

Kenneth G. Mallette, contributed to a crash while operating a CMV. Applicants do not qualify for an exemption if they have contributed to a crash during the three-year review period.

Two applicants, Rayfus J. Hewitt and Limmie J.T. Sweet, did not hold a license that allowed operation of vehicles over 26,000 pounds, for all or part of the three-year review period.

The following four applicants meet the vision standard and do not need a vision exemption.

Adkison, Gary L.  
Albrecht, Thomas K.  
Fry, Donald L.  
Maust, Larry A.

One applicant, Lyndon P. Walker, was disqualified for multiple reasons.

One applicant, Merrill C. Vogelzang, provided inconsistent information that could not be verified during the application process.

Three applicants, Lavern F. Brantner, Jr., Troy Harrison, and James E. Kilby, III, were disqualified because their vision was not stable for the entire three-year review period.

One applicant, Raymond P. Gonzales, did not submit all of the required documentation and therefore presented no verifiable evidence that he met the terms and conditions of the Federal vision exemption program.

Finally, one applicant, Alphonso L. Mitchell, does not meet the vision standard in his better eye.

Issued on: February 22, 2006.

**Pamela M. Pelcovits,**

*Director for Policy Plan's and Regulations.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Federal Railroad Administration, DOT.

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

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requirements (ICRs) abstracted below have been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICRs describes the nature of the information collections and their expected burdens. The **Federal Register**

notice with a 60-day comment period soliciting comments on the following collections of information was published on December 20, 2005 (70 FR 75533).

**DATES:** Comments must be submitted on or before March 31, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292), or Mr. Victor Angelo, Office of Support Systems, RAD-20, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6470). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, section 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 December 20, 2005, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 70 FR 75533. FRA received no comments in response to this notice. Accordingly, DOT announces that these information collection activities have been reevaluated 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 updated requirements are being submitted for clearance by OMB as required by the PRA.

**Title:** Identification of Cars Moved in Accordance with Order 13528.

**OMB Control Number:** 2130-0506.

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

**Affected Public:** Railroads.

**Form(s):** None.

**Abstract:** This collection of information identifies a freight car being moved within the scope of Order 13528 (now codified under 49 CFR 232.3). Otherwise, an exception will be taken, and the car will be set out of the train and not delivered. The information that must be recorded is specified at 49 CFR 232.3(d)(3), which requires that a car be properly identified by a card attached to each side of the car and signed stating that such movement is being made under the authority of the order. Section 232.3(d)(3) does not require retaining cards or tags. When a car bearing a tag for movement under this provision arrives at its destination, the tags are simply removed.

**Annual Estimated Burden Hours:** 67 hours.

**Title:** U.S. DOT Crossing Inventory Form.

**OMB Control Number:** 2130-0017.

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

**Affected Public:** Railroads and States.

**Form(s):** FRA F 6180.17.

**Abstract:** Form FRA F 6180.71 is a voluntary form, and is used by States and railroads to periodically update certain site specific highway-rail crossing information which is then transmitted to FRA for input into the National Inventory File. This information has been collected on the U.S. DOT-AAR Crossing Inventory Form (previous designation of this form) since 1974 and maintained in the National Inventory File database since 1975. The primary purpose of the National Inventory File is to provide for the existence of a uniform database which can be merged with accidents data and used to analyze information for planning and implementation of crossing safety programs by public, private, and governmental agencies responsible for highway-rail crossing safety. Following the official establishment of the National Inventory in 1975, the Federal Railroad Administration (FRA) assumed the principal responsibility as custodian for the maintenance and continued development of the U.S. DOT/AAR National Highway-Rail Crossing Inventory Program. The major goal of the Program is to provide Federal, State,

and local governments, as well as the railroad industry, information for the improvement of safety at highway-rail crossings. Good management practices necessitate maintaining the database with current information. The data will continue to be useful only if maintained and updated as inventory changes occur. FRA previously cleared the reporting and recordkeeping burden for this form under Office of Management and Budget (OMB) Clearance Number 2130-0017. OMB approved the burden for this form through July 31, 2006. FRA is requesting a new 3-year approval from OMB for this information collection.

*Annual Estimated Burden Hours:* 1,487 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 February 22, 2006.

**Brenda Horn,**

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

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**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Notice of Limitation on Claims on Proposed Public Transportation Projects

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of Limitation on Claims.

**SUMMARY:** This notice announces actions taken by FTA as final for purposes of the limitation on claims. The FTA actions described in this notice consist of various environmental approvals for proposed public transportation projects in the following urbanized areas: New York (lower Manhattan), Seattle, Buffalo, New York (remainder), Providence, Hartford, Boston, Brattleboro (Vermont), and Bridgeport.

**DATES:** By this notice, FTA is advising the public of final agency actions subject to 23 U.S.C. 139(l). A claim seeking judicial review of the Federal agency actions on any of the listed public transportation projects will be barred unless the claim is filed on or before August 28, 2006. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Joseph Ossi, Office of Planning and Environment, 202-366-1613, or Christopher Van Wyk, Office of Chief Counsel, 202-366-1733. FTA is located at 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 9 a.m. to 5:30 p.m., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FTA has taken final agency actions by issuing approval for the public transportation projects listed below. The actions on these projects, as well as the laws under which such actions were taken, are described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA), and in other documents in the FTA administrative record for the project. The final agency environmental decision documents—Records of Decision (RODs) and Findings of No Significant Impact (FONSI)—for the listed projects can be obtained by contacting the FTA Regional Office for the urbanized area where the project is located. The decision documents for the first three projects listed can be obtained by contacting the Lower Manhattan Recovery Office (LMRO) (contact information for the Regional Offices and for LMRO can be found at [http://www.fta.dot.gov/about/offices/4978\\_ENG\\_HTML.htm](http://www.fta.dot.gov/about/offices/4978_ENG_HTML.htm)).

This notice applies to all FTA decisions on the listed projects as of the issuance date of this notice and all laws under which such actions were taken, including, but not limited to, the National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4375], section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303], section 106

of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470f], and the Clean Air Act [42 U.S.C. 7401-7671q].

The projects subject to this notice are:

1. *Project name and location:* Fulton Street Transit Center, New York, NY. *Project sponsor:* Metropolitan Transportation Authority Capital Construction. *Project description:* This project is a transit center that will make connections between a number of transit facilities in Lower Manhattan. *Final agency actions:* ROD issued November 22, 2004; Section 4(f) Finding; and Section 106 Programmatic Agreement. *Supporting documentation:* Final Environmental Impact Statement issued October 8, 2004.

2. *Project name and location:* South Ferry Terminal Station, New York, NY. *Project sponsor:* Metropolitan Transportation Authority Capital Construction. *Project description:* This project will replace the existing station with a new terminal that addresses the functional and operational deficiencies of the existing station. *Final agency actions:* FONSI issued August 30, 2004; Section 4(f) Finding; and Section 106 Programmatic Agreement. *Supporting documentation:* Environmental Assessment issued May 3, 2004.

3. *Project name and location:* Permanent World Trade Center (WTC) PATH Terminal, New York, NY. *Project sponsor:* Port Authority of New York and New Jersey. *Project description:* The project will result in a new permanent Port Authority Trans-Hudson (PATH) Terminal on the WTC site that combines an above-grade terminal building and sub-level pedestrian concourses on the eastern portion of the WTC site with additional pedestrian concourses, tracks, platforms, and a mezzanine on the western portion of the site. *Final agency actions:* ROD issued June 28, 2005; Section 4(f) Finding; and Section 106 Memorandum of Agreement. *Supporting documentation:* Final Environmental Impact Statement issued May 13, 2005.

4. *Project name and location:* Downtown Bremerton Pedestrian/Bremerton Transportation Center Access Improvements Project, Bremerton, WA. *Project sponsors:* Washington State Department of Transportation and Kitsap Transit. *Project description:* Project involves construction of a new access route to and from the Bremerton Transportation Center, as well as construction of a new passenger-only ferry facility, a new intermodal terminal and transit deck, and improved vehicle ferry waiting area and parking structure. *Final agency actions:* FONSI issued August 11, 2005; Section 4(f) Finding;