

## AMENDMENT TO PFC APPROVALS—Continued

Amendment No., city, state	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
09-07-0-01-GCC Gillette, WY .....	05/21/10	433,172	33,341	11/01/11	06/01/09
01-08-C-03-PDX Portland, OR .....	05/24/10	551,230,600	551,230,600	05/01/16	05/01/16
05-09-C-01-PDX Portland, OR .....	05/24/10	68,207,251	68,207,251	03/01/18	03/01/18
97-10-0-04-CHO Charlottesville, VA .....	05/24/10	897,404	829,621	09/01/03	09/01/03
99-13-U-03-CHO Charlottesville, VA .....	05/24/10	NA	NA	09/01/03	09/01/03

Notes: The amendment denoted by an asterisk (\*) include a change to the PFC level charged from \$3.00 per enplaned passenger to \$4.50 per enplaned passenger. For El Paso, TX, this change is effective on August 1, 2010.

Issued in Washington, DC on June 7, 2010.

**Joe Hebert,**

*Manager, Financial Analysis and Passenger Facility Charge Branch.*

[FR Doc. 2010-13983 Filed 6-10-10; 8:45 am]

**BILLING CODE 4910-13-M**

## 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) received a request for a waiver of compliance with 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.

#### Township of Montclair, New Jersey

[Waiver Petition Docket Number FRA-2010-0096]

The Township of Montclair, New Jersey (Township), and the New Jersey Transit Corporation (NJTC) jointly seek a temporary waiver of compliance from certain provisions of the Use of Locomotive Horns at Highway-Rail Grade Crossings, 49 CFR part 222. The Township intends to convert its Pre-Rule Partial Quiet Zone that it had previously continued under the provisions of 49 CFR 222.41(c)(1) to a 24-hour New Quiet Zone. The Township is seeking a waiver for the requirement to construct and complete a New Quiet Zone by June 24, 2010, as required by 49 CFR 222.41(c)(2) and for an extension of such date to September 30, 2010.

The Township states that it has worked diligently to complete the necessary improvements to establish a New Quiet Zone. There are 12 crossings in the existing Pre-Rule Partial Quiet Zone. 6 of these crossings will be treated with Supplementary Safety Measures

(SSM) as follows: 3 crossings with gates and medians, 2 crossings with four-quadrant gates, and 1 crossing that will be reconfigured from a two-street with gates to a one-way streets with gates.

The Township and NJT have cooperatively worked to implement the planned improvements; however, due to the number of crossings and the complexity of the project, all of the planned improvements will not be completed by June 24, 2010. The Township requests that the existing Pre-Rule Partial Quiet Zone with hours from 7 p.m. to 7 a.m. be allowed to continue until September 30, 2010, by which time all of the improvements will have been completed.

The Township states that SSMs consisting of gated crossings with medians will be completed at 3 of the crossings by June 24, 2010. It also notes that the existing Pre-Rule Partial Quiet Zone has been in existence since 1973, and that the residents and business owners have become accustomed to the absence of the horn during these hours. There has been only 1 grade crossing collision (property damage only) during the last 10 years. The Township and NJTC feel that the extension of the Pre-Rule Partial Quiet Zone until September 30, 2010, will not pose any additional risk to public health and 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-2010-0096) 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 15 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 June 7, 2010.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2010-14044 Filed 6-10-10; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. EP 290 (Sub-No. 4); Docket No. EP 290 (Sub-No. 5)]

#### Railroad Cost Recovery Procedures—Productivity Adjustment; Quarterly Rail Cost Adjustment Factor

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Surface Transportation Board seeks comments on a request from the Association of American Railroads that the Board restate the previously published productivity adjustment for the 2003–2007 averaging period (2007 productivity adjustment) so that it tracks the 2007 productivity adjustment figure used in the Board's March 26, 2010 calculation of the modified 2008 productivity adjustment, and restate any quarterly RCAF (Adjusted) and RCAF–5 calculations that would be affected by a restatement of the 2007 productivity adjustment.

**DATES:** Comments are due by July 12, 2010; replies are due by August 10, 2010.

**ADDRESSES:** Comments and replies may be submitted either via the Board's e-filing format or in traditional paper format. Any person using e-filing should attach a document and otherwise comply with the instructions at the E-FILING link on the Board's Web site at <http://www.stb.dot.gov>. Any person submitting a filing in the traditional paper format should send an original and 10 copies referring to Docket No. EP 290 (Sub-No. 4) *et al.* to: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001.

Copies of written comments will be available for viewing and self-copying at the Board's Public Docket Room, Room 131, and will be posted to the Board's Web site.

**FOR FURTHER INFORMATION CONTACT:**

Valerie Quinn, (202) 245–0382. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877–8339.

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's June 14, 2010 decision, which is available on our website at <http://www.stb.dot.gov>. Copies of the decision may be purchased by contacting the office of Public Assistance, Governmental Affairs, and Compliance at (202) 245–0235. Assistance for the hearing impaired is available through FIRS at (800) 877–8339.

This action will not significantly affect either the quality of the human environment or energy conservation.

Decided: June 7, 2010.

By the Board, Chairman Elliott, Vice Chairman Mulvey, and Commissioner Nottingham.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2010–14112 Filed 6–10–10; 8:45 am]

**BILLING CODE 4915–01–P**

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**Proposed Collection; Comment Request for Form 4952**

**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 4952, Investment Interest Expense Deduction.

**DATES:** Written comments should be received on or before *August 10, 2010* to be assured of consideration.

**ADDRESSES:** Direct all written comments to Gerald Shields, Internal Revenue Service, Room 6129, 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 Internal Revenue Service, Room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or at (202) 622–6665, or through the Internet at [Allan.M.Hopkins@irs.gov](mailto:Allan.M.Hopkins@irs.gov).

*Title:* Investment Interest Expense Deduction.

*OMB Number:* 1545–0191.

*Form Number:* Form 4952.

*Abstract:* Interest expense paid by an individual, estate, or trust on a loan allocable to property held for investment may not be fully deductible in the current year. Form 4952 is used to compute the amount of investment interest expense deductible for the current year and the amount, if any, to carry forward to future years.

*Current Actions:* There are no changes being made to the form at this time.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Individuals or households and business or other for-profit organizations.

*Estimated Number of Respondents:* 137,064.

*Estimated Time per Respondent:* 1 hour, 30 minutes.

*Estimated Total Annual Burden Hours:* 205,596.

*The following paragraph applies to all of the collections of information covered by this notice:*

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

*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.

Approved: May 25, 2010.

**Gerald Shields,**

*IRS Reports Clearance Officer.*

[FR Doc. 2010–14005 Filed 6–10–10; 8:45 am]

**BILLING CODE 4830–01–P**

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**Proposed Collection; Comment Request for Form 8909**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort