

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration**

[Summary Notice No. PE-2007-54]

**Petition for Exemption; Summary of Petition Received****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of petition for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number involved and must be received on or before August 23, 2010.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2009-0796 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.
- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.
- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy:* We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for 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 19477-78).

*Docket:* To read background documents or comments received, go to

<http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Laverne Brunache, 202-267-3133, or Tyneka L. Thomas, 202-267-7626, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on July 28, 2010.

**Pamela Hamilton-Powell,**  
*Director, Office of Rulemaking.*

**Petition for Exemption**

*Docket No.:* FAA-2009-0796.

*Petitioner:* Florida Air Transport, Inc.

*Section of 14 CFR Affected:*

§§ 119.1(a)(2), 119.5(h), 119.23, and 125.1.

*Description of Relief Sought:* Florida Air Transport seeks an exemption from 14 CFR 119.1(a)(2), 119.5(h), 119.23, and 125.1 to operate DC-4 aircraft in common carriage with a payload greater than 6,000 pounds.

[FR Doc. 2010-18986 Filed 8-2-10; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Pipeline and Hazardous Materials Safety Administration**

[Docket No. PHMSA-2010-0194]

**Pipeline Safety: Personal Electronic Device Related Distractions**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.

**ACTION:** Notice; Issuance of Advisory Bulletin.

**SUMMARY:** PHMSA is issuing an Advisory Bulletin to remind owners and operators of natural gas and hazardous liquid pipeline facilities of the risks associated with the use of personal electronic devices (PEDs) by individuals performing operations and maintenance activities on a pipeline facility.

**FOR FURTHER INFORMATION CONTACT:** Cameron Satterthwaite by phone at 202-366-1319 or by e-mail at [cameron.satterthwaite@dot.gov](mailto:cameron.satterthwaite@dot.gov). General information about the Department of Transportation initiative on distracted driving may be found at <http://www.distractions.gov>. Information about PHMSA may be found at <http://phmsa.dot.gov>.

**SUPPLEMENTARY INFORMATION:****Background**

The U.S. Department of Transportation is leading the effort to end the dangerous practice of distracted driving on our nation's roadways and in other modes of transportation. The use of PEDs, such as cellular telephones and mobile computers, while operating motor vehicles has been the subject of recent Departmental regulations and guidance. (e.g., Restrictions on Railroad Operating Employees' Use of Cellular Telephones and Other Electronic Devices, 75 FR 9754, May 18, 2010; Limiting the Use of Wireless Communication Devices, 75 FR 16391, April 1, 2010.) In furtherance of this effort, PHMSA recognizes that the use of PEDs by pipeline employees who are performing operations and maintenance activities may pose a similar risk to safety if those individuals are distracted, especially when such use is for personal business.

The Federal pipeline safety regulations in 49 CFR Parts 190 through 199 prescribe minimum safety standards for pipeline transportation and for pipeline facilities. Owners and operators of natural gas and hazardous liquid pipeline facilities are required to have and follow written procedures for safely conducting operations and maintenance tasks. (49 CFR 192.605, 193.2503, and 195.402) Individuals performing those tasks, particularly activities that affect the operation or integrity of the pipeline facility, must be qualified under a program developed by each operator that ensures individuals are trained and have the knowledge, skills, and ability necessary to perform the tasks safely and to recognize and react to abnormal conditions. (49 CFR 192.805, 193.2707, and 195.505.)

There may be increased risks associated with the use of PEDs by personnel performing pipeline activities affecting operation or integrity. Pipeline operations and maintenance tasks require a critical level of attention and skill, which may be compromised by visual, manual, or cognitive distractions caused by the use of PEDs. Such distractions may also hinder their prompt recognition and reaction to abnormal operating conditions and emergencies.

PHMSA recommends that operators integrate into their written procedures for operations and maintenance appropriate controls regarding the use of PEDs by individuals performing pipeline tasks that may affect pipeline operation or integrity. PHMSA is not discouraging the use of PEDs as a part of normal business operations. PHMSA

also recommends that operators provide guidance and training for all personnel about the risks associated with the use of PEDs while driving, and while performing activities on behalf of the company if that use poses a risk to safety.

#### Advisory Bulletin (ADB-10-06)

*To:* Owners and Operators of Hazardous Liquid and Natural Gas Pipeline Systems.

*Subject:* Personal Electronic Device (PED) Related Distractions.

*Advisory:* As with other modes of transportation, PHMSA recognizes the use of PEDs by pipeline employees who are performing operations and maintenance activities may increase safety risks if those individuals become distracted. In furtherance of the Department's effort to end the dangerous practice of distractions caused by PEDs throughout the various modes of transportation, PHMSA is issuing this Advisory Bulletin about the potential for distractions affecting pipeline safety.

PHMSA reminds owners and operators of natural gas and hazardous liquid pipeline facilities that there may be increased risks associated with the use of PEDs by individuals performing activities that affect pipeline operation or integrity. Pipeline operations and maintenance tasks require a critical level of attention and skill, which may be compromised by visual, manual, and cognitive distractions caused by the use of PEDs. Such distractions may also hinder their prompt recognition and reaction to abnormal operating conditions and emergencies.

Owners and operators of natural gas and hazardous liquid pipeline facilities should integrate into their written procedures for operations and maintenance appropriate controls regarding the personal use of PEDs by individuals performing pipeline tasks that may affect the operation or integrity of a pipeline. PHMSA is not discouraging the use of PEDs as a part of normal business operations. Owners and operators should also provide guidance and training for all personnel about the risks associated with the use of PEDs while driving and while performing activities on behalf of the company if that use poses a risk to safety.

Issued in Washington, DC, on July 27, 2010.

**Jeffrey D. Wiese,**

*Associate Administrator for Pipeline Safety.*

[FR Doc. 2010-18947 Filed 8-2-10; 8:45 am]

**BILLING CODE 4910-60-P**

#### DEPARTMENT OF TRANSPORTATION

[Docket No. PHMSA-2010-0202; Notice No. 10-5]

#### Safety Advisory Notice: Personal Electronic Device Related Distractions

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.

**ACTION:** Notice.

**SUMMARY:** PHMSA is issuing a safety advisory notice to remind offerors and carriers of hazardous materials of the risks associated with the use of personal electronic devices (PEDs) by individuals operating motor vehicles that contain hazardous materials.

**FOR FURTHER INFORMATION CONTACT:** Stuart Streck by telephone at (404) 832-1140 or by e-mail at [stuart.streck@dot.gov](mailto:stuart.streck@dot.gov). General information about the Department of Transportation initiative on distracted driving may be found at <http://www.distractions.gov>. Information about PHMSA may be found at <http://phmsa.dot.gov>.

**SUPPLEMENTARY INFORMATION:** Research conducted by the United States Department of Transportation (DOT) and other governmental and non-governmental organizations has shown the danger posed by drivers who are distracted by cellular telephones and other PEDs. For example, Virginia Tech Transportation Institute conducted a study under contract with Federal Motor Carrier Safety Administration (FMCSA) entitled "Driver Distraction in Commercial Vehicle Operations." The final report, released on October 1, 2009, found that text messaging on a cellular telephone increased the risk of a safety-critical event by 23.2 percent.

The DOT is leading the effort to end the dangerous practice of distracted driving on our nation's roadways and in other modes of transportation. The FMCSA recently initiated a rulemaking designed to prohibit texting by commercial motor vehicle (CMV) drivers operating in interstate commerce and to impose sanctions for drivers who fail to comply. *See* Limiting the Use of Wireless Communication Devices, 75 FR 16391 (proposed Apr. 1, 2010). The majority of the 50 states have forbidden the operation of PEDs while driving any motor vehicle. *See* DOT Distracted Driving Web site, <http://www.distractions.gov>; *see also* Insurance Institute for Highway Safety Web site, <http://www.iihs.org/>.

PHMSA's Office of Hazardous Materials Safety is the Federal safety authority for the transportation of

hazardous materials by air, rail, highway, and water. Safety is at the core of PHMSA's mission. PHMSA strives to reduce the risk of harm from the transportation of hazardous materials. In light of PHMSA's vital safety mission, we issue this advisory bulletin to raise awareness of the problems and dangers presented by the use of PEDs by hazardous materials drivers.

Operators of vehicles transporting hazardous materials should guard against distraction, including the use of PEDs while operating a vehicle. All CMV drivers transporting hazardous materials should be aware that the use of a PED while driving constitutes a safety risk to themselves, other motorists, and bystanders. The consequences of using PEDs while driving can include state and local sanctions, FMCSA fines, and possible revocation of commercial driver's licenses.

In addition, businesses that prepare or transport hazardous materials in commerce should be aware that the dangers of distracted driving are heightened due to the risk of the release of hazardous materials in the event of an accident. Accordingly, hazardous materials companies should institute policies and provide awareness training to discourage the use of PEDs by drivers. PHMSA recognizes that there are already members of the hazardous materials transportation community with policies in place that exceed the legal requirements for curbing the risk of distracted driving. PHMSA applauds these and all other efforts to enhance the safety of hazardous materials transportation.

Issued in Washington, DC, on July 27, 2010.

**Magdy El-Sibaie,**

*Associate Administrator for Hazardous Materials Safety.*

[FR Doc. 2010-18944 Filed 8-2-10; 8:45 am]

**BILLING CODE 4910-60-P**

#### TENNESSEE VALLEY AUTHORITY

#### Paperwork Reduction Act of 1995, as Amended by Public Law 104-13; Proposed Collection, Comment Request

**AGENCY:** Tennessee Valley Authority.

**ACTION:** Proposed collection; comment request.

**SUMMARY:** The proposed information collection described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35, as