

supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

**Comment closing date:** September 20, 2010.

**Authority:** 49 U.S.C. 30118, 30120; Delegations of authority at CFR 1.50 and 501.8.

Issued on: August 16, 2010.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2010-20636 Filed 8-19-10; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2010-37]

#### Petition for Exemption; Summary of Petition Received

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

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petitions or their final disposition.

**DATES:** Comments on these petitions must identify the petition docket number involved and must be received on or before August 30, 2010.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2010-0832 using any of the following methods:

- **Government-wide rulemaking Web site:** Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- **Mail:** Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.
- **Fax:** Fax comments to the Docket Management Facility at 202-493-2251.
- **Hand Delivery:** Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between

9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Privacy:** We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

**Docket:** To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Tyneka L. Thomas, 202-267-7626, or Ralen Gao, 202-267-3168, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on August 17, 2010.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

#### Petition for Exemption

**Docket No.:** FAA-2010-0832.

**Petitioner:** Air Transport Association of America, the National Air Carrier Association, and the Regional Airline Association.

**Section of 14 CFR Affected:** § 121.803(c)(3) and Appendix A to part 121.

**Description of Relief Sought:** The Air Transport Association of America, Inc., the National Air Carrier Association, and the Regional Airline Association, on behalf of their passenger airline members, request a limited exemption from § 121.803(c)(3) which requires airplanes with seating capacity for more than nine passengers to carry an Emergency Medical Kit (EMK) with contents as specified in Appendix A to part 121. Specifically the petitioners seek approval to use substitutes (as available) for two of the required medications-epinephrine 1:10,000, 2 cc, injectable, (single dose ampule or equivalent) and dextrose, 50%/50 cc injectable, (single dose ampule or equivalent). Due to a manufacturing shortfall, supplies are currently

unavailable to restock EMKs. The shortage is expected to be limited in duration; therefore the petitioners request an expedited exemption only through November 1, 2010 or until this situation has been resolved.

[FR Doc. 2010-20678 Filed 8-19-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2000-7257; Notice No. 63]

#### Railroad Safety Advisory Committee (RSAC); Working Group Activity Update

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

**ACTION:** Announcement of Railroad Safety Advisory Committee (RSAC) Working Group Activities.

**SUMMARY:** The FRA is updating its announcement of RSAC's Working Group activities to reflect its current status.

**FOR FURTHER INFORMATION CONTACT:** Larry Woolverton, RSAC Designated Federal Officer/Administrative Officer, FRA, 1200 New Jersey Avenue, SE., Mailstop 25, Washington, DC 20590, (202) 493-6212; or Robert Lauby, Deputy Associate Administrator for Regulatory and Legislative Operations, FRA, 1200 New Jersey Avenue, SE., Mailstop 25, Washington, DC 20590, (202) 493-6302.

**SUPPLEMENTARY INFORMATION:** This notice serves to update FRA's last announcement of working group activities and status reports of January 29, 2010 (75 FR 4904). The 41st full RSAC meeting was held March 18, 2010, and the 42nd meeting is scheduled for September 23, 2010, at the National Association of Home Builders, National Housing Center, located at 1201 15th Street, NW., Washington, DC 20005.

Since its first meeting in April of 1996, the RSAC has accepted 33 tasks. Status for each of the open tasks (neither completed nor terminated) is provided below:

#### Open Tasks

**Task 96-4—Tourist and Historic Railroads.** Reviewing the appropriateness of the agency's current policy regarding the applicability of existing and proposed regulations to tourist, excursion, scenic, and historic railroads. This task was accepted on April 2, 1996, and a Working Group was

established. The Working Group monitored the steam locomotive regulation task. Planned future activities involve the review of other regulations for possible adaptation to the safety needs of tourist and historic railroads. *Contact:* Robert Lauby, (202) 493-6302.

**Task 03-01—Passenger Safety.** This task includes updating and enhancing the regulations pertaining to passenger safety, based on research and experience. This task was accepted on May 20, 2003, and a Working Group was established. Prior to embarking on substantive discussions of a specific task, the Working Group set forth in writing a specific description of the task. The Working Group reports planned activity to the full RSAC at each scheduled full RSAC meeting, including milestones for completion of projects and progress toward completion. At the first meeting held September 9–10, 2003, a consolidated list of issues was completed. At the second meeting, held on November 6–7, 2003, four task groups were established: Emergency Preparedness, Mechanical, Crashworthiness, and Track/Vehicle Interaction. The task forces met and reported on activities for Working Group consideration at the third meeting, held on May 11–12, 2004, and a fourth meeting was held October 26–27, 2004. The Working Group met on March 21–22, 2006, and again on September 12–13, 2006, at which time the group agreed to establish a task force on General Passenger Safety. The full Passenger Safety Working Group met on April 17–18, 2007, December 11–12, 2007, November 13, 2008, and June 8, 2009. On August 5, 2009, the Working Group was requested to establish an Engineering Task Force to consider technical criteria and procedures for qualifying alternative passenger equipment designs as equivalent in safety to equipment meeting the design standards in the Passenger Equipment Safety Standards. The Passenger Safety Working Group approved re-tasking the Engineering Task Force (ETF) on July 28, 2010, to concentrate on developing crashworthiness and occupant protection safety recommendations for high-speed passenger trains. The re-tasked ETF may address any safety features of the equipment, including but not limited to crashworthiness, interior occupant protection, glazing, emergency egress, and fire safety features. Any type of equipment may be addressed, including conventional locomotives, high-speed power cars, cab cars, multiple-unit (MU) locomotives, and coach cars. The equipment addressed may be used in any type of passenger

service, from conventional-speed to high-speed. Recommendations may take the form of criteria and procedures, revisions to existing regulations, or adoption of new regulations, including rules of particular applicability. The work of the re-tasked ETF is intended to assist FRA in developing appropriate safety standards for the high-speed rail projects planned in California and Florida. The next meeting of the Working Group is scheduled for September 16, 2010. *Contact:* Charles Bielitz, (202) 493-6314.

**(ETF) The Passenger Safety Working Group** approved a request from FRA to establish an ETF under the Passenger Safety Working Group in August 2009. The mission of the Task Force is to produce a set of technical evaluation criteria and procedures for passenger rail equipment built to alternative designs. The technical evaluation criteria and procedures would provide a means of establishing whether an alternative design would result in performance at least equal to the structural design standards set forth in the Passenger Equipment Safety Standards (Title 49 Code of Federal Regulations (CFR) part 238). The initial focus of this effort will be on Tier I standards. When completed, the criteria and procedures would form a technical basis for making determinations concerning equivalent safety pursuant to 49 CFR 238.201, and provide a technical framework for presenting evidence to FRA in support of any request for waiver of the compressive (buff) strength requirement, as set forth in 49 CFR 238.203. *See* 49 CFR part 211, Rules of Practice. The criteria and procedures could be incorporated into Part 238 at a later date after notice and opportunity for public comment. ETF was formed and a kick-off meeting was held on September 23–24, 2009. The group met again on November 3–4, 2009; January 7–8, 2010; and March 9–10, 2010. A followup GOTO/Webinar meeting was held on July 12, 2010. ETF has developed a draft “*Criteria and Procedures Report*,” and will send the consensus document to the Passenger Safety Working Group for vote when finalized; and schedule a kick-off meeting in the October–November 2010 timeframe to address the new high-speed task. *Contact:* Robert Lauby, (202) 493-6302.

**(Emergency Preparedness Task Force)** At the Working Group meeting on March 9–10, 2005, the Working Group received and approved the consensus report of the Emergency Preparedness Task Force related to emergency communication, emergency egress, and rescue access. These recommendations

were presented to and approved by the full RSAC on May 18, 2005. The Working Group met on September 7–8, 2005, and additional, supplementary recommendations were presented to and accepted by the full RSAC on October 11, 2005. The Notice of Proposed Rulemaking (NPRM) was published on August 24, 2006 (71 FR 50275), and was open for comment until October 23, 2006. The Working Group agreed upon recommendations for the final rule, including resolution of final comments received, during the April 17–18, 2007, meeting. The recommendations were presented to and approved by the full RSAC on June 26, 2007. The Passenger Train Emergency Systems final rule, focusing on emergency communication, emergency egress, and rescue access, was published on February 1, 2008 (73 FR 6370). The Task Force met on October 17–18, 2007, and reached consensus on the draft rule text for a followup NPRM on Passenger Train Emergency Systems, focusing on low location emergency exit path marking, emergency lighting, and emergence signage. The Task Force presented the draft rule text to the Passenger Safety Working Group on December 11–12, 2007, and the consensus draft rule text was presented to, and approved by full RSAC vote during the February 20, 2008, meeting. During the May 13–14, 2008, meeting, the Task Force recommended clarifying the applicability of back-up emergency communication system requirements in the February 1, 2008, final rule, and FRA announced its intention to exercise limited enforcement discretion for a new provision amending instruction requirements for emergency window exit removal. The Working Group ratified these recommendations on June 19, 2008. The Task Force met again on March 31, 2009, to clarify issues related to the followup NPRM raised by members. The modified rule text was presented to and approved by the Passenger Safety Working Group on June 8, 2009. The Working Group requested that FRA draft the rule text requiring daily inspection of removable panels or windows in vestibule doors and entrust the Emergency Preparedness Task Force with reviewing the text. FRA sent the draft text to the Task Force for review and comment on August 4, 2009. The draft rule text was approved by the Passenger Safety Working Group by mail ballot on December 23, 2009. The target timeframe for the NPRM publication is December 2010 due to competing Rail Safety Improvement Act of 2008 (RSIA) priorities. No additional Task Force meetings are currently

scheduled. *Contact:* Brenda Moscoso, (202) 493-6282.

*(Mechanical Task Force—Completed)* Initial recommendations on mechanical issues (revisions to 49 CFR part 238) were approved by the full RSAC on January 26, 2005. At the Working Group meeting of September 7-8, 2005, the Task Force presented additional perfecting amendments and the full RSAC approved them on October 11, 2005. An NPRM was published in the **Federal Register** on December 8, 2005 (70 FR 73070). Public comments were due by February 17, 2006. The final rule was published in the **Federal Register** on October 19, 2006 (71 FR 61835), effective December 18, 2006.

*(Crashworthiness Task Force—Completed)* Among its efforts, the Crashworthiness Task Force provided consensus recommendations on static-end strength that were adopted by the Working Group on September 7-8, 2005. The full RSAC accepted the recommendations on October 11, 2005. The front-end strength of cab cars and MU locomotives NPRM was published in the **Federal Register** on August 1, 2007 (72 FR 42016), with comments due by October 1, 2007. A number of comments were entered into the docket, and a Crashworthiness Task Force meeting was held September 9, 2008, to resolve comments on the NPRM. Based on the consensus language agreed to at the meeting, FRA has prepared the text of the final rule incorporating the resolutions made at the Task Force meeting and the final rule language was adopted at the Passenger Safety Working Group meeting held on November 13, 2008. The language was presented and approved at the December 10, 2008, full RSAC meeting. The final rule was issued on December 31, 2009, and published on January 8, 2010 (75 FR 1180). *Contact:* Gary Fairbanks, (202) 493-6322.

*(Vehicle/Track Interaction Task Force)* The Task Force is developing proposed revisions to 49 CFR parts 213 and 238 principally regarding high-speed passenger service. The Task Force met on October 9-11, 2007, and again on November 19-20, 2007, in Washington, DC, and presented the final Task Force report and final recommendations and proposed rule text for approval by the Passenger Safety Working Group at the December 11-12, 2007, meeting. The final report and the proposed rule text were approved by the Working Group and were presented to and approved by full RSAC vote during the February 20, 2008, meeting. The group met on February 27-28, 2008, and by teleconference on March 18, 2010, to address unresolved issues and the

NPRM was published on May 10, 2010 (75 FR 25928). The Task Force was called back into session on August 5-6, 2010, to review and consider NPRM comments. *Contact:* John Mardente, (202) 493-1335.

*(General Passenger Safety Task Force)* At the Passenger Safety Working Group meeting on April 17-18, 2007, the Task Force presented a progress report to the Working Group. The Task Force met on July 18-19, 2007, and afterwards it reported proposed reporting cause codes for injuries involving the platform gap, which were approved by the Working Group by mail ballot in September 2007. The full RSAC approved the recommendations for changes to 49 CFR Part 225 accident/incident cause codes on October 25, 2007. The General Passenger Safety Task Force presented draft guidance material for management of the gap that was considered and approved by the Working Group during the December 11-12, 2007, meeting and was presented to and approved by full RSAC vote during the February 20, 2008, meeting. The group met April 23-24, 2008, December 3-4, 2008, and April 21-23, 2009, and October 7-8, 2009. The Task Force continues work on passenger train door securement, "second train in station," trespasser incidents, and System Safety-based solutions by developing a regulatory approach to System Safety. The Task Force has created two Task Groups to focus on these issues. The Door Safety Task group has reached consensus on 47 out of 48 safety issues addressed in the area of passenger train door mechanical and operational requirements and will present draft regulatory language to the General Passenger Safety Task Force at the next meeting. The System Safety Task Group has produced draft regulatory language for a System Safety Rule and will present its recommendation to the General Passenger Safety Task Force at a July 30, 2010, GOTO/Webinar meeting for approval. An electronic vote is planned for early August and, if approved, the draft rule text will be presented to the Passenger Safety Working Group at the scheduled September 16, 2010, meeting. No additional General Passenger Safety Task Force meetings are currently scheduled. *Contact:* Dan Knotte, (631) 567-1596.

*Task 05-01—Review of Roadway Worker Protection Issues.* This task was accepted on January 26, 2005, to review 49 CFR part 214 subpart C, Roadway Worker Protection (RWP), and related sections of Subpart A; to recommend consideration of specific actions to advance the on-track safety of railroad employees and contractors engaged in

