

to develop their own language and format.

A8. The information provided in § 175.25(a)(1) and (2) is required, but the specific wording used in the HMR is not required. Further, no part of § 175.25 is intended to prevent aircraft operators or other individuals from providing additional information to passengers regarding the safe transport of hazardous materials. The FAA and PHMSA solicit input on best practices for conveying hazardous materials safety information, including the information provided in § 175.25(a)(1) and (2), for inclusion in a future FAA advisory circular on passenger notification.

Q9. This rule applies to 14 CFR 129 foreign carriers that operate from the U.S. Currently, there are 14 types of hazmat listed in the ICAO Technical Instructions, at 8;1.1, as “permitted with the approval of the operator.” Thus, there may be considerable differences between each U.S. and foreign airline as to what is “permitted or forbidden” by each operator. Note that the ICAO Technical Instructions, at 8;1.1.3 and 8;1.1.4, do not require the types “permitted” either—only the types of hazmat “forbidden” needs to be communicated. If a passenger checks-in with a foreign carrier and then transfers to a domestic carrier, does the original check in notification satisfy the passenger notification for the domestic leg as well?

A9. The aircraft operator may meet their obligations by relying on notifications provided to the passenger by a third party, but the aircraft operator is ultimately responsible for compliance with the rule. The FAA and PHMSA solicit input on best practice arrangements between foreign and domestic air carriers for inclusion in a future FAA advisory circular on passenger notification.

Q10. In the case of remote check-in and boarding, where the passenger checks in at a remote location and checks baggage as well, such as a resort, cruise line, or military charter situations, does the carrier have the responsibility to notify the passenger, or is the resort, cruise line, or military branch responsible for notification? Under these scenarios, a non-carrier operation performs the check-in function. Therefore, the carrier has limited or no contact with the passenger during the check-in process. An example would include a military charter originating from a U.S. military installation.

A10. The requirements of § 175.25 apply to the aircraft operator. The aircraft operator is responsible for

ensuring that passengers receive the notifications required by § 175.25, regardless of whether the passenger checks-in directly with the aircraft operator or via a third party source. Although the aircraft operator may meet its obligations by relying on notifications provided to the passenger by a third party, but the aircraft operator is ultimately responsible for compliance with the rule. PHMSA and FAA solicit input on best practice arrangements between aircraft operators and third party organizations for inclusion in a future FAA advisory circular on passenger notification.

Q11. Lithium batteries have received a significant amount of attention by regulatory and enforcement entities over the last 5 years. Much of this attention is due to incidents involving such batteries, including incidents occurring in passenger baggage. Yet, the current language in § 175.25 does not mention lithium batteries. Is it acceptable for a carrier to develop independent language that conveys the intent of the language in § 175.25(a)(1) and (2) but varies in content to address recent incidents or trends? May this language be used as an alternative to the language contained in § 175.25(a)? We strongly believe the restrictive language indicated in § 175.25 is ineffective in communicating hazardous material dangers and restrictions in passenger baggage to the traveling public.

A11. The information provided in § 175.25(a)(1) and (2) is required, but the specific wording used in the HMR is not. Further, no part of § 175.25 is intended to prevent aircraft operators or other individuals from providing additional information to passengers regarding the safe transport of hazardous materials. The FAA fully supports inclusion of information regarding lithium battery hazards in passenger notifications. The FAA and PHMSA solicit input on best practices for conveying hazardous materials safety information, including the information provided in § 175.25(a)(1) and (2), for inclusion in a future FAA advisory circular on passenger notification.

Issued in Washington, DC, on July 17, 2012.

**Christopher Glasow,**

*Director, FAA Office of Hazardous Materials Safety.*

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**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Limitation on Claims for Judicial Review; Re-Evaluation With Respect to the Willits Bypass Project, Willits, CA

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of limitation on claims for judicial review of actions by the California Department of Transportation.

**SUMMARY:** This notice announces that Federal actions taken by the California Department of Transportation (Caltrans) pursuant to its assigned responsibilities under 23 U.S.C. 327 are final within the meaning of 23 U.S.C. 139(I)(1). FHWA, on behalf of Caltrans, is issuing this notice to announce that, with respect to the State Route 101 Willits Bypass Project in Willits (Mendocino County), California, two Re-evaluations were prepared in order to determine whether a supplemental Environmental Impact Statement (SEIS) should be undertaken. Based upon the analyses contained in the Re-evaluations, Caltrans has made the determination that preparation of a SEIS is not warranted and will therefore not be undertaken.

**SUPPLEMENTARY INFORMATION:** Caltrans conducted two Re-evaluations of the Final Environmental Impact Statement (FEIS) issued by FHWA in October 2006 (a Record of Decision for which was posted in the **Federal Register** in January 2007). The first Re-evaluation was conducted in June 2010 in response to new information and changes that were made to the project, including changes to the preferred alignment to reduce and/or avoid impacts, acquisition of mitigations parcels, and relocation of utilities.

The second Re-evaluation was conducted in December 2011 in response to new information and changes that were made to the project, including changes and new information pertaining to Baker's Meadowfoam, agricultural lands, fires, floods, invasive plants, and economic impacts of the mitigation parcels, greenhouse gas, aesthetics, historic properties, and land use.

The purpose of the Re-evaluations was to examine potential environmental impacts resulting from the new information and proposed changes to the Willits Bypass Project and in order to determine whether a SEIS should be prepared in accordance with 40 CFR 1502.9(c). Based upon the Re-evaluations, Caltrans made the determination that preparation of a SEIS

was not warranted and would not be undertaken (Caltrans made the determination for the first Re-evaluation on June 17, 2010 and for the second Re-evaluation on December 28, 2011).

