

input from the public on the proposed revisions to TS-R-1. Comments are being solicited only on the changes made between the published 2009 edition and the draft 2012 edition.

The draft 2012 edition and the 2009 version are available online in the public docket for this notice. To assist in comparing these two documents, the IAEA has prepared a table in which the original text (2009, as published) is compared with the proposed text (draft 2012 edition); the table may also be found online in the public docket for this notice. A redline/strikeout version of the 2012 draft showing the changes from the 2009 version is also available in the docket.

Any comments made should refer to the relevant paragraph number in the draft 2012 edition, and when appropriate, proposed alternative text.

Please note that to date, PHMSA has harmonized the U.S. domestic hazardous materials regulations in 49 CFR with the 1996 edition of TS-R-1, as revised in 2000 [Docket No. RSPA-99-6283 (HM-230)]. A rulemaking is in development which will be issued in draft for public review at a later date to harmonize with the 2009 edition of TS-R-1. PHMSA is not currently considering adoption of the 2012 amendments. However, subsequent domestic compatibility rulemakings by both NRC and DOT will be considered after IAEA final publication of the 2012 revised TS-R-1.

II. Public Participation

Methods and instructions for submitting comments are specified in the **ADDRESSES** section of this notice. Comments must be submitted in writing (Microsoft Word file is the preferred format for electronic submissions) and should include:

- Name;
- Address;
- Relevant paragraph number in the document being reviewed, and
- When appropriate, proposed alternative text.

Commenters may also provide contact information, such as a telephone number and/or e-mail address.

PHMSA and the NRC will review the comments received and based in part on the information received, will develop comments on the revised draft of TS-R-1 to be submitted to the IAEA. Comments from the United States and other IAEA member states will be considered at an IAEA Transport Safety Standards Committee (TRANSSC) Meeting to be convened by IAEA on November 29, 2010, in Vienna, Austria.

Issued in Washington, DC on June 24, 2010.

Magdy El-Sibaie,
Associate Administrator for Hazardous Materials Safety.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Prepare an Environmental Assessment and Request for Public Scoping Comments for the Air Tour Management Plan Program at Petrified Forest National Park

AGENCY: Federal Aviation Administration (FAA).

ACTION: Notice of Intent To Prepare an Environmental Assessment and To request public scoping comments.

SUMMARY: The FAA, with National Park Service (NPS) as a cooperating agency, has initiated development of an Air Tour Management Plan (ATMP) for Petrified Forest National Park (Petrified Forest), pursuant to the National Parks Air Tour Management Act of 2000 (Pub. L. 106-181) and its implementing regulations (14 CFR Part 136, Subpart B, National Parks Air Tour Management). The objective of the ATMP is to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations on the natural resources, cultural resources, and visitor experiences of a national park unit and any Tribal lands within or abutting the park. It should be noted that the ATMP has no authorization over other non-air-tour operations such as military and general aviation operations. In compliance with the National Environmental Policy Act of 1969 (NEPA) and FAA Order 1050.1E, an Environmental Assessment (EA) is being prepared.

In April 2010, the NPS and FAA held a two-day kickoff meeting at Petrified Forest; minutes may be found at: <http://parkplanning.nps.gov/projectHome.cfm?parkId=88&projectId=30802>.

The purpose of the kickoff meeting was for the FAA and NPS to have the opportunity to share information regarding environmental and other issues to consider in the development of an ATMP. Materials presented at the meeting included information on: park resources; the acoustical environment at Petrified Forest; current and historical air tour operations; and representative air tour flight paths. In addition,

Petrified Forest staff provided information regarding sensitive park resources, Tribal concerns, and tourism patterns.

The FAA and NPS are now inviting the public, agencies, Tribes, and other interested parties to provide comments, suggestions, and input on the scope of issues to be addressed in the environmental process.

DATES: By this notice, the FAA is requesting comments on the scope of the EA for the ATMP at Petrified Forest. Comments must be submitted by August 2, 2010.

FOR MORE INFORMATION CONTACT: Keith Lusk—Mailing address: P.O. Box 92007, Los Angeles, California 90009-2007. Telephone: (310) 725-3808. Street address: 15000 Aviation Boulevard, Lawndale, California 90261.

Written comments on the scope of the EA should be submitted electronically via the electronic public comment form on the NPS Planning, Environment and Public Comment System at: <http://parkplanning.nps.gov/projectHome.cfm?parkId=88&projectId=30802>, or sent to the mailing address above.

SUPPLEMENTARY INFORMATION: A public scoping packet that describes the project in greater detail is available at:

- <http://parkplanning.nps.gov/projectHome.cfm?parkId=88&projectId=30802>.
- Alpine Public Library.
- Flagstaff City-Coconino Public Library.
- Northern Arizona University Library-Cline Library.
- Gallup Public Library.
- Holbrook Public Library.
- Northland Pioneer College Library.
- Larson Public Memorial Library.
- New Mexico State University Library.
- Painted Cliffs Welcome Center.
- Painted Desert Visitor Center.
- Phoenix Public Library.
- Casa Malpais Visitor Center and Museum.
- Apache County Library District Office.
- Navajo Community College Library-Tsaiile Campus.
- Tucson-Pima County Public Library.
- Roxanne Whipple Memorial Library-Winslow.

Notice Regarding FOIA: Individuals may request that their name and/or address be withheld from public disclosure. If you wish to do this, you must state this prominently at the beginning of your comment. Commentators using the Web site can make such a request by checking the

box "keep my contact information private." Such requests will be honored to the extent allowable by law, but you should be aware that pursuant to the Freedom of Information Act, your name and address may be disclosed. We will make all submissions from organizations, businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses available for public inspection in their entirety.

Issued in Hawthorne, CA on June 23, 2010.

Keith Lusk,

*Program Manager, Special Programs Staff,
Western-Pacific Region.*

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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.

Port Authority Trans-Hudson Corporation

[Waiver Petition Docket Number FRA-2010-0104]

The Port Authority Trans-Hudson Corporation (PATH) seeks a waiver of compliance with the Locomotive Safety Standards, 49 CFR 229.129(b)(2), which requires that the sound level of horns of locomotives manufactured before September 18, 2006, be tested before June 24, 2010.

PATH operates a closed interstate rail transit system between New York and New Jersey, with no public highway-rail grade crossings. PATH is in the process of replacing its entire fleet of electric MU rail cars used in passenger service. To date, 122 new cars have been delivered and are in compliance with horn testing requirements for locomotives built after September 18, 2006. PATH continues to operate 223 electric MU railcars manufactured prior to the September 18, 2006, date that require testing. PATH will scrap all but 52 of the cars built prior to September 18, 2006, over the next 18 months. The 52 remaining cars will be used as work cars (maintenance of way).

PATH states that due to the size of the railroad, there is only one location (Harrison Yard) that meets the criteria of the horn testing requirements. This a storage yard, and to utilize this facility, would cause PATH to hold 4 storage tracks out of service which would cripple PATH's operation. PATH requests a waiver from the horn testing requirements for the cars that were manufactured prior to September 18, 2006, that will be scraped within the next 18 months and a reasonable extension of time period to test the 52 cars they will retain for work service.

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 2010-0104) 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 June 25, 2010.

Michael J. Logue,

Deputy Associate Administrator for Safety Compliance and Program Implementation.
[FR Doc. 2010-16067 Filed 6-30-10; 8:45 am]

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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.

Vreeland Rail, LLC

[Docket Number FRA-2009-0110]

The Vreeland Rail, LLC of Superior, Wisconsin, has petitioned for a permanent waiver of compliance for one EMD locomotive built in 1942, model SW-1 and numbered VREE 600, from the requirements of the Railroad Safety Glazing Standards, title 49 CFR part 223, which requires certified glazing on all windows.

The locomotive is presently located in Ishpeming, Michigan. The railroad indicates that the locomotive operates over 2 1/2 miles of industrial track through the town of Ishpeming, MI, and Tilden Township. The switching operations consist of 2 to 4 cars per trip and approximately 3 or 4 trips per week. The top speed of operations is 5 mph.

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-2009-0110) and may be submitted by any of the following methods: