

dedicated staff to ensure that this oversight will not occur again.

The City states that it is attempting to determine required modifications and make the necessary modifications to the crossing in question to continue the existing locomotive horn sounding restrictions. The City anticipates a cost of \$300,000 to \$500,000, to make the necessary upgrades in order to be in compliance with FRA regulations.

The City states that it is currently negotiating with the Norfolk Southern Railway Company (NS) to garner its support for the waiver. The City also states that NS will notify FRA if it has an objection. The City decided to file the petition alone in order to expedite the process, and that a joint submission by the City and railroad is not likely to significantly contribute to public safety.

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 (e.g., Waiver Petition Docket Number FRA-2008-0087) and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>.

Follow the online instructions for submitting comments.

- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received within 30 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://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and 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).

Issued in Washington, DC, on December 23, 2008.

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

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

[FR Doc. E8-31180 Filed 12-30-08; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review

**AGENCY:** Maritime Administration, DOT.  
**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and approval. The nature of the information collection is described as well as its expected burden. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on September 23, 2008. No comments were received.

**DATES:** Comments must be submitted on or before January 30, 2009.

#### FOR FURTHER INFORMATION CONTACT:

Ruth Develbis, Maritime Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: (202) 366-2314; or e-Mail: [ruth.develbis@dot.gov](mailto:ruth.develbis@dot.gov). Copies of this collection also can be obtained from that office.

**SUPPLEMENTARY INFORMATION:** Maritime Administration.

*Title:* Records Retention Schedule.

*OMB Control No.:* 2133-0501.

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

*Affected Public:* United States shipping companies receiving government financial aid.

*Forms:* None.

*Abstract:* Section 801 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 53101, note), requires retention of records pertaining to financial assistance programs for ship

construction and ship operations. These records are required to be retained to permit proper financial review of pertinent records at the conclusion of a contract when the contractor has receiving government financial assistance.

*Dates:* Comments should be submitted on or before March 2, 2009.

*Annual Estimated Burden Hours:* 50 hours.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention: Maritime Administration Desk Officer.

*Comments are invited on:* Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including 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. A comment to OMB is best assured of having its full effect, if OMB receives it within 30 days of publication.

Dated: December 19, 2008.

**Leonard Sutter,**

*Secretary, Maritime Administration.*

[FR Doc. E8-31061 Filed 12-30-08; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 692X)]

#### CSX Transportation, Inc.— Abandonment Exemption—in Niagara County, NY

CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 1.06-mile line of railroad, known as the Wurlitzer Industrial Track, on CSXT's Northern Region, Albany Division, Niagara Subdivision, extending from milepost QDJ 0.94 to the end of track at milepost QDJ 2.0, in North Tonawanda, Niagara County, NY. The line traverses United States Postal Service Zip Code 14120.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other lines; (3) no formal complaint filed by a user