the Fukushima event, TVA will consider what further steps might be taken to ensure the safe operation of its nuclear fleet.

**Decision**

On August 20, 2010, the TVA Board approved a budget allocation of $248 million in support of continued engineering, design, and regulatory-basis development, as well as the procurement of long-lead components such as steam generators for Unit 1. This helped to preserve Bellefonte Unit 1 as a feasible energy resource option. After considering the analyses done for TVA’s 2011 IRP, the IRP FEIS, the results of engineering and financial studies conducted since August 2010, and analyses in response to the Fukushima Daiichi accident, the TVA Board approved the completion and operation of Bellefonte Unit 1 on August 18, 2011. The Board directed TVA staff to not resume construction activities at Bellefonte Unit 1 until fuel is initially loaded at TVA Watts Bar Unit 2. Subject to this condition, plant construction can commence 120 days after TVA submits a written notice to the Nuclear Regulatory Commission (NRC) containing certain information regarding plant status, schedules, and other descriptions as set forth in the NRC Policy Statement on Deferred Plants (52 FR 38077 [October 14, 1987]).

**Environmentally Preferred Alternative**

As discussed in the September 2010 Bellefonte ROD, TVA has concluded that the environmental impacts of the two Action Alternatives would be very similar and that neither Action Alternative would be environmentally preferable to the other. However, either Action Alternative likely would be environmentally preferable to the No Action Alternative, assuming TVA would build new base load generation elsewhere.

**Mitigation Measures**

The following measures will be used to minimize environmental impacts from completion and operation of Bellefonte Unit 1:

- Avoid disturbance of archaeological site 1JA111.
- Take appropriate steps to monitor and mitigate potential housing, traffic, and school impacts in Jackson County, Alabama, during plant construction and mitigate such impacts if needed.
- Mitigation could include measures such as transportation assistance for commuting employees living outside a 30-mile commuting distance, remote parking areas with shuttles to the Bellefonte site, development of a temporary on-site RV park and campground or a collaborative development off site.
- In accordance with the permit issued by USFWS on April 15, 2010, provide $30,000 for research and recovery of the pink mucket.

The following mitigation measures would be implemented to respond to the potential impacts of the proposed transmission system improvements. Prior to implementing any ground-disturbing work, TVA would:

- Survey wetlands to ensure no significant impacts or loss of wetland function occurs.
- In consultation with the SHPO (for the state in which the property is located) and other consulting parties, develop and evaluate alternatives or modifications that would avoid, minimize, or compensate for impacts to wetlands would be implemented to ensure no significant impacts or loss of wetland function occurs.

**Supplementary Information**

Effective July 1, 2007, the Federal Highway Administration (FHWA) assigned, and the California Department of Transportation (Caltrans) assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that Caltrans have taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: The City of Los Angeles in cooperation with Caltrans proposes improvements and rehabilitation to the existing North Spring Viaduct and its adjoining roadways. The proposed project area is situated northeast of downtown Los Angeles in an area that includes residential, commercial, industrial, and open space land uses. The proposed project area straddles portions of the Central City North and Northeast Los Angeles Community Planning areas. Regional transportation facilities in the area include interstate 110 (I–110), Interstate 5 (I–5), and State Route 101 (SR–101). Completing the project would correct existing geometrical and design deficiencies, and to address seismic vulnerability issues in order to increase the viaduct’s SR to a minimum of 80. An additional purpose of the project is to improve bicycle and pedestrian circulation and safety across the river and railroad tracks. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Finding of No Significant Impact (FONSI) for the project, approved on June 30, 2011. The FONSI and other project records are available by
contacting Caltrans at the addresses
provided above. The Caltrans FONSI
can be viewed and downloaded from
the project Web site at
http://
www.dot.ca.gov/dist07/resources/
envdocs/.

This notice applies to all Federal
agency decisions as of the issuance date
of this notice and all laws under which
such actions were taken, including but
not limited to:

• General: National Environmental
Policy Act (NEPA) [42 U.S.C. 4321–
4351]; Federal Aid Highway Act; [23
U.S.C. 109].

• Air: Clean Air Act 42 U.S.C. 7401–
7671(o).

