

effective date of the SNJLRT waiver, and the implementation of revenue service, NJT has identified additional FRA regulations from which it hereby seeks waivers.

In the petition, NJT stated that it believes granting this waiver is in the public interest and consistent with railroad safety for two reasons. First, SNJLRT and the Consolidated Rail Corporation, the freight carrier operating on certain portions of the same rail line as SNJLRT, will continue to maintain a temporal separation plan between light rail transit operations and freight rail operations. Second, NJT and SNJLRT will be subject to comparable safety regulation through equivalent State safety oversight required by the Federal Transit Administration (FTA).

NJT states that the SNJLRT System Safety Program Plan (SSPP) and the System Security Plan have been implemented and administered in accordance with the FTA's requirements found at 49 CFR part 659—Rail Fixed Guideway Systems; State Safety Oversight and the New Jersey State Safety Oversight Program. The State Oversight Program has been found to be in compliance with FTA requirements at 49 CFR part 659.

SSPP also requires NJT to conduct annual internal safety audits to evaluate compliance with SSPP and measure its effectiveness. An annual report identifying the audits performed and any corrective action must be submitted to the New Jersey Department of Transportation (NJDOT) and actions must be taken, as appropriate, to remedy any deficiencies demonstrated by the audit. In addition, NJDOT conducts a safety review a minimum of once every 3 years to evaluate the effectiveness of NJT's implementation of its SSPP and outlines actions that must be taken, as appropriate, to remedy and deficiencies demonstrated by the review.

Pursuant to the SSPP, NJDOT is responsible for promulgating standards and procedures requiring the reporting of accidents, incidents, and hazardous conditions. SSPP outlines the circumstances under which NJT and/or NJDOT conducts accident investigations; articulates that the National Transportation Safety Board, FRA and FTA can conduct accident investigations; and describes how SNJLRT coordinates with these external agencies during an investigation. SSPP requires SNJLRT to submit to the a corrective action plan to the NJDOT State Safety Oversight Office that sets forth in detail the actions SNJLRT will take to eliminate, minimize, or control the occurrence of the accident, incident, or hazardous condition, including an

implementation schedule, where appropriate (SSPP, Section 10 and Appendix J).

For the reasons stated above, NJT explained their request is consistent with the waiver process for Shared Use. See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment,

65 FR 42529 (July 10, 2000); see also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems, 65 FR 42626 (July 10, 2000).

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Avenue 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. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by December 3, 2012 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 October 15, 2012.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

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## DEPARTMENT OF TRANSPORTATION

### Research and Innovative Technology Administration

#### Advisory Council on Transportation Statistics; Notice of Meeting

**AGENCY:** Research and Innovative Technology Administration (RITA), U.S. Department of Transportation.

**ACTION:** Notice.

This notice announces, pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (FACA) (Pub. L. 72-363; 5 U.S.C. app. 2), a meeting of the Advisory Council on Transportation Statistics (ACTS). The meeting will be held on Wednesday, December 12 from 9 a.m. to 4:30 p.m. E.S.T. in the DOT Conference Center at the U.S. Department of Transportation, 1200 New Jersey Ave. SE., Washington, DC. Section 52011 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) directs the U.S. Department of Transportation to establish an Advisory Council on Transportation Statistics subject to the Federal Advisory Committee Act (5 U.S.C., App. 2) to advise the Bureau of Transportation Statistics (BTS) on the quality, reliability, consistency, objectivity, and relevance of transportation statistics and analyses collected, supported, or disseminated by the Bureau and the Department. The following is a summary of the draft meeting agenda: (1) USDOT welcome and introduction of Council Members; (2) Overview of prior meeting; (3) Discussion of the FY 2013 budget; (4) Update on BTS data programs and future plans; (5) Council Members review and discussion of BTS programs and plans; (6) Public Comments and Closing Remarks. Participation is open to the public. Members of the public who wish to

participate must notify Courtney Freiberg at [Courtney.Freiberg@dot.gov](mailto:Courtney.Freiberg@dot.gov), not later than November 30, 2012. Members of the public may present oral statements at the meeting with the approval of Patricia Hu, Director of the Bureau of Transportation Statistics. Noncommittee members wishing to present oral statements or obtain information should contact Courtney Freiberg via email no later than November 23, 2012.

Questions about the agenda or written comments may be emailed ([Courtney.Freiberg@dot.gov](mailto:Courtney.Freiberg@dot.gov)) or submitted by U.S. Mail to: U.S. Department of Transportation, Research and Innovative Technology Administration, Bureau of Transportation Statistics, Attention: Courtney Freiberg, 1200 New Jersey Avenue SE., Room #E34-429, Washington, DC 20590, or faxed to (202) 366-3640. BTS requests that written comments be received by November 23, 2012. Access to the DOT Headquarters building is controlled therefore all persons who plan to attend the meeting must notify Mrs. Courtney Freiberg at 202-366-1270 prior to November 30, 2012. Individuals attending the meeting must report to the main DOT entrance on New Jersey Avenue SE. for admission to the building. Attendance is open to the public, but limited space is available. Persons with a disability requiring special services, such as an interpreter for the hearing impaired, should contact Mrs. Freiberg at 202-366-1270 at least seven calendar days prior to the meeting.

Notice of this meeting is provided in accordance with the FACA and the General Services Administration regulations (41 CFR part 102-3) covering management of Federal advisory committees.

Issued in Washington, DC, on the 15th of October, 2012.

**Rolf Schmitt,**

*Deputy Director, Bureau of Transportation Statistics.*

[FR Doc. 2012-25777 Filed 10-18-12; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Information Collection Activities

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-

3519 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek from the Office of Management and Budget (OMB) approval of the information collections required under 49 U.S.C. 11301 and 49 CFR part 117 (rail or water carrier equipment liens (recordations)); under 49 U.S.C. 10747 and 49 CFR part 1313 (rail agricultural contract summaries); and under 49 U.S.C. 13702(b) and 49 CFR part 1312 (water carrier tariffs). The relevant information collections are described in more detail below.

For each collection, comments are requested concerning: (1) The accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

**DATES:** Comments on this information collection should be submitted by December 18, 2012.

**ADDRESSES:** Direct all comments to Marilyn Levitt, Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001, or to [levittm@stb.dot.gov](mailto:levittm@stb.dot.gov). When submitting comments, please refer to the title of the pertinent collection.

**FOR FURTHER INFORMATION CONTACT:** Marilyn Levitt at [levittm@stb.dot.gov](mailto:levittm@stb.dot.gov) or (202) 245-0269. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Relevant STB regulations may be viewed on the STB's Web site under E-Library > Reference: STB Rules, [http://www.stb.dot.gov/stb/elibrary/ref\\_stbrules.html](http://www.stb.dot.gov/stb/elibrary/ref_stbrules.html).

**Subjects:** In this notice the Board is requesting comments on the following information collections:

#### Collection Number 1

**Title:** Recordations (Rail and Water Carrier Liens).

**OMB Control Number:** 2140-00XX.

**STB Form Number:** None.

**Type of Review:** Existing collection in use without an OMB control number.

**Respondents:** parties holding liens on rail equipment or water carrier vessels, carriers filing proof that a lien has been removed.

**Number of Respondents:** An annual average of 2125 recordations were filed during the last three years by 50 respondents.

**Frequency:** On occasion.

**Total Burden Hours** (annually including all respondents): 1,240 hours (estimated 35 minutes per response × 2125 responses).

**Total "Non-hour Burden" Cost** (such as start-up and mailing costs): There are no non-hourly burden costs for this collection. The collection may be filed electronically.

**Needs and Uses:** Under the Interstate Commerce Act, Public Law 104-88, 109 Stat. 803 (1995), liens on rail equipment must be filed with the STB in order to perfect a security interest in the equipment. Subsequent assignments of rights or release of obligations under such instruments must also be filed with the agency. This information is maintained by the Board for public inspection. Recordation at the STB obviates the need for recording such a lien in individual States.

**Retention Period:** Recordations of liens are destroyed 60 years after the last filing.

#### Collection Number 2

**Title:** Water Carrier Tariffs

**OMB Control Number:** 2140-00XX.

**STB Form Number:** None.

**Type of Review:** Existing collection in use without an OMB control number.

**Respondents:** water carriers that provide freight transportation in noncontiguous domestic trade.

**Number of Respondents:** approximately 25.

**Frequency:** On occasion, for an annual total of 1917 tariffs filed.

**Total Burden Hours** (annually including all respondents): 1,438 (1,437,75) hours (1917 filings × .75 hour (estimated time per filing))

**Total "Non-hour Burden" Cost** (such as start-up costs and mailing costs): There are no non-hourly burden costs for this collection. The collection may be filed electronically.

**Needs and Uses:** While rail carriers are no longer required to file rate tariffs at the STB, a statutory requirement exists for water carriers that provide freight transportation in noncontiguous domestic trade (i.e., domestic (as opposed to international) shipments moving to or from Alaska, Hawaii, or the U.S. territories or possessions (Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands)). A tariff provides a list of prices and fees that the carrier charges to the shipping public.

**Retention Period:** After cancellation, tariffs are placed in a "Cancelled