maintenance-of-way activities throughout the general system of railroad transportation, including clarification of existing requirements. A Working Group was established and reported to the RSAC any specific actions identified as appropriate. The first meeting of the Working Group was held on April 12-14, 2005. Over the course of 2 years, the group drafted and reached consensus on regulatory language for various revisions, clarifications, and additions to 32 separate items in 19 sections of the rule. However, two parties raised technical concerns regarding one of those items, namely, the draft language concerning electronic display of track authorities. The Working Group presented and received approval on all of its consensus recommendations for draft rule text to the full RSAC at the June 26, 2007, meeting. FRA will address the electronic display of track authorities issue along with eight additional items that the Working Group was unable to reach consensus, through the traditional NPRM process. In early 2008, the external Working Group members were solicited to review the consensus rule text for errata review. In order to address the heightened concerns raised with the current regulations for adjacent-track, on-track safety, FRA decided to issue, on an accelerated basis, a separate NPRM that would focus on this element of the RWP rule alone. An NPRM with an abbreviated comment period regarding adjacent-track, on-track safety was published on July 17, 2008, but was later withdrawn on August 13, 2008, to permit further consideration of the RSAC consensus language. A second NPRM concerning adjacent-controlled-track, on-track safety was published on November 25, 2009, and comments were due to the docket by January 25, 2010. Comments have been reviewed and considered by FRA, and the target publication date for the final rule is January 2011. Due to the ongoing work of this separate rulemaking, the remaining larger NPRM relating to the various revisions, clarifications, and additions to 31 separate items in 19 sections of the rule, and FRA's recommendations for nine nonconsensus items is now planned for March 2011. *Contact:* Christopher Schulte, (610) 521-8201.

*Task 05-02—Reduce Human Factor-Caused Train Accident/Incidents.* This task was accepted on May 18, 2005, to reduce the number of human factor-caused train accidents/incidents and related employee injuries. The Railroad Operating Rules Working Group was formed, and the Working Group

extensively reviewed the issues presented. The final Working Group meeting devoted to developing a proposed rule was held February 8–9, 2006. The Working Group was not able to deliver a consensus regulatory proposal, but it did recommend that it be used to review comments on FRA's NPRM, which was published in the **Federal Register** on October 12, 2006, (FR 71 60372) with public comments due by December 11, 2006. Two reviews were held, one on February 8–9, 2007, and one on April 4–5, 2007. Consensus was reached on four items and those items were presented and accepted by the full RSAC at the June 26, 2007, meeting. A final rule was published in the **Federal Register** on February 13, 2008 (73 FR 8442) with an effective date of April 14, 2008. FRA received four petitions for reconsideration of that final rule. The final rule that responded to the petitions for consideration was published in the **Federal Register** on June 16, 2008, and concluded the rulemaking. Working Group meetings were held September 27–28, 2007, January 17–18, 2008, May 21–22, 2008, and September 25–26, 2008. The Working Group has considered issues related to issuance of Emergency Order No. 26 (prohibition on use of certain electronic devices while on-duty), and “after arrival mandatory directives,” among other issues. The Working Group continues to work on after arrival orders, and at the September 25–26, 2008, meeting voted to create a Highway-Rail Grade Crossing Task Force to review highway-rail grade crossing accident reports regarding incidents of grade crossing warning systems providing “short or no warning” resulting from or contributed to “by train operational issues” with the intent to recommend new accident/incident reporting codes that would better explain such events, and which may provide information for remedial action going forward. A followup task is to review and provide recommendations regarding supplementary reporting of train operations-related, no-warning or short-warning incidents that are not technically warning system activation failures, but that result in an accident/incident or a near miss. The Task Force has been formed and will begin work after other RSIA priorities are met. *Contact:* Douglas Taylor, (202) 493–6255.

**Task 06–01—Locomotive Safety Standards.** This task was accepted on February 22, 2006, to review 49 CFR Part 229, Railroad Locomotive Safety Standards, and revise as appropriate. A Working Group was established with

the mandate to report any planned activity to the full Committee at each scheduled full RSAC meeting, to include milestones for completion of projects and progress toward completion. The first Working Group meeting was held May 8–10, 2006. Working Group meetings were held on August 8–9, 2006, September 25–26, 2006, October 30–31, 2006, and the Working Group presented recommendations regarding revisions to requirements for locomotive sanders to the full RSAC on September 21, 2006. The NPRM regarding Sanders was published in the **Federal Register** on March 6, 2007 (72 FR 9904). Comments received were discussed by the Working Group for clarification, and FRA published a Final Rule on October 19, 2007 (72 FR 59216). The Working Group met on January 9–10, 2007, November 27–28, 2007, February 5–6, 2008, May 20–21, 2008, August 5–6, 2008, October 22–23, 2008, January 6–7, 2009, and April 15–16, 2009. The Working Group has now completed the review of Part 229 and was unable to reach consensus regarding locomotive cab temperatures standards, locomotive alerters, and remote control locomotives. The group reached consensus regarding critical locomotive electronic standard, updated annual/biennial air brake standards, clarification of the “air brakes operate as intended” requirement, locomotive pilot clearance within hump classification yards, clarification of the “high voltage” warning requirement, an update of “headlight lamp” requirements, and language to allow locomotive records to be stored electronically. The Working Group presented a draft Part 229 rule text revision covering these items to RSAC for consideration at the September 10, 2009, meeting and received approval. FRA has proceeded with drafting an NPRM with a target publication date of August 2010. The Working Group may be called back to address comments received on the NPRM after publication. *Contact:* George Scerbo, (202) 493–6249.

**Task 06–03—Medical Standards for Safety-Critical Personnel.** This task was accepted on September 21, 2006, to enhance the safety of persons in the railroad operating environment and the public by establishing standards and procedures for determining the medical fitness for duty of personnel engaged in safety-critical functions. A Working Group has been established and will report any planned activity at each scheduled full RSAC meeting, including milestones for completion of projects and progress toward completion. The first Working Group meeting was held

December 12–13, 2006. The Working Group has held followup meetings on the following dates: February 20–21, 2007, July 24–25, 2007, August 29–30, 2007, October 31–November 1, 2007, December 4–5, 2007, February 13–14, 2008, March 26–27, 2008, April 22–23, 2008, and December 8–9, 2009. At the April 2008 meeting, FRA announced that the agency would prepare an NPRM draft based on the discussions to date and schedule a further meeting for review of the document. The Working Group was reconvened December 8–9, 2009, and an updated draft NPRM was presented to the Working Group for review and comment. The Working Group has held followup meetings on February 16–17, 2010, March 11–12, 2010, and May 24–26, 2010. The next meeting of the Medical Standards Working Group is scheduled for August 31–September 1, 2010. When the draft NPRM is accepted by the Medical Standards Working Group, it will be presented to the full RSAC for approval. *Contact:* Dr. Bernard Arseneau, (202) 493–6002.

**(Critical Incident Task Force)** The Medical Standards Working Group accepted RSAC Task 2009–02, Critical Incident Response, during the December 8–9, 2010, meeting. The Working Group has been tasked to provide advice regarding development of implementing regulations for critical incident stress plans as required by RSIA. A Critical Incident Task Force was established by the Working Group during the May 24–26, 2010, Medical Standards Working Group meeting. A kick-off meeting for the Critical Incident Task Force is scheduled for September 2, 2010. *Contact:* Dr. Bernard Arseneau, (202) 493–6002.

**(Physicians Task Force)** A Physicians Task Force was established by the Working Group in May 2007. The Task Force is proceeding to develop medical criteria and protocols for medical conditions. These medical criteria and protocols will be used to assess the medical fitness of safety-critical employees to perform safety critical service under a proposed medical standards rule. The medical criteria and protocols will be presented to the Medical Standards Working Group and FRA when complete. The Physicians Task Force has had meetings or conference calls on July 24, 2007, August 20, 2007, October 15, 2007, October 31, 2007, June 23–24, 2008, September 8–10, 2008, October 8, 2008, November 12–13, 2008, December 8–10, 2008, January 27–28, 2009, February 24–25, 2009, March 11–12, 2009, March 31–April 1, 2009, April 15, 2009, April 22, 2009, May 13, 2009, May 20, 2009,

June 17, 2009, January 21–22, 2010, and March 3, 2010. The Physicians Task Force presented a progress report to the Working Group during the May 24–26, 2010, Working Group meeting. The next Physicians Task Force meeting is scheduled for August 16–17, 2010. *Contact:* Dr. Bernard Arseneau, (202) 493–6002.

**Task 07–01—Track Safety Standards.** This task was accepted on February 22, 2007, to consider specific improvements to the Track Safety Standards or other responsive actions, supplementing work already underway on continuous welded rail (CWR) specifically to: review controls applied to the re-use of rail in CWR “plug rail;” review the issue of cracks emanating from bond wire attachments; consider improvements in the Track Safety Standards related to fastening of rail to concrete ties; and ensure a common understanding within the regulated community concerning requirements for internal rail flaw inspections. The tasks were assigned to the Track Safety Standards Working Group. The Working Group will report any planned activity to the full Committee at each scheduled full RSAC meeting, including milestones for completion of projects and progress toward completion. The first Working Group meeting was held on June 27–28, 2007, and the group met again on August 15–16, 2007, and October 23–24, 2007. Two Task Forces were created under the Working Group: Concrete Ties Task Force and Rail Integrity Task Force. The Concrete Ties Task Force met on November 26–27, 2007, February 13–14, 2008, April 16–17, 2008, July 9–10, 2008, and September 17–18, 2008. The Concrete Ties Task Force finalized consensus language regarding concrete crossties (49 CFR Part 213) and presented a recommendation to the Track Standards Working Group at the November 20, 2008, Working Group meeting. The language was approved by both the Working Group and the December 10, 2008, RSAC meeting and the Task Force was dissolved. FRA is finalizing an NPRM with a target publication date of August 2010. *Contact:* Ken Rusk, (202) 493–6236.

**Task 08–03—Track Safety Standards Rail Integrity.** This task was accepted on September 10, 2008, to consider specific improvements to the Track Safety Standards or other responsive actions designed to enhance rail integrity. The Rail Integrity Task Force was created in October 2007 under Task 07–01 and first met on November 28–29, 2007. The Task Force met on February 12–13, 2008, April 15–16, 2008, July 8–9, 2008, September 16–17, 2008, February 3–4, 2009, June 16–17, 2009, October 29–30,

2009, January 20–21, 2010, March 9–11, 2010, and April 20, 2010. Consensus has been achieved on bond wires and a common understanding on internal rail flaw inspections has been reached. The Task Force has reached consensus to recommend to the Working Group that the item regarding “the effect of rail head wear, surface conditions and other relevant factors on the acquisition and interpretation of internal rail flaw test results” be closed. The Task Force does not recommend regulatory action concerning head wear. Surface conditions and their affect on test integrity has been discussed and understood during dialogue concerning common understanding on internal rail flaw inspections. The Task Force believes that new technology has been developed that improves test performance and will impact the affect of head wear and surface conditions on interpretation of internal rail flaw test results. Consensus text was developed on recommended changes that would approach a performance-based approach to flaw detection scheduling. However, the group did not reach consensus on what length of segment of track is practical to utilize on determining test cycles. Consensus text has been finalized for recommended changes to 49 CFR 213.113, Defective rails; 213.237, Rail inspection; and 213.241, Inspection records. The Task Force has developed a new 49 CFR 213.238, Qualified operator language, that defines the minimum requirements for the training of a rail flaw detector car operator. The Task Force presented the consensus language to the Track Standards Working Group during a July 28–30, 2010, meeting and the Track Standards Working Group will present its recommendations to the RSAC for approval during the September 23, 2010, Committee meeting. *Contact:* Carlo Patrick, (202) 493–6399.

**Task No. 08–04—Positive Train Control.** This task was accepted on December 10, 2008, to provide advice regarding development of implementing regulations for Positive Train Control (PTC) systems and their deployment under the RSIA. The task included a requirement to convene an initial meeting no later than January 2009, and to report recommendations back to RSAC no later than April 24, 2009. The PTC Working Group was created in December 2008 by Working Group member nominations from committee member organizations under Task 08–04 and the kickoff meeting was held on January 26–27, 2009. The group met again on February 11–13, 25–27, March 17–18, 2009, and March 31–April 1,

2009. On April 2, 2009, the RSAC approved the request by the Working Group for agreement to vote on the draft rule text recommendations from the working group by mail ballot. On May 11, 2009, by majority vote via mail ballot, the RSAC accepted the recommendations of the PTC Working Group and forwarded those recommendations to the Administrator, with the understanding that there are other issues that FRA would be making proposals with respect to their resolution. The NPRM was published on July 21, 2009 (74 FR 36152), with comments due by August 20, 2009. In addition, a public hearing was held on August 13, 2009 (74 FR 36152). The PTC Working Group was reconvened on August 31–September 2, 2009, to discuss comments received on the NPRM and the PTC Working Group presented consensus rule text items to the RSAC for approval at the September 10, 2009, meeting. The PTC consensus rule text was approved by majority RSAC vote by electronic ballot on September 24, 2009, and the final rule was published on January 15, 2010 (75 FR 2598).

**(PTC Implementation Plan Task Force)** A task force was formed to assist FRA in developing a model template for a successful PTC Implementation Plan (PTCIP), and in development of an example associated Risk Prioritization Methodology. PTCIPs are required to be submitted by April 16, 2010, under the mandate of RSIA. FRA posted a final version of a PTCIP template and an example risk prioritization methodology model for prioritization of line segment implementation to the FRA public Web site on January 12, 2010, the same day the final rule was made available for public review. *Contact:* Tom McFarlin, (202) 493–6203.

**(PTC Risk Evaluation Task Force)** The creation of the PTC Risk Evaluation Task Force was approved by the PTC Working Group on April 1, 2010, to develop a computer model to estimate the risk of PTC-preventable accidents on a line segment basis. The group was formed by nominations from members of the PTC Working Group and the kick-off meeting was held via GOTO/ Webinar on June 17, 2010. A followup meeting was held on August 3, 2010, and an additional followup GOTO/ Webinar meeting is scheduled for September 7, 2010. *Contact:* Mark Hartong, (202) 493–1332.

**Task No. 08–07—Conductor Certification.** This task was accepted on December 10, 2008, to develop regulations for certification of railroad conductors, as required by RSIA, and to consider any appropriate related

amendments to existing regulations and report recommendations for proposed or interim final rule (as determined by FRA in consultation with the Office of the Secretary of Transportation and the Office of Management and Budget) by October 16, 2009. The Conductor Certification Working Group was officially formed by nominations from member organizations in April 2009, and the first meeting was held on July 21–23, 2009. Additional meetings are scheduled for August 25–27, 2009, September 15–17, 2009, October 20–22, 2009, November 17–19, 2009, and December 16–18, 2009. Tentative consensus was reached on the vast majority of the regulatory text. The Working Group approved the draft rule text by electronic ballot and the consensus draft language was approved by the RSAC on March 18, 2010, by unanimous vote as the recommendation from the Committee to the FRA Administrator and work to finalize the NPRM for publication is underway with a target publication date of late August 2010. *Contact:* Mark McKeon, (202) 493–6350.

*Task No. 09-01—*Passenger Hours of Service. This task was accepted on April 2, 2009, to provide advice regarding development of implementing regulations for the hours of service of operating employees of commuter and intercity passenger railroads under RSIA. The group has been tasked to review available data concerning the effects of fatigue on the performance of subject employees and consider the role of fatigue prevention in determining maximum hours of service. The group has also been tasked to consider the potential for alternative approaches to hour of service using available tools for evaluating the impact of various crew schedules and determine the effect of alternative approaches on the availability of employees to support passenger service. The group is charged to report whether existing hours of service restrictions are effective in preventing fatigue among subject employees, whether an alternative approach to hours of service for the subject employees would enhance safety and whether alternative restrictions on hours of service could be coupled with other fatigue countermeasures to promote the fitness of employees for safety-critical duties. The Passenger Hours of Service Working Group was officially formed through the formal Committee member nomination process in May 2009, and the first meeting was held on June 24, 2009. Followup Working Group meetings were held on February 2–3, 2010, March 4–5, 2010,

April 6, 2010, May 20, 2010, and June 29, 2010. Consensus has been reached on a majority of the issues and the draft rule text has been matured. The Working Group plans to bring the draft to electronic vote during the month of August 2010 and, if passed, will present its recommendations to the RSAC on September 23, 2010. A Passenger Hours of Service Task Force was formed to review collected data and provide recommendations to the Working Group. The Task Force met on January 14–15, 2010, March 30–31, 2010, and June 16, 2010. *Contact:* Mark McKeon, (202) 493–6350.

*Task No. 10-0—*Minimum Training Standards and Plans. This task was accepted on March 18, 2010, to establish minimum training standards for each class and craft of safety-related railroad employee and their railroad contractor and subcontractor equivalents, as required by RSIA. The group has been tasked to assist FRA in developing regulations responsive to the legislative mandate, while ensuring generally accepted principles of adult learning are employed in training/development and delivery; determine a reasonable method for submission and FRA review of training plans which takes human resource limitations into account; establish reasonable oversight criteria to ensure training plans are effective, using the operational tests and inspections requirements of 49 CFR part 217 as a model. The Training Standards Working Group was officially formed through the formal Committee member nomination process in March 2010, and the first meeting was held on April 13–14, 2010. A followup Working Group meeting was held on June 2–3, 2010, and additional followup meetings are scheduled for August 17–18 and September 21–22, 2010. A Task Analysis Task Force was formed under the Working Group to develop a task analysis template and met in Florence, KY, on June 22–23, 2010, with CSX Transportation hosting the event. The group developed a 21-page task analysis document for an outbound train yard carman position, which is complete regarding FRA railroad safety laws, regulations, and orders. The document is not fully complete for the other railroad duties that are not covered by FRA, but the Task Force did agree to capture many of those duties in the document. This document will be presented and discussed at the August 17–18, 2010, Working Group meeting. Two additional Working Group meetings are scheduled for September 21–22, 2010, and October 19–20, 2010.

*Completed Tasks:*

*Task 96-1—*(Completed) Revising the Freight Power Brake Regulations.

*Task 96-2—*(Completed) Reviewing and recommending revisions to the Track Safety Standards (49 CFR part 213).

*Task 96-3—*(Completed) Reviewing and recommending revisions to the Radio Standards and Procedures (49 CFR part 220).

*Task 96-5—*(Completed) Reviewing and recommending revisions to Steam Locomotive Inspection Standards (49 CFR part 230).

*Task 96-6—*(Completed) Reviewing and recommending revisions to miscellaneous aspects of the regulations addressing Locomotive Engineer Certification (49 CFR part 240).

*Task 96-7—*(Completed) Developing Roadway Maintenance Machines (On-Track Equipment) Safety Standards.

*Task 96-8—*(Completed) This Planning Task evaluated the need for action responsive to recommendations contained in a report to Congress entitled, *Locomotive Crashworthiness & Working Conditions*.

*Task 97-1—*(Completed) Developing crashworthiness specifications (49 CFR part 229) to promote the integrity of the locomotive cab in accidents resulting from collisions.

*Task 97-2—*(Completed) Evaluating the extent to which environmental, sanitary, and other working conditions in locomotive cabs affect the crew's health and the safe operation of locomotives, proposing standards where appropriate.

*Task 97-3—*(Completed) Developing event recorder data survivability standards.

