

program that provides financial assistance to states for their work in reducing in the frequency and severity of CMV crashes and hazardous materials incidents.

3. To the National Transportation Safety Board (NTSB) in connection with NTSB investigations involving motor carriers, interstate motor carriers, and hazardous material shippers.

4. To Federal, State, and local government agencies for the purposes of household goods investigations (HHG) and enforcing HHG statutes and regulations.

5. To Federal, State and local government agencies for the purposes of driver, motor carrier, broker, and freight forwarder investigations, and enforcing commercial operating statutes and regulations.

6. See "Prefatory Statement of General Routine Uses" (available at <http://www.dot.gov/privacy/privacyactnotices>). Other possible routine uses of the information, applicable to all DOT Privacy Act systems of records, are published in the **Federal Register** at 75 FR 82132, December 29, 2010, and 77 FR 42797, July 20, 2012 under "Prefatory Statement of General Routine Uses" (available at <http://www.dot.gov/privacy/privacyactnotices>).

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

None.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

MCMIS records are stored in an automated system operated and maintained at the Volpe National Transportation Systems Center (Volpe Center) in Cambridge, MA.

**RETRIEVABILITY:**

Records may be retrieved by; individuals' name, Social Security Number, Employer Identification Number, company name, trade name, and geographical location.

**SAFEGUARDS:**

Records in this system are safeguarded in accordance with applicable rules and policies, including all applicable DOT automated systems security and access policies. Strict controls have been imposed to minimize the risk of compromising the information that is being stored. Access to records in this system is limited to those individuals who have a need to know the information for the performance of their official duties and

who have appropriate clearances or permissions.

**RETENTION AND DISPOSAL:**

Records will be retained and disposed in accordance with National Archives and Records Administration (NARA) retention disposition schedule (RDS) NI-557-05-007 item #5. Master data files are retained on a permanent basis. For a complete discussion of the RDS please see [www.nara.gov](http://www.nara.gov).

**SYSTEM MANAGER AND ADDRESS:**

The system manager is the Division Chief, IT Development Division; Office of Information Technology; Federal Motor Carrier Safety Administration; U.S. Department of Transportation; 1200 New Jersey Avenue SE; W68-330; Washington, DC 20590

**NOTIFICATION PROCEDURE:**

Individuals seeking notification of and access to any record contained in this system of records, or seeking to contest its content, may submit a request in writing to the Tiffanie Coleman, FMCSA FOIA Officer whose contact information can be found at <http://www.dot.gov/foia> under "Contact Us." If an individual believes more than one component maintains Privacy Act records concerning him or her, the individual may submit the request to the Departmental Freedom of Information Act Office, U.S. Department of Transportation, Room W94-122, 1200 New Jersey Ave. SE., Washington, DC 20590, ATTN: FOIA request.

When seeking records about yourself from this system of records or any other Departmental system of records your request must conform with the Privacy Act regulations set forth in 49 CFR Part 10. You must sign your request, and your signature must either be notarized or submitted under 28 U.S.C. 1746, a law that permits statements to be made under penalty of perjury as a substitute for notarization. While no specific form is required, you may obtain forms for this purpose from the Chief Freedom of Information Act Officer, <http://www.dot.gov/foia> or 202.366.4542. In addition you should provide the following:

An explanation of why you believe the Department would have information on you;

- Identify which component(s) of the Department you believe may have the information about you;
- Specify when you believe the records would have been created;
- Provide any other information that will help the FOIA staff determine which DOT component agency may have responsive records; and

If your request is seeking records pertaining to another living individual, you must include a statement from that individual certifying his/her agreement for you to access his/her records. Without this bulleted information the component(s) may not be able to conduct an effective search, and your request may be denied due to lack of specificity or lack of compliance with applicable regulations.

**RECORD ACCESS PROCEDURES:**

See "Notification procedure" above.

**CONTESTING RECORD PROCEDURES:**

See "Notification procedure" above.

**RECORD SOURCE CATEGORIES:**

Records are obtained from roadside driver/vehicle inspections and crash reports submitted by state and local law enforcement agencies and from investigations performed by state and federal investigators. State officials and FMCSA field offices forward safety information to MCMIS immediately after it has been compiled and processed locally.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Pursuant to subsection (k)(2) of the Privacy Act (5 U.S.C. 552a), portions of this system are exempt from the requirements of subsections (c)(3), (d), (e)(4)(G)-(I) and (f) of the Act, for the reasons stated in DOT's Privacy Act regulation (49 CFR Part 10, Appendix, Part II, at A.8). See 66 FR 20406, April 23, 2001. A copy of this Notice and accompanying Privacy Act Exemptions Final Rule may be found on the DOT Privacy Office Web site—[www.dot.gov/privacy](http://www.dot.gov/privacy).

Issued in Washington, DC, on September 18, 2013.

**Claire W. Barrett,**

*Departmental Chief Privacy Officer.*

[FR Doc. 2013-23131 Filed 9-24-13; 8:45 am]

**BILLING CODE 4910-9X-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**Notice of Final Federal Agency Action on Proposed Highway in California**

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA and other Federal agencies.

**SUMMARY:** The FHWA, on behalf of the California Department of Transportation (Caltrans) is issuing this notice to advise the public that Federal actions taken by the California Department of

Transportation (Department) pursuant to its assigned responsibilities under 23 U.S.C. 327, as well as actions by other Federal agencies, are final within the meaning of 23 U.S.C. 139 (I)(1). The actions relate to a proposed Interstate 5 Bus/Carpool Lanes Project (Post Miles 9.7 to 22.5), south of Elk Grove Blvd. to United States (US) Highway 50 in Sacramento County, State of California. This action grants approval for the project.

**DATES:** By this notice, FHWA, on behalf of the Department, is advising the public of final actions subject to 23 U.S.C. 139 (I)(1). These actions have been taken by the Department pursuant to its assigned responsibilities under 23 U.S.C. 327, as well as by other Federal agencies. A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before February 22, 2014. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Kendall Schinke, Senior Environmental Planner, California Department of Transportation, 2379 Gateway Oaks Dr., Suite 150, Sacramento, CA 95833, weekdays between 8 a.m. and 4:30 p.m., (530) 741-4394, [kendall\\_schinke@dot.ca.gov](mailto:kendall_schinke@dot.ca.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the Department and other Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the following highway project in the State of California. The Interstate 5 Bus/Carpool Lanes Project would improve operations and safety of Interstate 5 in Sacramento County, California. This would be accomplished by adding bus/carpool lanes in the median the entire length of the project. The actions by the Department and other Federal agencies, and the laws under which such actions were taken, are described in the Environmental Assessment (EA)/ Finding of No significant Impact (FONSI) for the project, approved by the Department on June 26, 2013. The EA/ FONSI and other project records are available by contacting the Department at the address provided above. The EA/ FONSI can be viewed and downloaded from the project Web site at [www.dot.ca.gov/dist3/Projects/00165/prjindex.htm](http://www.dot.ca.gov/dist3/Projects/00165/prjindex.htm) or viewed at the Sacramento County Public Library—Sacramento Public Library Central Library 828 I Street, Sacramento, CA 95814. Comments or questions concerning this proposed action should

be directed to Caltrans at the address provided above.

This notice applies to the Department and other 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 the following Federal environmental statutes and Executive orders:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act [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 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].

4. 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].

5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) et seq.]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–470(ll)]; Archeological and Historic Preservation Act [16 U.S.C. 469–469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001–3013].

6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209]; The Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.

7. Hazardous Materials: Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601–9675; Superfund Amendments and Reauthorization Act of 1986 (SARA); Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901–6992(k).

8. Wetlands and Water Resources: Clean Water Act (Section 404, Section 401, Section 319) [33 U.S.C. 1251–1377]; Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601–4604]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)–300(j)(6)]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; Wild and Scenic Rivers Act [16 U.S.C. 1271–1287]; Emergency Wetlands Resources Act, [16 U.S.C. 3921, 3931]; Wetlands Mitigation [23 U.S.C. 103(b)(6)(M) and 133(b)(11)]; Flood Disaster Protection Act, 42 U.S.C. 4001–4128.

9. 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. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; 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(I)(1).

**Matthew Schmitz,**

*Director State Programs, Federal Highway Administration, Sacramento, California.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA 2013-0002-N-20]

#### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Federal Railroad Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking an extension of the following currently approved information collection activities. These information collection activities received a six-month emergency approval from OMB on August 29, 2013. FRA seeks this extension while it is determining the proper course of action to take to ensure that certain unattended trains and vehicles on mainline track or mainline siding outside of a yard or terminal, particularly ones transporting hazardous materials, are properly secured against unintended movement. Before submitting these information collection requirements for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

**DATES:** Comments must be received no later than November 25, 2013.