

on a pipeline in a Class 1 location be within 10 miles of a block valve, the maximum not to exceed 20 miles. PHMSA, however, reserves the right to approve an alternative spacing, which will provide an equivalent level of safety.

During a review of its records, Tuscarora discovered that the upstream portions of its pipeline in Lassen County, CA, were slightly re-routed during construction to avoid a sensitive environmental habitat. As a result, the valve spacing between main line valve (MLV) 8 and MLV-9 exceeds the PHMSA mandated maximum valve space of 20 miles by 1,065 feet. Due to this excessive valve space, Tuscarora requests a waiver of the valve spacing requirement for this section of line.

As part of its review, PHMSA has taken the following information into consideration in regards to Tuscarora's waiver request:

- The pipeline was re-routed during construction to avoid a sensitive environmental habitat;
- All mainline block valves on the Tuscarora system are equipped with automatic line break detection and automatic closure devices;
- An existing dirt roadway provides ease of access to the affected valve location; and
- The pipeline segment from MLV-8 to MLV-10 is designed, operated, and maintained to Class 1 requirements in accordance with 49 CFR part 192.

On October 26, 2004, PHMSA published a notice in the **Federal Register** requesting public comment on Tuscarora's waiver request (69 FR 62516). No comments were received.

#### Grant of Waiver

Based on the information above, PHMSA finds that a waiver from the requirement of § 192.179(a)(4) is not inconsistent with pipeline safety and does provide an equivalent level of safety to that required by the regulation. Specifically, Tuscarora's entire mainline block valves are equipped with automatic line break detection and automatic closure devices. Therefore, Tuscarora's request for waiver from the regulatory requirements of § 192.179(a)(4) is granted between MLV-8 and MLV-9.

**Authority:** 49 U.S.C. 60118(c) and 49 CFR 1.53.

Issued in Washington, DC, on July 6, 2006.

#### Joy Kadnar,

*Director-Engineering Services, Security, and Emergency Response.*

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## DEPARTMENT OF TRANSPORTATION

### Research and Innovative Technology Administration

#### Agency Information Collection; Activity Under OMB Review; Confidential Close Call Reporting System

**AGENCY:** Research & Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) described below is being forwarded to the Office of Management and Budget (OMB) for approval for a new information collection in support of a five-year research study aiming at improving rail safety by analyzing information on close calls and other unsafe occurrences in the rail industry. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection of information was published on April 27, 2006 (71 FR 24913) and the comment period ended on June 26, 2006. The 60-day notice produced no comments.

**DATES:** Written comments should be submitted by August 14, 2006.

**FOR FURTHER INFORMATION CONTACT:** Ms. Demetra V. Colliia, Room 3430, RITA, BTS, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001. Telephone (202) 366-1610, Fax (202) 493-0568 or e-mail [demetera.colliia@dot.gov](mailto:demetera.colliia@dot.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Confidential Close Call Reporting System.

*Type of Request:* Approval of a new information collection.

*OMB Control Number:* New.

*Affected Public:* Workers in the railroad industry.

*Number of Respondents:* 350.

*Number of Responses:* 350.

*Total Annual Burden:* 175 hours (Average estimate of 30 minutes to complete the survey resulting in a total of 175 hours).

*Abstract:* Collecting data on the nation's transportation system is an important component of BTS's responsibility to the transportation community and is authorized in BTS statutory authority (49 U.S.C. 111(c)(1) and (2) and 49 U.S.C. 111(c)(5) (j)). BTS and FRA share a common interest in

promoting rail safety based on better data. To that end, FRA's Office of Research and Development is sponsoring the Confidential Close Call Reporting System (C<sup>3</sup>RS) Demonstration Project to investigate the effectiveness of such system in improving rail safety.

A close call represents a situation in which an ongoing sequence of events was stopped from developing further, preventing the occurrence of potentially serious safety-related consequences. This might include the following: (1) Events that happen frequently, but have low safety consequences; (2) events that happen infrequently but have the potential for high consequences (e.g., a train in dark territory proceeds beyond its authority); (3) events that are below the FRA reporting threshold (e.g., an event that causes a minor injury); and (4) events that are reportable to FRA but have the potential for a far greater accident than the one reported (e.g., a slow speed collision with minor damage to the equipment and no injuries.).

Employees involved in a close call will be asked to fill out a reporting form which will be made available on the Web and at their work site and mail it to BTS. The close call reporting form will ask the respondent to provide information on: (1) Name and contact information; (2) time and location of the incident; (3) a short description of the event; (4) contributing factors to the close call; and (5) any other information that might be useful in determining a root cause of such event.

BTS will collect close call reports submitted by railroad employees, develop an analytical database containing the reported data and other pertinent information, and protect the confidentiality of these data through its own statute (49 U.S.C. 111(i)) and the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA). Accordingly, only statistical and non-sensitive information will be made available through publications and reports. Through the analysis of close calls the FRA and the railroad community will receive information about factors that may contribute to unsafe events and use that information to develop new training programs and identify root causes of potentially adverse events. The database will also provide other users such as rail safety researchers with valuable data regarding precursors to safety risks and contribute to research and development of intervention programs aimed at preventing accidents and fatalities.

It is estimated that the close call reporting form will take no more than 30 minutes to complete for a maximum total burden of 175 hours (350

reports\*30 minutes/60 = 175 hours). Reports are submitted when there is a qualifying event, i.e., a close call occurs within a pilot site. The frequency of such event is estimated to be approximately one per day.

**ADDRESSES:** The agency seeks public comments on its proposed information collection. Comments should address whether the information will have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention: BTS Desk Officer.

Issued in Washington, DC on this 6th day of July, 2006.

**William Bannister,**

*Acting Deputy Director, Bureau of Transportation Statistics, Research and Advanced Technology Administration, U.S. Department of Transportation.*

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## DEPARTMENT OF TRANSPORTATION

### Research and Innovative Technology Administration

#### Agency Information Collection; Activity Under OMB Review; Collection of Data for Program Evaluation

**AGENCY:** Research & Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) described below is being forwarded to the Office of Management and Budget (OMB) for approval for a new information collection related to the evaluation of a five-year demonstration/research program on voluntary reporting of close calls and near misses in the rail environment. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection of information was

published on May 10, 2006 (71 FR 27313) and the comment period ended on July 9, 2006. The 60-day notice produced no comments.

**DATES:** Written comments should be submitted by August 14, 2006.

**FOR FURTHER INFORMATION CONTACT:** Ms. Demetra V. Colli, Room 3430, RITA, BTS, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001. Telephone (202) 366-1610, Fax (202) 493-0568 or e-mail [demetera.colli@dot.gov](mailto:demetera.colli@dot.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Collection of Data for Program Evaluation.

*Type of Request:* Approval of a new information collection.

*OMB Control Number:* New.

*Affected Public:* Workers in the railroad industry.

*Number of Respondents:* 1200.

*Number of Responses:* 1200.

*Total Annual Burden:* 600 hours (Average estimate of 30 minutes to complete the survey resulting in a total of 600 hours).

*Abstract:* Collecting data on the nation's transportation system is an important component of BTS' responsibility to the transportation community and is authorized in BTS statutory authority (49 U.S.C. 111(c)(1) and (2) and 49 U.S.C. 111(c)(5)(j)). Further, BTS and FRA share a common interest in promoting rail safety based on better data. In recognition of the need for new approaches to improving safety, the FRA has initiated a research program called the Confidential Close Call Reporting System (C<sup>3</sup>RS). The C<sup>3</sup>RS is designed to identify safety issues and propose corrective actions based on voluntary reports of close calls submitted to BTS. BTS will collect reports on close calls and near misses submitted by railroad employees, develop an analytical database containing the reported data and other pertinent information, and protect the confidentiality of these data through its own statute (49 U.S.C. 111(i)) and the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA). BTS is seeking a separate OMB approval for the collection of close call reports (71 FR 24913, April 27, 2006) which does not involve the evaluation of the reporting system. While C<sup>3</sup>RS is being implemented with the participation of the FRA, railroad labor, and railroad management, there are legitimate questions about whether it is being implemented in the most effective way, and whether it will have its intended effect. Further, even if C<sup>3</sup>RS is successful, it will be necessary to know

if it is successful enough to implement on a wide scale. To address these important questions, the FRA is implementing a formative evaluation to guide program development, a summative evaluation to assess impact, and a sustainability evaluation to determine how C<sup>3</sup>RS can continue after the test period is over. BTS will collect, process, and analyze the survey data for the evaluation of C<sup>3</sup>RS.

Employees of selected railroad sites (pilot sites) will be asked to fill out a questionnaire which will be made available to them at town hall meetings and mail back to BTS. Data will be collected from the entire population of affected workers (estimate 1200 or less). The survey will ask respondents to provide information on: (a) Beliefs about rail safety; (b) issues and personal concerns related to implementation of safety programs in their work environment; (c) knowledge and views on voluntary reporting of unsafe events; and (d) opinions and observations about the operation of C<sup>3</sup>RS at their work site. It is estimated that the survey will take no more than 30 minutes to complete for a maximum total burden of 600 hours (1200 respondents\*30 minutes/60 = 600 hours).

**ADDRESSES:** The agency seeks public comments on its proposed information collection. Comments should address whether the information will have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention: BTS Desk Officer.

Issued in Washington, DC, on this 6th day of July, 2006.

**William Bannister,**

*Acting Deputy Director, Bureau of Transportation Statistics, Research and Advanced Technology Administration, U.S. Department of Transportation.*

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