*Task 97-4 and Task 97-5—*(Completed) Defining PTC functionalities, describing available technologies, evaluating costs and benefits of potential systems, and considering implementation opportunities and challenges, including demonstration and deployment.

*Task 97-6—*(Completed) Revising various regulations to address the safety implications of processor-based signal and train control technologies, including communications-based operating systems.

*Task 97-7—*(Completed) Determining damages qualifying an event as a reportable train accident.

*Task 00-1—*(Completed-task withdrawn) Determining the need to amend regulations protecting persons who work on, under, or between rolling equipment and persons applying, removing or inspecting rear end marking devices (Blue Signal Protection).



**Task 01-1—(Completed)** Developing conformity of FRA's regulations for accident/incident reporting (49 CFR Part 225) to revised regulations of the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor, and to make appropriate revisions to the *FRA Guide for Preparing Accident/Incident Reports* (Reporting Guide).

**Task 08-01—(Completed)** Report on the Nation's Railroad Bridges. Report to FRA on the current state of railroad bridge safety management; update the findings and conclusions of the 1993 Summary Report of the FRA Railroad Bridge Safety Survey.

**Task No. 08-06—(Completed)** Hours of Service Record Keeping and Reporting. Develop revised record keeping and reporting requirements for hours of service of railroad employees. Final rule published May 27, 2009, with an effective date of July 16, 2009. (74 FR 25330).

**Task No. 08-05—(Completed)** Railroad Bridge Safety Assurance. Develop a rule encompassing the requirements of Section 417, Railroad Bridge Safety Assurance, of RSIA bridge failure. Final rule published July 15, 2010 (75 FR-41282).

**Task 06-02—(Completed)** Track Safety Standards and Continuous Welded Rail. Issue requirements for inspection of joint bars in continuous welded rail (CWR) to detect cracks that could affect the integrity of the track structure published a Final Rule on August 25, 2009, with correcting amendment published October 21, 2009.

Please refer to the notice published in the **Federal Register** on March 11, 1996, (61 FR 9740) for more information about the RSAC.

Issued in Washington, DC, on August 16, 2010.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

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**BILLING CODE 4910-06-P**

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### Agency Information Collection Activities: Submission for OMB Review; Comment Request

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury. **ACTION:**

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

**SUMMARY:** The OCC, as part of its continuing effort to reduce paperwork

and respondent burden, invites the general public and other Federal agencies to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning an information collection titled, "Interagency Statement on Complex Structured Finance Transactions."

**DATES:** Comments must be submitted on or before September 20, 2010.

**ADDRESSES:** Communications Division, Office of the Comptroller of the Currency, Mailstop 2-3, Attention: 1557-0229, 250 E Street, SW., Washington, DC 20219. In addition, comments may be sent by fax to (202) 874-5274 or by electronic mail to [regs.comments@occ.treas.gov](mailto:regs.comments@occ.treas.gov). You may personally inspect and photocopy comments at the OCC, 250 E Street, SW., Washington, DC 20219. For security reasons, the OCC requires that visitors make an appointment to inspect and photocopy comments. You may do so by calling (202) 874-4700. Upon arrival, visitors will be required to present valid government-issued photo identification and to submit to security screening in order to inspect and photocopy comments.

Additionally, please send a copy of your comments to OCC Desk Officer, 1557-0229, by mail to U.S. Office of Management and Budget, 725 17th Street, NW., #10235, Washington, DC 20503, or by fax to (202) 395-6974.

**FOR FURTHER INFORMATION CONTACT:** You may request additional information or a copy of the collection and supporting documentation submitted to OMB by contacting: Mary H. Gottlieb, (202) 874-5090, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219.

#### SUPPLEMENTARY INFORMATION:

**Title:** Interagency Statement on Complex Structured Finance Transactions.

**OMB Control No.:** 1557-0229.

**Type of Review:** Regular review.

**Description:** The statement describes the types of internal controls and risk management procedures that the agencies (OCC, Board of Governors of the Federal Reserve System, Federal Deposit Insurance Corporation, Office of Thrift Supervision, and the Securities and Exchange Commission) consider particularly effective in helping financial institutions identify and

address the reputational, legal, and other risks associated with complex structured finance transactions.

**Affected Public:** Businesses or other for-profit.

**Burden Estimates:**

**Estimated Number of Respondents:**

12.

**Estimated Number of Responses:** 12.

**Estimated Annual Burden:** 300 hours.

**Frequency of Response:** On occasion.

**Comments:** The OCC issued a 60-Day **Federal Register** notice concerning the collection on June 11, 2010. 75 FR 33385. No comments were received. Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the information collection burden;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: August 13, 2010.

**Michele Meyer,**

*Assistant Director, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency.*

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**BILLING CODE 4810-33-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Forms 941, 941-PR, 941-SS, 941-X, 941-X(PR), Schedule B (Form 941), Schedule R (Form 941) and Schedule B (Form 941-PR)

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995,