

exterior emergency-lighting-system requirements for some exits on Boeing Model 747-8 airplanes.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Bridge and Approach Roadways in Nevada and Arizona

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by FHWA, U.S. Fish and Wildlife Service (USFWS), and Other Federal Agencies.

SUMMARY: This notice announces actions taken by the FHWA, USFWS, and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to the proposed Laughlin-Bullhead City Bridge project in Laughlin, Clark County, Nevada; and in Bullhead City, Mohave County, Arizona. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the bridge and roadway project will be barred unless the claim is filed on or before February 27, 2012. If the Federal law that authorizes judicial review of a claim provides a time period less than 180 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For FHWA: Mr. Abdelmoez Abdalla, Environmental Program Manager, Federal Highway Administration, 705 North Plaza Street, Carson City, Nevada 89701-0602; telephone: (775) 687-1231; e-mail: abdelmoez.abdalla@dot.gov. The FHWA Nevada Division Office's regular business hours are 7:30 a.m. to 4 p.m. (Pacific Standard Time). For the Nevada Department of Transportation (NDOT): Mr. Steve M. Cooke, P.E., Chief, Environmental Services Division, Nevada Department of Transportation, 1263 South Stewart Street, Carson City, Nevada 89712; telephone: (775) 888-7013; e-mail: scooke@dot.state.nv.us. The NDOT office's regular business hours are 8 a.m. to 5 p.m. (Pacific Standard Time). For USFWS: Mr. Michael Burroughs, U.S. Fish and Wildlife Service, 4701 North Torrey Pines Drive, Las Vegas, Nevada 89130; telephone: (702) 515-5230; e-mail: michael_burroughs@fws.gov. The

USFWS office's regular business hours are 7:30 a.m. to 4 p.m. (Pacific Standard Time).

SUPPLEMENTARY INFORMATION: Notice is hereby given that the FHWA, USFWS, and other Federal agencies have taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following bridge and roadway project in Clark County in the State of Nevada and in Mohave County in the State of Arizona. The proposed project would involve the construction of a new bridge (two general-purpose lanes in each direction and a multi-use pathway) over the Colorado River. In addition to the new bridge, the proposed project includes construction of a new intersection at Needles Highway and a four-lane approach roadway (two general-purpose lanes in each direction and a multi-use pathway) from Needles Highway in Laughlin, Clark County, Nevada (the west end) to the extension of Bullhead Parkway west of State Route (SR) 95 in Bullhead City, Mohave County, Arizona (the east end). The proposed work would cover a distance of approximately 4.38 miles. The federal project reference number is DE-PLH-0003 (108). The actions taken by the Federal agencies, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) for the Laughlin-Bullhead City Bridge Project that was approved on October 21, 2010, the Design Recommendation Report (DRR) that was approved by the Nevada Department of Transportation on May 18, 2011, the FHWA's Finding of No Significant Impact (FONSI) issued on July 13, 2011, and in other documents in the FHWA or NDOT project records. The EA, DRR, FONSI, and other project records are available by contacting FHWA or NDOT Environmental Service Division at the addresses provided above. The EA, the FONSI, and other project related information can also be viewed at the project Web site at <http://www.rtcnv.com/mpo/projects/laughlin/>. USFWS also issued its biological opinion (File Nos. 84320-2010-F-0423 and 84320-2011-I-0027) for the project's possible adverse effects on the desert tortoise (*Gopherus agassizii*) on November 5, 2010. The USFWS biological opinion is available by contacting the USFWS at the address provided above.

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:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4347]; Federal-Aid Highway Act (FAHA) [23 U.S.C. 109 and 23 U.S.C. 128].
2. Air: Clean Air Act [42 U.S.C. 7401-7671(q)].
3. Land: Section 4(f) of the Department of Transportation Act of 1966 [23 U.S.C. 138 and 49 U.S.C. 303] and Section 6(f) of the Land and Water Conservation Act as amended [16 U.S.C. 4601].
4. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470f]; Archeological and Historic Preservation Act [16 U.S.C. 469-469(c)].
5. Wildlife: Endangered Species Act [16 U.S.C. 1531-1544 and Section 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667 (d)]; Migratory Bird Treaty Act [16 U.S.C. 703-712].
6. 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. 13287, Preserve America; E.O. 11514, Protection and Enhancement of Environmental Quality; E. O. 13112, Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139(l)(1)

Issued on: August 22, 2011.

Susan Klekar,

Division Administrator, Carson City, Nevada.
[FR Doc. 2011-22285 Filed 8-30-11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

Notice of Procedural Changes to the Performance and Registration Information Systems Management (PRISM) Program

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice; extension of effective date.

