

Railroad System by Conventional Railroads and Light Rail Transit Systems, 65 FR 42526.)

VTA Tasman West LRT Line is a two-track, 7.6-mile urban rapid transit light rail line owned and operated by VTA within the City of Mountain View, City of Sunnyvale, and County of Santa Clara, California. A 1.6-mile segment of this LRT Line, called the Moffett Drill Track, features 2 tracks and 11 grade crossings and is shared with freight service of the Union Pacific Railroad Company (UP). This Moffett Drill Track segment is nominally connected to the General Railroad System (connection exists at the westward terminus of the Tasman West LRT Line at the Downtown Mountain View Station with mainline tracks used by UPRR and Caltrain) by virtue of a contractual right of a single shipper for freight service to the NASA-Ames Research Center, a right that has not been exercised in the last 12 years.

VTA states that considering the total absence of freight service on this segment for the last 12 years, and the heavy restrictions which would be placed on any such movement, that the term "shared" is technical in name only and well below the level of activity which would justify application of FRA regulations to a light rail operation. Further, the character of the freight operation across the Moffett Drill Track is equivalent to providing service to a shipper facility that is not considered to be part of the General Railroad System, except when a UP freight train operating in interstate commerce actually enters the facility. In this case, unless and until the NASA-Ames Research Center actually requests and schedules the UP to enter its facility, then the FRA should waive jurisdiction over light rail operations on this 1.6-mile shared track segment. VTA states that it has received numerous noise complaints because its light rail vehicles (LRV) must blow their horns in the manner prescribed in the Locomotive Horn Rule as per 49 CFR parts 222 and 229. Its LRVs cross the 11 highway grade crossings 114 times per day from 0400 a.m. until 0100 a.m. daily, and utilize a horn with a decibel range from 85dB to 97dB. Given the history of nonexistent freight operations on this 1.6-mile segment, VTA contends a waiver of the Horn Rule requirements is more suitable and practical than establishing a quiet zone. In the event NASA-Ames Research Center does request freight service, UP remains subject to FRA regulations, and VTA will adhere to the terms and conditions of the current Shared Use Waiver with movement on the Moffett Drill Track

heavily restricted, including full temporal separation.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA in writing before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (FRA-1999-6254) and may be submitted by one of the following methods:

- Web site: <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic site;
- Fax: 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; or
- 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.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC on December 6, 2006.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. E6-21012 Filed 12-11-06; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notification of Informational Filing To Test a Processor-Based Signal and Train Control System, and a Request for Waiver of Compliance

In accordance with Title 49 Code of Federal Regulations (CFR) Part 211, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance with certain requirements of Federal railroad safety regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### CSX Transportation, Inc.

[Docket Number FRA-2006-25057]

In association with continued development and implementation testing of the CSX Transportation, Inc. (CSXT) Communications Based Train Control (CBTM) System, CSXT of Jacksonville, Florida, has petitioned for a waiver of compliance from certain FRA regulatory safety requirements. CBTM is a non-vital safety-critical overlay designed to supplement the existing method of operation to protect against the consequences of human error.

CSXT is requesting a petition of regulatory relief from the following Federal regulations: 49 CFR 216.13 (Special Notice of Repairs—Locomotive), 49 CFR 217.9 (Program of Operational Tests and Inspections—Recordkeeping), 49 CFR 217.11 (Program of Instruction on Operating Rules—Recordkeeping, Electronic Recordkeeping), 49 CFR part 218 subpart D (Prohibition Against Tampering with Safety Devices), 49 CFR 229.7 (Prohibited Acts), 49 CFR 229.135 (Event Recorders), 49 CFR 233.9 (Reports), 49 CFR 235.5 (Changes Requiring Filing of Application), 49 CFR 240.127 (Criteria for Examining Skill Performance), and 49 CFR 240.129 (Criteria for Monitoring Operational Performance of Certified Engineers). CSXT is requesting regulatory relief for testing related to the CBTM on the CSXT Blue Ridge, Duke, Spartanburg, and McCormick Subdivisions, which consist of approximately 137 miles of Traffic Control System territory and 130 miles of Direct Traffic Control territory. The regulatory relief requested was previously granted; however, this relief was withdrawn by FRA in a letter dated April 8, 2005 (see docket FRA-2002-

12507). The regulatory relief requested in CSX's current petition is only for CBTM-related equipment and testing, and only through the conclusion of CBTM testing. Compliance with the rules for which relief is requested will not apply to non-CBTM-related equipment and operations. Details of the exact relief requested and CSXT's supporting rationale are detailed in FRA-2006-25057-4.

For informational purposes only, FRA is also providing notice that it has received an informational filing to test CBTM submitted pursuant to 49 CFR 236.913(j). FRA will accept comments only on those items requiring a waiver from regulatory requirements. All communications concerning the petition from regulatory relief under 49 CFR part 211 should identify the appropriate docket number (FRA-2006-25057) and must be submitted by one of the following methods:

- *Web site:* <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic site;

- *Fax:* 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; or

• *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.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000, (Volume 65, Number 70; Pages 19477-78). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC on December 6, 2006.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. E6-21016 Filed 12-11-06; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Release of Waybill Data

The Surface Transportation Board has received a request from Covington & Burling on behalf of Union Pacific Corporation (WB468-8—12/1/06), for permission to use certain data from the Board's 2005 Carload Waybill Sample. A copy of the request may be obtained from the Office of Economics, Environmental Analysis, and Administration.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics, Environmental Analysis, and Administration within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

*Contact:* Mac Frampton, (202) 565-1541.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E6-21045 Filed 12-11-06; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34969]

#### Union Pacific Railroad Company— Temporary Trackage Rights Exemption—BNSF Railway Company

BNSF Railway Company (BNSF) has agreed to grant temporary overhead trackage rights to Union Pacific Railroad Company (UP) over BNSF's lines between milepost 146.0, Hobart, CA, and milepost 9.8, Riverside, CA, a distance of approximately 55 miles.<sup>1</sup>

The transaction is scheduled to be consummated on January 2, 2007, and the temporary trackage rights will expire on or about April 5, 2007. The purpose

<sup>1</sup>Total mileage does not correspond to the milepost designations of the endpoints because the trackage rights involve BNSF subdivisions with non-contiguous mileposts.

of the temporary trackage rights is to facilitate maintenance work on UP lines.

As a condition to this exemption, any employee affected by the acquisition of the temporary trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980), and any employee affected by the discontinuance of those trackage rights will be protected by the conditions set out in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

This notice is filed under 49 CFR 1180.2(d)(8). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34969, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Gabriel S. Meyer, Union Pacific Railroad Company, 1400 Douglas St., STOP 1580, Omaha, NE 68179.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

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

Decided: December 5, 2006.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E6-21046 Filed 12-11-06; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

December 6, 2006.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.