

Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Fax: 1-202-493-2251.

Each submission must include the Agency name, FMCSA, and the Docket No. referenced above. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

**Docket:** For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time, or Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Federal Docket Management System is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments on-line.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of our 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, etc.).

You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19476). This information is also available at <http://docketsinfo.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Tamara Johnson, Program Assistant, CSA 2010, (202) 366-6621.

**SUPPLEMENTARY INFORMATION:** Format and Agenda of Listening Session: During the public webinars, FMCSA will provide the following:

Thursday, December 3, 2009, at 3:30 p.m. EST, Webinar—Part 1: CSA 2010 Overview and Operational Model Test Results. This webinar will focus on describing the three main components of CSA 2010 and the operational model test, including quantitative and qualitative results to date. In February 2008, FMCSA began testing the new CSA 2010 operational model in four States, CO, GA, MO, and NJ, and has since added four additional states, KS, MD, MN, and MT. This test is designed to validate the efficiency and effectiveness of the CSA 2010 operational model.

Thursday, December 10, 2009, at 3:30 p.m. EST, Webinar—Part 2: CSA 2010 from a Motor Carrier and Driver Perspective. This webinar will focus on

program implementation, and is designed to provide motor carriers, drivers, and other stakeholders with specific information on what will change and how stakeholders can prepare for CSA 2010 implementation.

Each webinar will consist of a presentation delivered by FMCSA personnel, followed by a facilitated panel discussion. Participants in the panel will include CSA 2010 subject matter experts, operational model test participants, field staff, and State law enforcement personnel. The participants will discuss their knowledge and experience in conducting the CSA 2010 operational model test, identify best practices, and provide guidance for implementation. Each 90-minute webinar will be divided into two 45-minute segments. The first segment will be used to present information to participants and for the panel discussion. The second segment will be used for questions and answers.

Participants should submit questions to be addressed during the webinars with their registration form. In addition, participants will be able to submit questions during the webinars. CSA 2010 subject matter experts will be available during the listening sessions to address questions and comments.

Registration information and instructions:

1. To register for the webinars, attendees must register online at <http://csa2010.fmcsa.dot.gov> by November 30, 2009.

2. After registration, participants will receive the specific Internet address (uniform resource locator, URL) and access information for the webinars. Information from the CSA 2010 public webinars will be posted on the Agency's public Web site at <http://csa2010.fmcsa.dot.gov> and in the docket after the webinars.

### Background

In August 2004, FMCSA embarked on CSA 2010, a comprehensive review and analysis of FMCSA's motor vehicle safety compliance and enforcement program (69 FR 51748, August 20, 2004). The ultimate goal of CSA 2010 is to achieve a greater reduction in large truck and bus crashes, injuries, and fatalities while making efficient and effective use of the resources of FMCSA and its State partners. CSA 2010 will help the Agency assess the safety performance of a greater segment of the motor carrier industry and intervene with more carriers and drivers to change unsafe behavior early. In contrast to the Agency's current operational model, CSA 2010 is characterized by (1) a more comprehensive safety measurement

system; (2) a broader array of interventions; and (3) upon adoption of a final rule, a safety fitness determination methodology that is based on performance data rather than an on-site compliance review. FMCSA has made significant progress in its development and testing of the CSA 2010 operational model, and is preparing for implementation in 2010. For more information on CSA 2010, including its major components, implementation plans, and the field test, visit <http://csa2010.fmcsa.dot.gov>.

FMCSA understands how important it is to obtain feedback on this new CSA 2010 compliance and enforcement program from partners, stakeholders, and other interested parties. The Agency conducted nine listening sessions to date, six in 2004, and one each in 2006, 2007 and 2008. Through these listening sessions, FMCSA provided information and obtained feedback on: (1) Ways the Agency could improve its process of monitoring and assessing motor carrier industry safety performance, (2) the design and development of CSA 2010, and (3) the results of the ongoing CSA 2010 operational model test. To view the final report for each of these listening sessions, including the feedback received, visit the Outreach and Media page on <http://csa2010.fmcsa.dot.gov>.

### Comments Requested

FMCSA also requests written comments from all interested parties on the CSA 2010 program elements. For more detailed information on CSA 2010 commenters are invited to go to <http://csa2010.fmcsa.dot.gov>. Each commenter is requested to provide supporting data and rationale wherever possible.

Issued on: October 29, 2009.

**Rose A. McMurray,**

*Acting Deputy Administrator.*

[FR Doc. E9-26412 Filed 11-2-09; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from certain requirements of its safety standards. 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.

### Town of Black Wolf, Wisconsin

[Waiver Petition Docket Number FRA-2009-0097]

The Town of Black Wolf, Wisconsin (Town), and the Wisconsin Central Limited (WC) seek a permanent waiver of compliance from a certain provision of the Use of Locomotive Horns at Highway-Rail Grade Crossings, 49 CFR part 222. The Town and WC are seeking a waiver from the rule in order that two previously closed public at-grade crossings could be used in the calculation of the risk indices necessary to establish a quiet zone. Specifically, they are seeking a waiver from the provisions of 49 CFR part 222, appendix C, B-3 so that the risk indices that were associated with two closed crossings, Swiss Road and Country Club Road, could be used in the calculation of the Risk Index With Horns (RIWH) and the Quiet Zone Risk Index (QZRI). Both RIWH and QZRI are used in the quiet zone calculation process to determine eligibility for the establishing of a quiet zone.

The pertinent section of 49 CFR part 222, appendix C, section 1(B)(3) reads as follows: "*Crossing closures*: If any public crossing within the quiet zone is proposed to be closed, include that crossing when calculating the Risk Index with Horns. The effectiveness of a closure is 1.0. However, be sure to increase the traffic counts at other crossings within the quiet zone and recalculate the risk indices for those crossings that will handle the traffic diverted from the closed crossing. It should be noted that crossing closures that are already in existence are not considered in the risk calculations."

The Town is in the process of establishing a new quiet zone along the WC. The proposed quiet zone would consist of six public at-grade crossings and be approximately 4.3 miles in length.

The Town states that it began preparing for the quiet zone in the spring of 2001. The preparation has included the installation of automatic warning devices consisting of flashing lights and gates at all crossings. Additionally, the Town has closed two crossings: Swiss Road (DOT #690134B) in 2004, and Country Club Road (DOT #690137W) in December 2007. The Town affirms that all of these improvements were made with the intent of creating a quiet zone.

The Town states that due to budget constraints, it was necessary to spread out the safety improvements over several years. The design and

construction costs for the closing of Swiss Road and Country Club Road were approximately \$251,000. The Town's preliminary risk reduction calculations indicate that it will not be able to establish a quiet zone for the six remaining crossings as they are now configured. If risk reduction credit is not allowed for the two closed crossings, additional safety measures will have to be installed and the Town will incur additional costs. However, if risk reduction credit is provided for the closure of the two crossings, the Town's calculations indicate that it would be able to establish a quiet zone without any additional improvements. (**Note:** Please see the docket to view the Town's calculations).

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-2009-0097) 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

document (or signing the document, 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 (65 FR 19477) or at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on October 28, 2009.

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

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

[FR Doc. E9-26435 Filed 11-2-09; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from certain requirements of its safety standards. 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.

#### Dallas Area Rapid Transit

[Docket Number FRA-2004-20000]

The Dallas Area Rapid Transit (DART), located in Dallas, TX, seeks an extension of its permanent waiver of compliance from Title 49 of the CFR for continued operation of a light rail line at a "limited connection" with the Dallas Garland and Northeastern Railroad (DGNO). *See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment*, 65 FR 42529 (July 10, 2000); *see also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems*, 65 FR 42626 (July 10, 2000).

DART is currently expanding its light rail operations and will double in size to 93 miles by 2014. Expansion includes shared corridor operation with DGNO with up to 50 or more limited connections at shared highway-rail grade crossings anticipated.

Based on the foregoing, DART is seeking an extension of the terms and conditions of its current waiver of compliance from the provisions of the