SUMMARY: FMCSA extends until September 1, 2012, the effective date for the procedural change to eliminate use

of the “registrant-only” USDOT Number as part of the PRISM program. In an August 9, 2010, **Federal Register** notice, the Agency initially set September 1, 2011, as the effective date of the change. The extension will allow the Agency to provide additional implementation guidance based on feedback and information received since the August 9, 2010, notice of procedural change and will allow States and other stakeholders to make necessary changes to their systems and processes pursuant to this additional guidance.

DATES: The new effective date to eliminate use of the “registrant-only” USDOT Number as part of the PRISM program is September 1, 2012.

FOR FURTHER INFORMATION CONTACT: Stephen Parker, Transportation Specialist, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001; (202) 366-6407 (telephone); stephen.parker@dot.gov (e-mail).

Background

On August 9, 2010, FMCSA published a **Federal Register** notice announcing plans to eliminate the practice of allowing non-motor carrier registrants to obtain registrant-only USDOT Numbers under the PRISM program (76 FR 47883). The Agency developed the concept of a “registrant-only” USDOT Number in 1999 to identify registered owners of commercial motor vehicles (CMVs) that are not motor carriers but lease their CMVs to entities that are motor carriers. The Agency later concluded that registrant-only USDOT Numbers were being used differently than intended and announced the decision to eliminate the requirement for registrant-only USDOT Numbers. The FMCSA set September 1, 2011, as the effective date for the change.

Today’s action extends the effective date until September 1, 2012, providing adequate time for all States participating in the PRISM program to complete process changes and for the Agency to provide updated guidance, as needed, to PRISM member jurisdictions and other stakeholders.

Issued on: August 25, 2011.

Anne S. Ferro,
Administrator.

[FR Doc. 2011-22318 Filed 8-30-11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2010-0139]

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 May 11, 2011, Fillmore & Western Railway Company (FWRY) has resubmitted a petition letter to the Federal Railroad Administration (FRA) requesting a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 215 and 224.

Previously, by a letter dated November 15, 2010, from FWRY to FRA, FWRY requested to withdraw its petition as announced in the **Federal Register** (Ref. Volume 75, No. 192, Tuesday, October 5, 2010, Pages 61562 and 61563) in the same docket as the current one, i.e. Docket Number: FRA-2010-0139.

Specifically, FWRY seeks a waiver of compliance from the Railroad Freight Car Safety Standards, 49 CFR 215.301, which requires stenciling or otherwise displaying the reporting marks and built date of freight cars; 49 CFR 215.303, which requires stenciling on restricted freight cars; and Reflectorization of Rail Freight Rolling Stock, 49 CFR 224.101, which requires the application of reflective materials for freight rolling stock. FWRY requests this relief for five freight cars: Tank Car #8803, Flat Car #8017, Box Car #2326, Box Car #16600, and Flat Car #680.

As information, FWRY also requests approval of continued inservice of the above-mentioned freight cars that are more than 50 years from their original construction dates.

Specifically, FWRY seeks permission to move the stenciling location of the reporting marks and built date from each side of the freight carbody (49 CFR 215.301(a) and (b)) to both ends of the car. To justify this request, FWRY stated that although FWRY is considered a general system railroad, these cars are not interchanged in or with the general system. These cars are not freight revenue cars, and are only used for tourist passengers, films, movies, props, and still photos. FWRY requests this waiver due to the fact that the movie and television companies and still photographers want the cars to be authentic in their antiquated and historic look, or to have them renamed, numbered, and painted to their particular themed set, film, movie, or still photo. FWRY has been known to

renumber and repaint cars and engines two or three times a month to accommodate filming or still photo requests. Re-establishing the reporting marks and built date to the sides after each instance that they are removed is very costly. With the small amount of equipment that FWRY has, all of the train crew and staff are very familiar with each piece of equipment. FWRY does not transport any type of hazardous loads or freight. FWRY runs its trains at very low speeds, generally 10–15 mph.

To support its petition to seek relief from the stenciling (49 CFR 215.303) and reflectorization (49 CFR 224.101) requirements, FWRY states that the cars subject to this waiver are only used for tourist passengers, films, movies, props, and still photos. Although FWRY is considered a general system railroad, these subject cars are not interchanged in or with the general system, and are not freight revenue cars. FWRY asks for this waiver due to the fact that the movie and television companies and still photographers want the cars to be authentic in their antiquated and historic look.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at <http://www.regulations.gov> and in person at the U.S. Department of Transportation’s (DOT) Docket Operations Facility, 1200 New Jersey Ave., SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

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.