• Migratory Bird Treaty Act [16
U.S.C. 703–712].

• Historic and Cultural Resources:
Section 106 of the National Historic
Preservation Act of 1966, as amended

• Social and Economic: Civil Rights
(1)]; The Uniform Relocation Assistance
Act and Real Property Acquisition

• Hazardous Materials:
Comprehensive Environmental
response, Compensation, and Liability
Act (CERCLA), 42 U.S.C. 9001–9675;
Superfund Amendments and
Reauthorization Act of 1986 (SARA);

• Executive Orders:
E.O. 11990
Protection of Wetlands; E.O. 11988
Floodplain Management; E.O. 12898
Federal Actions to Address
Environmental Justice in Minority
Populations and Low Income
Populations; E.O. 11593 Protection and
Enhancement of Cultural Resources;
E.O. 13112 Invasive Species.

Issued on: August 24, 2011.

Vincent P. Mammino,
Division Administrator, Federal Highway
Administration, Sacramento, California.

[FR Doc. 2011–22077 Filed 8–29–11; 8:45 am]
BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2006–24812]

Petition for Waiver of Compliance

In accordance with Part 211 of Title
49 Code of Federal Regulations (CFR),
this document provides the public
notice that by a document dated July 27,
2011, BNSF Railway (BNSF) has
petitioned the Federal Railroad
Administration (FRA) for a waiver of
compliance from certain requirements of
Federal railroad safety regulations
contained at 49 CFR part 232. FRA has
assigned the petition Docket Number
2006–24812.

BNSF seeks a waiver of compliance
from certain provisions of 49 CFR part
232, Brake System Safety Standards for
Freight and Other Non-Passenger Trains
and Equipment. Specifically, BNSF is
requesting to expand the scope of the
existing waiver that granted relief from
the maximum mileage and inspection
requirements specified by 49 CFR
232.213, Extended haul trains. BNSF
would like to perform the 1,500-mile
extended haul inspection for two
designated trains at points that slightly
exceed the 1,500-mile limit. The two
destination points are Kansas City
Power and Light (KCP&L); Iatan
Generating Plant in Sadler, MO; and
Dynegy, Hemmepin Plant in Havanna, IL.
The origination points are various coal
mines in the Powder River Basin that
would exceed the 1,500-mile Class 1
inspection limit between 30.8 and 103.2
miles. Also, BNSF would like to realign
the inspection points. Some inspections
normally performed at Lincoln, NE, may
be reduced on the Dynegy trains by
shifting inspections to Guernsey, WY. Also,
KCP&L train inspections may be shifted
to Guernsey or Donkey Creek, WY, from
Lincoln, NE.

Given the increased demand for coal
by the utility industry, BNSF believes
that granting this relief is critical to
relieving congestion at Lincoln, NE,
while maintaining high-quality
inspections; and the railroad believes
this will not compromise railroad safety.
The following trains are covered by the
requested relief: E–SAILTM, E–
SAILBAM, E–SAIBTM, E–SAICAM, E–
SAICDM, E–SAICRM, E–SAIWTM, C–
ATMPHH, C–BTMPHH, C–ETMPHH,
and C–NAMPHH.

In summary, BNSF respectfully
requests that these trains be granted
inclusion in FRA Waiver 2006–24812,
which was established to resolve
congestion issues in 2006. In the 4 years
that these trains have been operating
under the current waiver, there has been
no adverse impact to safety. Since the
trains covered by this request operate
the very same type of equipment, there
is no anticipated deviation from the
current high level of safety.

BNSF states that it will provide both
mechanical and operating forces with
the list of trains allowed to operate past
the 1,500-mile threshold. Additionally,
BNSF would maintain records of
defective conditions discovered during
inspections, as currently required,
including any defective equipment set
out en route.

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 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 by October
14, 2011 will be considered by FRA
before final action is taken. Comments
received after that date will be
considered as far as practicable.

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) or
online at http://www.dot.gov/
privacy.html.

Issued in Washington, DC, on August 24,
2011.

Robert C. Lauby,
Deputy Associate Administrator for
Regulatory and Legislative Operations.
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BILLING CODE 4910–06–P