A claim seeking judicial review of the June 2010 and December 2011 Federal agency determinations to not undertake a SEIS will be barred if the claim is not filed within 180 days of the initial publication of this notice in the **Federal Register**.

Copies of the Re-evaluations are available for review by appointment only at the following locations. Please call to make arrangements for viewing:

Caltrans, District 3 Office, 703 B Street, Marysville, CA 95901, 530-741-4393, and Caltrans, District 3 Office, 2379 Gateway Oaks Drive, #150, Sacramento, CA, 916-274-0586.

**FOR FURTHER INFORMATION CONTACT:** John Webb, Supervisory Environmental Planner, California Department of Transportation, 703 B Street, Marysville, CA 95901, 530-741-4393, [John\\_Webb@dot.ca.gov](mailto:John_Webb@dot.ca.gov).

Issued in Sacramento, California, July 12, 2012.

(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.)

Issued on: July 17, 2012.

**Michael J. Duman,**

*Chief Operating Officer, Federal Highway Administration, Sacramento, California.*

[FR Doc. 2012-17875 Filed 7-20-12; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Limitation on Claims Against Proposed Public Transportation Projects

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice announces final environmental actions taken by the Federal Transit Administration (FTA) for projects in the following locations: Salt Lake City, Salt Lake County, UT; Alameda County, CA; Cambridge, Medford, and Somerville, MA; Contra Costa County, CA; and Los Angeles County, CA. The purpose of this notice is to announce publicly the environmental decisions by FTA on the subject projects and to activate the limitation on any claims that may challenge these final environmental actions.

**DATES:** By this notice, FTA is advising the public of final agency actions subject to Section 139(l) of Title 23, United States Code (U.S.C.). A claim seeking judicial review of the FTA actions announced herein for the listed public transportation project will be barred unless the claim is filed on or before January 21, 2013.

**FOR FURTHER INFORMATION CONTACT:** Nancy-Ellen Zusman, Assistant Chief Counsel, Office of Chief Counsel, (312) 353-2577 or Terence Plaskon, Environmental Protection Specialist, Office of Human and Natural Environment, (202) 366-0442. FTA is located at 1200 New Jersey Avenue SE., Washington, DC 20590. Office hours are from 9:00 a.m. to 5:30 p.m. EDT, Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FTA has taken final agency actions by issuing certain approvals for the public transportation projects listed below. The actions on these projects, as well as the laws under which such actions were taken, are described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA) and in other documents in the FTA administrative record for the projects. Interested parties may contact either the project sponsor or the relevant FTA Regional Office for more information on the project. Contact information for FTA's Regional Offices may be found at <http://www.fta.dot.gov>.

This notice applies to all FTA decisions on the listed projects as of the issuance date of this notice and all laws under which such actions were taken, including, but not limited to, NEPA [42 U.S.C. 4321-4375], Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303], Section 106 of the National Historic Preservation Act [16 U.S.C. 470f], and the Clean Air Act [42 U.S.C. 7401-7671q]. This notice does not, however, alter or extend the limitation period of 180 days for challenges of project decisions subject to previous notices published in the **Federal Register**. The projects and actions that are the subject of this notice are:

1. *Project name and location:* Central Bus Operations and Maintenance Facility, Salt Lake City, Salt Lake County, UT. *Project sponsor:* Utah Transit Authority (UTA). *Project description:* The project will construct a new and larger bus facility to replace the existing one. The new facility will include bus storage for up to 250 vehicles, a new maintenance and

operations building, fuel/wash operations, a tank farm, compressed natural gas fueling facilities, detail bays, chassis wash bays, and a permanent location for support vehicles and equipment. *Final agency actions:* Section 4(f) determination; a Section 106 Memorandum of Agreement; project-level air quality conformity; and Finding of No Significant Impact (FONSI), dated June 30, 2012. *Supporting documentation:* Environmental Assessment, dated May 2012.

2. *Project name and location:* East Bay Bus Rapid Transit Project, Alameda County, CA. *Project sponsor:* Alameda Contra Costa Transit District (AC Transit). *Project description:* The project proposes to provide bus rapid transit (BRT) service along 9.52 miles from Downtown Oakland to the San Leandro BART Station. The project would operate with transit priority at all signalized intersections, new passenger stations, and a combination of mixed-flow and dedicated travel lanes throughout the alignment. The project would also feature pedestrian amenities, landscape treatments, barrier-free self-service proof of payment fare collection, real-time bus arrival information, and low-floor, dual-sided door buses. *Final agency actions:* No use of Section 4(f) resources; Section 106 finding of no adverse effect; project-level air quality conformity; and Record of Decision (ROD), dated June 8, 2012. *Supporting documentation:* Final Environmental Impact Statement/Final Environmental Impact Report (Final EIS/EIR), dated January 2012.

3. *Project name and location:* Green Line Extension Project; Cambridge, Medford, and Somerville, MA. *Project sponsors:* Massachusetts Department of Transportation and Massachusetts Bay Transportation Authority. *Project description:* The project is to extend light rail transit service to College Avenue in Medford and Union Square in Somerville using a two branch operation, both within existing commuter rail rights-of-way. The 3.4 mile-long Medford Branch would operate from a relocated Lechmere Station to College Avenue. The 0.9 mile-long Union Square Branch would begin at the relocated Lechmere Station and terminate at Union Square in Somerville. The project includes a proposed maintenance and storage facility that will be required to support the Green Line Extension. *Final agency actions:* Section 4(f) determination; a Section 106 Memorandum of Agreement; project-level air quality conformity; and Finding of No Significant Impact (FONSI), dated July