

**Livonia, Avon & Lakeville Railroad Corporation (Waiver Petition Docket Number FRA-2002-13250)**

The Livonia, Avon & Lakeville Railroad Corporation (LAL) of Lakeville, New York, has petitioned for a permanent waiver of compliance for one business car, LAL 100 (Traveler), from the requirements of the Railroad Safety Glazing Standards, Title 49 CFR part 223.15(c), which require certified glazing in all windows and a minimum of four emergency windows. LAL purchased this business car from the Arkansas & Missouri Railroad and is the ex-Canadian National Railways business car 65. LAL indicates that the car is equipped with non-compliant glazing, is not air-conditioned and is used only about 3 or 4 times a year at speeds not exceeding 25 mph. The car operates on LAL, B&H Rail Corporation, and the Western New York & Pennsylvania Railroad lines.

LAL states that the design of the window sachets (wood) makes installation of glazing a costly item. All windows (25 total) open (up) eight inches. LAL requests that due to the prohibitive cost and little use of the car that the certified glazing requirements be waived for the business car LAL 100 (Traveler).

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-2002-13250) 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 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://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 September 14, 2009.

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

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

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**DEPARTMENT OF THE TREASURY**

**Community Development Financial Institutions Fund**

**Proposed Collection: Comment Request**

**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 Community Development Financial Institutions Fund ("the Fund") within the Department of the Treasury is soliciting comments concerning the Certification of Material Events Form. This specific information collection will capture information related to Community Development Entity (CDE)/New Markets Tax Credit material events, as well as Community Development Financial Institutions (CDFI) material events, in a single form. The revised document will provide a more comprehensive list of potential material events to inform CDEs and CDFIs of the events that need to be

reported to the CDFI Fund and will require the CDE or CDFI to affirmatively indicate, through a series of specific questions, whether or not the event will have an impact on areas of operations that are of particular concern to the CDFI Fund. This information will enable the CDFI Fund to better manage the Material Events review process and monitor the effects of Material Events on certification or compliance status.

**DATES:** Written comments should be received on or before November 20, 2009 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Bob Ibanez, Financial and Program Analyst, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005. Written comments may also be sent by fax to (202) 622-7754, or by e-mail to [cdfihelp@cdfi.treas.gov](mailto:cdfihelp@cdfi.treas.gov). Please include the Subject line "Comments on the Certification of Material Events Form".

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form(s) and instructions should be directed to Bob Ibanez, Financial and Program Analyst, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, by e-mail to [cdfihelp@cdfi.treas.gov](mailto:cdfihelp@cdfi.treas.gov), or by phone to (202) 927-6232 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

*Title:* Certification of Material Events Form.

*OMB Number:* Pending OMB Approval.

*Abstract:* This specific information collection will capture information related to Community Development Entity (CDE)/New Markets Tax Credit material events, as well as Community Development Financial Institutions (CDFI) material events, in a single form. The revised document will provide a more comprehensive list of potential material events to inform CDEs and CDFIs of the events that need to be reported to the CDFI Fund and will require the CDE or CDFI to affirmatively indicate, through a series of specific questions, whether or not the event will have an impact on areas of operations that are of particular concern to the CDFI Fund. This information will enable the CDFI Fund to better manage the Material Events review process and monitor the effects of Material Events on certification or compliance status.

*Current Actions:* Currently revising and redesigning the Certification of Material Events Form.

*Type of Review:* New Collection.  
*Affected Public:* CDFIs and CDEs; including business or other for-profit institutions, non-profit entities, and State, local and Tribal entities.

*Estimated Number of Respondents:* 200.

*Estimated Annual Time Per Respondent:* .25 Hours.

*Estimated Total Annual Burden Hours:* 50 Hours.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All

comments will become a matter of public record. Comments are invited on:

- (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility;
- (b) the accuracy of the agency's estimate of the burden of the collection of information;
- (c) ways to enhance the quality, utility and clarity of the information to be collected;
- (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection

techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

**Authority:** 12 U.S.C. 4701 *et seq.*; 26 U.S.C. § 45D.

Dated: September 15, 2009.

**Donna J. Gambrell,**  
*Director, Community Development Financial Institutions Fund.*

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