

### Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two year periods. In accordance with 49 U.S.C. 31136(e) and 31315, each of the 12 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (71 FR 63379; 72 FR 1050; 72 FR 180; 72 FR 9397; 73 FR 75803; 74 FR 6209; 74 FR 6211; 74 FR 980; 75 FR 72863; 76 FR 2190; 76 FR 4413; 76 FR 4414; 76 FR 9865). Each of these 12 applicants has requested renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the requirement specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption requirements.

These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

### Request for Comments

FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31136(e) and 31315. However, FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by March 21, 2013.

FMCSA believes that the requirements for a renewal of an exemption under 49 U.S.C. 31136(e) and 31315 can be satisfied by initially granting the renewal and then requesting and evaluating, if needed, subsequent comments submitted by interested parties. As indicated above, the Agency previously published notices of final disposition announcing its decision to exempt these 12 individuals from the vision requirement in 49 CFR 391.41(b)(10). The final decision to grant an exemption to each of these individuals was made on the merits of each case and made only after careful consideration of the comments received to its notices of applications. The notices of applications stated in

detail the qualifications, experience, and medical condition of each applicant for an exemption from the vision requirements. That information is available by consulting the above cited **Federal Register** publications.

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

Issued on: January 31, 2013.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Research and Innovative Technology Administration

[Docket Number: RITA-2008-0002]

#### Agency Information Collection Activity; Notice of Request for Public Comment and Submission to OMB for Information Collection: Confidential Close Call Reporting for Transit Rail System

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the requirements of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, BTS announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for approval. On November 5, 2012, BTS published a **Federal Register** notice (77 FR 66502), allowing for a 60-day comment period on the ICR. The comment period closed on January 4, 2013. The agency received one comment, from the National Safety Council (NSC), Docket Comment RITA-2008-0002-0037, in response to the notice which supported the need for the information collection. The NSC comment stated they agreed with BTS that "there is a need for proper data collection and analysis on close calls

and other unsafe occurrences in the WMATA rail system." The purpose of this Notice is to allow 30 days for public comment to OMB on this collection from all interested individuals and organizations.

**DATES:** Written comments should be submitted by March 21, 2013.

**FOR FURTHER INFORMATION CONTACT:** Demetra V. Collia, Bureau of Transportation Statistics, Research and Innovative Technology Administration, U.S. Department of Transportation, Office of Advanced Studies, RTS-31, 1200 New Jersey Avenue SE., Washington, DC 20590-0001; Phone No. (202) 366-1610; Fax No. (202) 366-3383; email: [demetra.collia@dot.gov](mailto:demetra.collia@dot.gov).

**Data Confidentiality Provisions:** The confidentiality of Close Call data is protected under the BTS confidentiality statute (49 U.S.C. 6307) and the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) of 2002 (Pub. L. 107-347, Title V). In accordance with these confidentiality statutes, only statistical and non-identifying data will be made publicly available through any reports. BTS will not release to WMATA/ATU or any other public or private entity any information that might reveal the identity of individuals or organizations mentioned in close call reports without explicit consent of the respondent.

#### SUPPLEMENTARY INFORMATION:

##### I. The Data Collection

The Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35; as amended) and 5 CFR part 1320 require each Federal agency to obtain OMB approval to initiate an information collection activity. BTS is seeking OMB approval for the following BTS information collection activity:

*Title:* Confidential Close Call Reporting for Transit Rail System  
*OMB Control Number:* TBD.

*Type of Review:* Approval of data collection.

*Respondents:* WMATA rail employees.

*Number of Respondents:* 400 (per annum).

*Estimated Time per Response:* 1 hour.

*Frequency:* Intermittent for 5 years. (Reports are submitted when there is a qualifying event, i.e., when a close call occurs within WMATA's rail system).

*Total Annual Burden:* 400 hours.

**ADDRESSES:** The agency seeks public comments on its proposed information collection. Comments should address whether the information will have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways

to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725–17th Street NW., Washington, DC 20503, Attention: BTS Desk Officer.

Issued on: February 11, 2013.

**Patricia Hu,**

*Director, Bureau of Transportation Statistics, Research and Innovative Technology Administration.*

[FR Doc. 2013–03694 Filed 2–15–13; 8:45 am]

**BILLING CODE 4910-HY-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. AB 290 (Sub-No. 334X)]

#### Norfolk Southern Railway Company— Abandonment Exemption—in Calhoun County, AL

Norfolk Southern Railway Company (NSR) has filed a verified notice of exemption under 49 CFR pt. 1152 subpart F—*Exempt Abandonments* to abandon approximately 1.81 miles of rail line extending between former Eastern Alabama Railway milepost LAM 508.08 (near the intersection of W. 10th and Pipe Streets) and milepost LAM 509.89 (to the east of the eastern end of W. 30th Street), in Anniston, in Calhoun County, Ala. The line traverses United States Postal Service Zip Code 36201.

NSR has certified that: (1) No local traffic has moved over the line for at least two years; (2) no overhead traffic has moved over the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C.

91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on March 21, 2013, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by March 1, 2013. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 11, 2013, with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001.

A copy of any petition filed with the Board should be sent to NSR's representative: Robert A. Wimbish, 2401 Pennsylvania Ave. NW., Suite 300, Washington, DC 20037.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

NSR has filed a combined environmental and historic report that addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by February 22, 2013. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423–0001) or by calling OEA at (202) 245–0305. Assistance for the hearing impaired is available through the Federal Information Relay Service at (800) 877–8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), NSR shall file a notice of consummation with the Board to signify that it has exercised the authority

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Serv. Rail Lines*, 5 I.C.C. 2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,600. See 49 CFR 1002.2(f)(25).

granted and fully abandoned the line. If consummation has not been effected by NSR's filing of a notice of consummation by February 19, 2014, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: February 13, 2013.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Derrick A. Gardner,**

*Clearance Clerk.*

[FR Doc. 2013–03730 Filed 2–15–13; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. AB 1000 (Sub-No. 2X); Docket No. AB 290 (Sub-No. 344X)]

#### Georgia Southwestern Railroad, Inc.— Discontinuance of Service Exemption—in Chattahoochee, Marion, and Schley Counties, GA.; Central of Georgia Railroad Company— Discontinuance of Service Exemption—in Chattahoochee, Marion, and Schley Counties, GA

Central of Georgia Railroad Company (CGA) and Georgia Southwestern Railroad, Inc. (GSWR) (collectively, applicants) have jointly filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuance of Service* for each carrier to discontinue service over approximately 33 miles of rail line between milepost 12.0 at or near Ochillee and milepost 45.0 near Ellaville, in Chattahoochee, Marion, and Schley Counties, GA (the line). Applicants state that the line is a portion of a CGA-owned rail line extending between Ochillee and milepost 61.5 in Americus, GA, that is leased to GSWR. The line traverses United States Postal Service Zip Codes 31803, 31805, 31806, and 31905.

Applicants have certified that: (1) No local traffic has moved over the line for at least two years; (2) no overhead traffic has moved over the line for at least two years and overhead traffic, if any, could be transported over other rail routes; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant