

Federal programs and activities apply to this proposed action.)

**Authority:** 23 U.S.C. 315; 49 CFR 1.48.

Issued on: July 12, 2006.

**Donald R. Tuggle,**

*Director, Program Administration, Federal Highway Administration, Sterling, Virginia.*  
[FR Doc. E6-11338 Filed 7-17-06; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in Virginia

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA.

**SUMMARY:** This notice announces actions taken by the FHWA that are final within the meaning of 23 U.S.C. 139(1)(1). The actions relate to a proposed highway project, Interstate 495 (i.e., Capital Beltway), I-95/I-395/I-495 Interchange to the American Legion Bridge, in the County of Fairfax, State of Virginia. Those actions grant approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(1)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before January 16, 2007. 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:** Mr. Edward S. Sundra, Senior Environmental Specialist, Federal Highway Administration, 400 North 8th Street, Suite 750, Richmond, Virginia 23240-0249; telephone: (804) 775-3338; e-mail: [Ed.Sundra@fhwa.dot.gov](mailto:Ed.Sundra@fhwa.dot.gov). The FHWA Virginia Division Office's normal business hours are 7 a.m. to 4:30 p.m. (eastern time). You may also contact Mr. Earl T. Robb, Environmental Administrator, Virginia Department of Transportation, 1401 East Broad Street, Richmond, Virginia 23219; telephone: (804) 786-4559; e-mail: [Earl.Robb@vdot.virginia.gov](mailto:Earl.Robb@vdot.virginia.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA has taken final agency actions by issuing approvals for the following highway project in the State of Virginia: Interstate 495 (i.e., Capital Beltway), I-95/I-395/I-

495 Interchange to the American Legion Bridge, in the County of Fairfax. The project will be approximately 22.5 km (14 mi) long and consists of improvements to the mainline as well as improvements at nine interchanges located within the project limits. Specifically, two high occupancy vehicle (HOV) lanes will be added to the main line in each direction and be managed as high occupancy toll (HOT) lanes. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, approved on April 18, 2006, in the FHWA Record of Decision (ROD) issued on June 29, 2006, and in other documents in the FHWA administrative record. The FEIS, ROD, and other documents in the FHWA administrative record file are available by contacting the FHWA or the Virginia Department of Transportation at the addresses provided above. The FHWA FEIS and ROD can be viewed and downloaded from the project Web site at <http://project1.parsons.com/capitalbeltway/>.

This notice applies to all FHWA decisions and approvals as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 USC 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109].
2. Air: Clean Air Act, 42 U.S.C. 7401-7671(q).
3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Science Enhancement (Wildflowers), 23 U.S.C. 319.
4. Wildlife: Endangered Species Act [16 U.S.C. 1531-1544 and Section 1536], Marine Mammal Protection Act [16 U.S.C. 1361], Fish and wildlife Coordination Act [16 U.S.C. 661-667(d)], Migratory Bird Treaty Act [16 U.S.C. 703-712].
5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archaeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-11]; Archaeological and Historic Preservation Act [16 U.S.C. 469-469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001-3013].
6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)-200(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].

7. Executive Orders: E.O. 1190 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1).

Issued on: July 6, 2006.

**Edward Sundra,**

*Senior Environmental Specialist, Richmond, Virginia.*

[FR Doc. 06-6265 Filed 7-17-06; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2005-23459]

#### Hours of Service of Drivers: National Ready Mixed Concrete Association Application for Exemption

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of application for exemption; request for comments.

**SUMMARY:** FMCSA announces that it has received an application from the National Ready Mixed Concrete Association (NRMCA) for a 2-year exemption from certain provisions of the hours-of-service (HOS) rules for commercial motor vehicle (CMV) drivers. Under the exemption, drivers of ready-mixed concrete vehicles in designated areas would be allowed to operate under the 100 air-mile radius exception from the requirement to prepare records of duty status (RODS) provided they are released from work within 14 hours following 10 consecutive hours off duty. Additionally, NRMCA requests an exemption from the requirement that a CMV driver record his or her duty status for each 24-hour period using the methods prescribed in the HOS rules. NRMCA is requesting the exemption on behalf of ready-mixed concrete

producers operating within a 100 air-mile radius, in interstate commerce, delivering to active construction sites in Alabama, Florida, Louisiana, Mississippi, and Texas. NRMCA states that approximately 800 drivers and the same number of ready-mixed concrete vehicles will operate under the requested exemption. NRMCA bases its request on the fact that many companies and their drivers are working to rebuild areas affected by the record number of hurricanes during the 2005 hurricane season. FMCSA requests public comment on NRMCA's application for exemption.

**DATES:** Comments must be received on or before August 17, 2006.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket No. FMCSA-2005-23459] using any of the following methods:

- **Web Site:** Go to <http://dmses.dot.gov/submit>. Follow the instructions for submitting comments on the DOT electronic docket site.
- **Fax:** 1-202-493-2251.
- **Mail:** Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.
- **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.
- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

**Instructions:** All submissions must include the Agency name and docket number for this notice. Note that all comments received will be posted without change to <http://dms.dot.gov> including any personal information provided. Please see the Privacy Act heading for further information.

**Docket:** For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to 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. The DMS is available 24 hours each day, 365 days each year. If you want to be notified that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments online.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of DOT's dockets by

the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, or other entity). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477). This statement is also available at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Yager, Division Chief, Driver and Carrier Operations Division (MC-PSD), Office of Bus and Truck Standards and Operations, phone (202) 366-4009, e-mail [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4007 of the Transportation Equity Act for the 21st Century (Pub. L. 105-178, June 9, 1998, 112 Stat. 107) amended 49 U.S.C. 31315 and 31136(e) to provide authority to grant exemptions from the motor carrier safety regulations. On August 20, 2004, FMCSA published a final rule (69 FR 51589) on section 4007. Under the regulations, FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). FMCSA must provide the public with an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted, and it must provide an opportunity for public comment on the request.

FMCSA reviews the safety analyses and the public comments and determines whether granting the exemption would achieve a level of safety equivalent to or greater than the level that would be achieved by the current regulation (49 CFR 381.305). FMCSA's decision must be published in the **Federal Register** (49 CFR 381.315(b)). If FMCSA denies the request, it must state the reason for doing so. If FMCSA grants the exemption, the notice must specify the person or class of persons receiving the exemption and the regulatory provision or provisions from which exemption is being granted. The notice must also specify the effective period of the exemption (up to 2 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

##### Application for Exemption

NRMCA seeks an exemption from the requirement for drivers to prepare RODS. The exemption would apply to ready-mixed concrete drivers that operate within 100 air-miles of the drivers' normal work reporting location, return to the work reporting location,

and are released from work within 14 hours. Currently, 49 CFR 395.1(e)(1) provides an exception from the RODS requirement for drivers operating within 100 air-miles but returning within 12 hours. The request is limited to holders of Class A or B commercial driver's licenses and to interstate deliveries to active construction sites in Alabama, Florida, Louisiana, Mississippi, and Texas. Drivers' normal work reporting locations must also be in one of these States. The request is further limited to drivers who " \* \* \* must deliver to active commercial, residential or local, state or federal construction sites \* \* \*." NRMCA indicated that approximately 800 drivers and the same number of ready-mixed concrete vehicles will be affected by the requested exemption. NRMCA bases its request on the fact that many companies and their drivers are working to rebuild areas affected by the record number of hurricanes during the 2005 hurricane season.

In addition, NRMCA requests that ready-mixed concrete drivers utilizing the requested exemption complete, and that motor carriers require such drivers to complete, an alternative time record that contains (1) The driver's name, (2) the date, (3) start time, (4) stop time, (5) total hours worked daily, (6) total hours for the week, (7) normal work reporting location, and (8) the driver's signature. This differs from the current requirement for time records for drivers using the 100 air-mile exception in 49 CFR 395.1(e)(1) by adding the requirement for the driver's signature.

NRMCA suggests that reducing the paperwork without diminishing public safety will benefit and facilitate ongoing rebuilding activities. It proposes, as a condition under the terms of the exemption, to select individual ready-mixed concrete producers and monitor the number of DOT-recordable accidents that occur among the producers, and it will report its findings to FMCSA. NRMCA requests the exemption extend for a period of two years from the date of approval.

A copy of NRMCA's application for exemption is available for review in the docket for this notice.

##### Request for Comments

In accordance with 49 U.S.C. 31315 and 31136(e), FMCSA requests public comment on NRMCA's application for exemption from 49 CFR 395.1(e). FMCSA will consider all comments received by close of business on August 17, 2006. Comments will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. FMCSA will file

comments received after the comment closing date in the public docket and will consider them to the extent practicable. In addition to late comments, FMCSA will also continue to file in the public docket relevant information that becomes available after the comment closing date. Interested persons should monitor the public docket for new material.

Issued on: July 10, 2006.

**David H. Hugel,**

*Acting Administration.*

[FR Doc. E6-11289 Filed 7-17-06; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No. FTA-2005-22657]

**RIN 2132-AA85**

#### Charter Service Negotiated Rulemaking Advisory Committee

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

**ACTION:** Notice of new meeting location and time of the meeting.

**SUMMARY:** This notice lists the location and time of the next Charter Bus Negotiated Rulemaking Advisory Committee (CBNRAC) meeting.

**DATES:** *Effective Date:* July 18, 2006.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Martineau, Attorney-Advisor, Office of the Chief Counsel, Federal Transit Administration, 202-366-1936 ([elizabeth.martineau@dot.gov](mailto:elizabeth.martineau@dot.gov)). Her mailing address at the Federal Transit Administration is 400 Seventh Street, SW., Room 9316, Washington, DC 20590.

#### SUPPLEMENTARY INFORMATION:

##### *Meeting Location*

The Radisson Hotel, 2020 Jefferson Davis Highway, Arlington, VA 22202 (Crystal City).

##### *Meeting Time*

July 17th, 9 a.m.–4:30 p.m., July 18th, 8:30 a.m.–4 p.m.

Issued this 11th day of July, 2006, in Washington DC.

**Sandra K. Bushue,**

*Deputy Administrator.*

[FR Doc. 06-6324 Filed 7-14-06; 12:25 pm]

**BILLING CODE 4910-57-M**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-290 (Sub-No. 273X)]

#### The Alabama Great Southern Railroad Company—Discontinuance of Service Exemption—in Saint Bernard Parish, LA

The Alabama Great Southern Railroad Company (AGS), a wholly owned subsidiary of Norfolk Southern Railway Company (NSR), has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over a 4.50-mile line of railroad, between milepost 0.00 PT, at Poydras Junction, and milepost 4.50 PT, at Toca, in Saint Bernard Parish, LA. The line traverses United States Postal Service Zip Code 70085.

AGS has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) no overhead traffic has moved over the line for at least 2 years, and that overhead traffic, if there were any, could be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.<sup>1</sup>

As a condition to this exemption, any employee adversely affected by the discontinuance shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on August 17, 2006,<sup>2</sup> unless stayed pending reconsideration. Petitions to stay and formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> must

<sup>1</sup> Because this is a discontinuance of service proceeding and not an abandonment, the proceeding is exempt from the requirements of 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), and 49 CFR 1105.11 (transmittal letter).

<sup>2</sup> Because this is a discontinuance proceeding, trail use/rail banking and public use conditions are not applicable.

<sup>3</sup> Each OFA must be accompanied by the filing fee, which was increased to \$1,300 effective on

be filed by July 28, 2006. Petitions to reopen must be filed by August 7, 2006, with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to applicant's representative: James R. Paschall, Senior General Attorney, The Alabama Great Southern Railroad Company, Three Commercial Place, Norfolk, VA 23510.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

Board decisions and notices are available on our Web site at [WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV).

Decided: July 11, 2006.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E6-11267 Filed 7-17-06; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 3520-A

**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, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 3520-A, Annual Information Return of Foreign Trust With a U.S. Owner.

**DATES:** Written comments should be received on or before September 18, 2006 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn Kirkland, Internal Revenue Service, room 6516, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Allan Hopkins, at (202) 622-6665, or at Internal Revenue

April 19, 2006. *See Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—2006 Update*, STB Ex Parte No. 542 (Sub-No. 13) (STB served Mar. 20, 2006).