well as records of operational efficiency tests, will be used to ensure compliance with the regulations.

**Annual Estimated Burden:** 10,910 hours.

**Title:** Designation of Qualified Persons.

**OMB Control Number:** 2130-0511.

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

**Affected Public:** Railroads.

**Form(s):** None.

**Abstract:** The collection of information is used to prevent the unsafe movement of defective freight cars. Railroads are required to inspect freight cars for compliance and to determine restrictions on the movements of defective cars. The collection of information is used by FRA to ensure that all freight car inspections are conducted by qualified persons who have demonstrated to their employing railroads a knowledge and ability to inspect freight cars for compliance with this Part, 49 CFR part 215.

**Annual Estimated Burden:** 40 hours.

**Addressee:** 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 collections of information are 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 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 March 22, 2007.

**D.J. Stadler,**

*Director, Office of Budget, Federal Railroad Administration.*

[FR Doc. E7-5622 Filed 3-27-07; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2006-25764]

#### Union Pacific Railroad Company; Notice of Withdrawal of Petition for Waiver of Compliance and Cancellation of Public Hearing

On September 26, 2006, the Federal Railroad Administration (FRA) published a notice in the **Federal Register** (71 FR 56217) announcing the Union Pacific Railroad Company's (UP) request for a waiver of compliance from certain provisions of Title 49 Code of Federal Regulations (CFR) Part 232, *Brake System Safety Standards for Freight and Other Non-passenger Trains and Equipment*, and 49 CFR Part 215, *Railroad Freight Car Safety Standards*, for trains received in interchange from the Ferrocarriles Nacionales de Mexico Railroad at the Calexico, California, border crossing. Subsequently, on November 17, 2006, FRA published a notice in the **Federal Register** (71 FR 67011) announcing that UP had amended its original petition. Specifically, UP sought approval to postpone performing Class I brake tests and freight car safety standards inspections until trains arrive at El

Centro, California (a distance of approximately 10.1 miles).

FRA received comments from interested parties requesting a public hearing on the issue and FRA subsequently scheduled a public hearing for March 29, 2007 in the **Federal Register** on March 5, 2007 (72 FR 9831). At the same time, FRA extended the public comment period in the proceeding to April 13, 2007.

By letters dated March 13, 2007, March 15, 2007, and March 19, 2007, the interested parties withdrew their requests for a public hearing.

Accordingly, the public hearing scheduled for March 29, 2007, in El Centro, California, is hereby canceled. The comment period will remain open until April 13, 2007, as previously announced. All communications concerning this waiver petition should identify the appropriate docket number (e.g. Waiver Petition Docket Number FRA-2006-25764) and may be submitted by one of the following methods:

- *Web site:* <http://dms.dot.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, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001; or
- *Hand Delivery:* Room PL-401 on the Plaza Level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. Documents in the public docket are also available for review and copying on the Internet at the docket facility Web site at <http://dms.dot.gov>.

Issued in Washington, DC on March 22, 2007.

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

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

[FR Doc. E7-5616 Filed 3-27-07; 8:45 am]

**BILLING CODE 4910-06-P**

## 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.

#### Union Pacific Railroad Company

[Docket Number FRA-2006-25564]

The Union Pacific Railroad Company (UPRR) seeks a test waiver (WAIVER) of 49 CFR 232.207 Class IA brake tests—1,000-mile inspection based on current technology of wayside detection systems presently deployed by UPRR. The waiver is sought for two “cyclic” coal trains from South Powder River Basin (SPRB) to the power plants in Pleasant Prairie, WI, and White Bluff, AR, respectively. These round trips are of loaded trains from SPRB to the power plants and empty trains from the power plants to SPRB.

Since this is the first time that such a relief is requested based on detection and alert thresholds from wayside detection systems, the UPRR prepared a detailed “Pilot” test plan (latest revision dated February 6, 2007) with narrative describing, step-by-step, how the various requirements in 49 CFR 232.207 Class IA brake tests—1,000-mile inspection will be satisfied and verified by the wayside detection technology now being deployed by UPRR on the designated routes in the letter. UPRR states that emerging technology, such as the wayside detection technology, is a reliable, performance-based and cost effective asset that can be used to enhance and/or replace existing regulatory and rules compliance.

UPRR believes that wayside detection using a proven wheel temperature detector can be used to automatically rank the braking health of each car to prioritize inspections and repairs. The brake performance detector will utilize a brake shoe and thermal scanning module (brake shoe presence and its position, and hot/cold wheels) to determine that all brake components are in proper working order. The cars with suspect braking force will have colder wheels requiring inspections for problems such as air brake leaks, inoperative valves, and non-functioning slack adjusters. Using such a performance-based approach to find, document and track suspect brake problems allows UPRR to significantly increase the ability of the maintenance organizations to find and repair brake systems. Though this results in an increased workload to support the higher maintenance standard, it will also result in higher reliability of freight cars. Braking problems on these cars

would normally be found by “visual-only” methods at a later date, resulting in less reliability. Also, the “visual-only” methods are sometimes imposed at undesirable locations that significantly impede train operations.

UPRR contends that predictive maintenance using wayside data is beneficial to manage freight car defects that cannot be effectively found or tracked with “visual-only” methods. Furthermore, exceedingly higher levels of safety and reliability can only be attained by modifying the existing paradigm for equipment and infrastructure maintenance by expanding the operational procedures to include performance measures. Current standards inadvertently limit reliability by the requirements to address every defect at the time it is discovered. This has the effect of causing all work to be reactive, which is an inherent impediment to further discovery. It is the UPRR's intention to perform more maintenance work and/or to work with its customers in joint efforts to perform the increased maintenance required at locations that are most complimentary to overall railroad productivity in order to offset the increased workload necessary to improve the overall network reliability of its train operations.

The safety evaluation to assess the validity of the waiver will require extensive collection of pertinent data and consequent validation on the two routes specified during the proposed “pilot” test program. The duration of the “pilot” test as proposed by UPRR is one year. The “Pilot” project will provide for the establishment of a data baseline (with existing regulatory inspections) in which to compare the modified inspections and operations as requested by the petition. The task will require a comprehensive review of the 49 CFR 232.207 Class IA brake tests' requirements: What requirements can be detected during the pre-departure inspection, which requirements may require regulatory modifications to provide alternate inspection criteria and determination if change toward performance-based regulations is justified or not.

Pursuant to the receipt of the waiver letter and the revised and detailed test plan (latest revision dated February 6, 2007) from UPRR, FRA is hereby providing the public an opportunity to comment on the waiver.

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