

detection, to measure the surface temperature of each wheel passing the detector. Using data analysis algorithms, these temperature measurements determine whether brakes on each axle and brake valve of a car is applying when they should, and not applying when they should not. A comparison to a baseline non-braking measurement against the brake site measurement would be used to identify wheels with abnormal brake readings for subsequent inspection, troubleshooting, and repair. BNSF explains that its Safety Assurance Plan (SAP) describes how its WTD system provides for each safety element required by the Class I and Intermediate Brake Tests, outlines the level of brake system performance that is expected from using the WTD and algorithms, and describes how data will be collected to demonstrate that this level of safety has been achieved.

BNSF proposes to conduct a pilot program on extended haul, revenue-service unit intermodal trains, operating between facilities in California and Chicago, IL. These intermodal trains operate intact with up to 1,702 miles between brake tests. Each test train will receive a Class I brake test and predeparture test at the intermodal facility in California or Chicago. In-route trains will pass WTD monitors located both east and west of Belen, NM, to record braking performance through power braking events. During this proposed pilot program, a minimum of 95 percent of brake valves in a train will be required to have "qualified" brakes between inspection points, meaning a brake valve produces a wheel temperature statistically different from the baseline test before braking is initiated. If there is any doubt about WTD system performance, reliability, and data quality; or fewer than 95 percent of the brake valves in the consist that have qualified brakes as verified by the automated WTD system, a manual intermediate inspection will be performed at the designated inspection point. Class I inspections and other operational and regulatory inspections will continue to be performed, and any defects discovered by the Class I brake test will be repaired before the car is approved to leave the original terminal.

Additionally, BNSF explains that it uses dragging equipment detectors, hot wheel detectors, and hot box detectors to monitor equipment that may have brakes not properly releasing, handbrakes left on, or incorrect retainer valve positions. BNSF states that preliminary tests conducted with the WTD system indicate that cars with ineffective brakes are identified at a

significantly higher rate than intermediate brake tests. During the pilot test period, specific car repair data resulting from abnormal brake detections will be analyzed to establish the effectiveness of the WTD compared to manual inspections.

FRA may grant an exemption from the requirements of 49 U.S.C. 20303 only on the basis of (1) evidence developed at a hearing; or (2) an agreement between national railroad labor representatives and the developer of the equipment or technology at issue. 49 U.S.C. 20306. In support of its request for an exemption from 49 U.S.C. 20303, BNSF notes that the public hearing FRA previously held to address a similar request for exemption from the Union Pacific Railroad (Docket Number FRA-2016-0018) addresses substantially the same issues as its current request. Thus, BNSF asserts a separate public hearing on its current request is unnecessary. FRA agrees and in considering BNSF's request in this docket, FRA intends to rely on the findings of the hearing conducted in Docket Number FRA-2016-0018.

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 parties desire an opportunity for oral comment and a public hearing, 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:

- *Website:* <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 July 20, 2018 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can 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 document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacyNotice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

Issued in Washington, DC.

**Robert C. Lauby,**

*Associate Administrator for Railroad Safety, Chief Safety Officer.*

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BILLING CODE 4910-06-P

## DEPARTMENT OF TRANSPORTATION

[Docket No. FAA-2009-0671]

### Agency Requests for Renewal of a Previously Approved Information Collection(s): Safety Management Systems for Part 121 Certificate Holders

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

**ACTION:** Notice and request for comments.

**SUMMARY:** The DOT invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection used to support the analysis of safety data as part of a Safety Management System required for part 121 Certificate Holders. The information to be collected will be used to identify hazards and show compliance with part 5, Safety Management Systems. All collected data and records are maintained by the certificate holder and not submitted to the FAA. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

**DATES:** Written comments should be submitted by August 20, 2018.

**ADDRESSES:** You may submit comments identified by Docket No. FAA-2009-0671 through one of the following methods:

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

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

- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

**FOR FURTHER INFORMATION CONTACT:**

Sean Denniston, Safety Management System Program Office (AFS-910) by email at: [sean.denniston@faa.gov](mailto:sean.denniston@faa.gov); phone: 703-230-7664, ext. 261

**SUPPLEMENTARY INFORMATION:** OMB

*Control Number:* OMB-2120-0763.

*Title:* Safety Management Systems for Part 121 Certificate Holders.

*Form Numbers:* None.

*Type of Review:* Renewal of an information collection with changes.

*Background:* The information collection involves the collection and analysis of safety data as part of a Safety Management System (SMS), as required for part 121 certificate holders by 14 CFR part 5, Safety Management Systems. The information to be collected will continue to be used to identify hazards and show compliance with part 5.

The existing information collection included the submission of SMS Implementation Plans to the FAA by March 9, 2018. That portion of the information collection has been completed and only new applicants for a part 121 certificate will be required to

submit SMS Implementation Plans in the future. As a result, the burden for the submission of implementation plans will be significantly reduced. The FAA anticipates a minimal amount of applications for new part 121 certificates in the future.

The original burden estimate for the maintenance of an SMS program encompassed 90 certificate holders in existence at the time of the rulemaking and the number of current part 121 certificate holders is now 72.

The ongoing information collection requirement for part 121 certificate holders supports the ongoing requirements of an SMS program under part 5 to determine and identify hazards in an aviation operation, measure the effectiveness of hazard identification and mitigation and the prevention of unforeseen hazards, and the maintenance of training records and communications documentation used to promote safety.

*Respondents:* All part 121 certificate holders.

*Number of Respondents:*

*Implementation plan collection:* 3 future applicants for part 121 certificate (anticipated at no more than one per year).

*Continuing SMS program collection:* 72 current part 121 certificate holders.

*Frequency:*

*Implementation plan collection:* Yearly responses for the 3 future applicants.

*Continuing SMS program collection:* Monthly responses for the 72 current part 121 certificate holders.

*Number of Responses:*

*Implementation plan collection:* 1 future applicant per year submitting

yearly responses would total 6 responses over the three year period. (1 new applicant in the first year  $\times$  3 responses + 1 applicant in second year  $\times$  2 responses + 1 applicant in the third year  $\times$  1 response).

*Continuing SMS program collection:* 72 current part certificate holders  $\times$  12 responses = 864 responses per year.

*Total Annual Burden:*

*Implementation plan collection:* Total burden for new applicants estimated to be 20,040 hours or 6,680 hours per year.

*Continuing SMS program collection:* Total annual burden of 146,666 hours or 1,955 hours per year per carrier.

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for the Department's performance; (b) the accuracy of the estimated burden; (c) ways for the Department to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

**Authority:** The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued in Washington, DC on June 13, 2018.

**John S. Duncan,**

*Executive Director, Flight Standards Service.*

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