

**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

[Docket Number FRA–2005–21613]

**Petition for Waiver of Compliance**

In accordance with part 211 of Title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that by a document dated January 21, 2016, the Association of American Railroads (AAR) has petitioned the Federal Railroad Administration (FRA) for renewal of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 229—Railroad Locomotive Safety Standards. FRA assigned the petition Docket Number FRA–2005–21613.

This regulatory relief was initially granted by FRA in a letter dated December 2, 2005. This letter, along with subsequent modifications and renewals, established a program to perform field investigations to determine new limits for the air brake system clean, repair, and test

requirements applicable to electronic air brake systems manufactured by New York Air Brake (NYAB) and Wabtec Railway Electronics (Wabtec). At the time, those requirements were contained in 49 CFR 229.27 and 229.29, which have since been reorganized and updated in 229.29 as level 2 and level 3 air brake system maintenance. The program required that each air brake system be periodically evaluated by a joint committee involving a railroad, the air brake manufacturer, labor organizations (both operating and maintenance crafts) and FRA representatives. Several joint committees, with extensive participation from each of the above mentioned groups, were formed on CSX Transportation (CSX), BNSF Railway (BNSF), and Union Pacific Railroad (UP). All of the air brake systems that were studied were endorsed by consensus of the participating groups for varying extensions to the clean, repair, and test intervals given in 49 CFR 229.29. All of the committees have concluded their investigations and none are currently meeting.

As provided for in the waiver, relief was also extended to certain other AAR member railroads which applied for inclusion and provided a statement from the air brake manufacturer attesting to the similarity of their air brake systems to the ones tested.

Based on the similarity of design documented by the air brake manufacturers and performance demonstrated by tests and teardowns performed on various AAR member railroads, AAR is requesting a unified extension of the waiver applicable to all member railroads. AAR also requests that this waiver extension include all of the NYAB and Wabtec Air Brake systems that were studied by the joint committees. The air brake systems, conditions, and restrictions are requested to be as given in approval letters to Amtrak (June 19, 2014), CSX (August 14, 2015), and a joint letter to CSX and UP (October 15, 2015). A summary of the requested intervals and brake systems is given in the following table:

Model	Inspection interval (years)	Conditions	Notes
New York Air Brake CCB2, CCB26 .....	9	Non-fragmented COT&S .....	If equipped with BPCP manufactured March 2013 or later.
New York Air Brake CCB2, CCB26 .....	7	Non-fragmented COT&S .....	If <i>not</i> equipped with BPCP manufactured March 2013 or later.
New York Air Brake CCB2, CCB26 .....	.....	Fragmented COT&S.	
+ 16 Control Portion .....	9	Fragmented COT&S.	
+ Brake Pipe Control Portion .....	10	Fragmented COT&S .....	If BPCP manufactured March 2013 or later.
+ Brake Pipe Control Portion .....	7	Fragmented COT&S .....	If BPCP <i>not</i> manufactured March 2013 or later.
+ All other portions .....	10	Fragmented COT&S.	
New York Air Brake CCB1 .....	6.5	Non-fragmented COT&S.	
New York Air Brake CCB1 .....	.....	Fragmented COT&S.	
+ 20 Portion .....	6.5	Fragmented COT&S.	
+ All other portions .....	8.5	Fragmented COT&S.	
WABTEC Epic 3101 & Epic 3102 w/o D2	8		
WABTEC FastBrake .....	10		

AAR also submitted copies of FRA decision letters documenting the intervals above and giving complete conditions as determined by FRA based on the consensus reached in the various joint railroad, manufacturer, labor and FRA waiver committees. These letters are available online at [www.regulations.gov](http://www.regulations.gov) under Docket Number FRA–2005–21613; item numbers –0061, –0073, and –0076.

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 Department of Transportation’s (DOT) 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 April 11, 2016 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 document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy). See also <http://www.regulations.gov/#!privacyNotice> for the privacy notice of regulations.gov.

**Robert C. Lauby,**

*Associate Administrator for Railroad Safety,  
Chief Safety Officer.*

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## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### Agency Information Collection Activities: Information Collection Renewal; Comment Request; Disclosure of Financial and Other Information by National Banks

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury.

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

**SUMMARY:** The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA).

In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number.

The OCC is soliciting comment concerning renewal of its information collection titled, "Disclosure of Financial and Other Information by National Banks."

**DATES:** Comments must be submitted on or before April 25, 2016.

**ADDRESSES:** Because paper mail in the Washington, DC area and at the OCC is subject to delay, commenters are encouraged to submit comments by email, if possible. Comments may be sent to: Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Attention: 1557-0182, 400 7th Street SW., Suite 3E-218, Mail Stop 9W-11, Washington, DC 20219. In addition, comments may be sent by fax to (571) 465-4326 or by electronic mail to [prainfo@occ.treas.gov](mailto:prainfo@occ.treas.gov). You may personally inspect and photocopy comments at the OCC, 400 7th Street SW., Washington, DC 20219. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649-6700 or, for persons who are deaf or hard of hearing, TTY, (202) 649-5597. Upon arrival, visitors will be required to present valid government-issued photo identification and submit to security screening in order to inspect and photocopy comments.

All comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

#### FOR FURTHER INFORMATION CONTACT:

Shaquita Merritt, OCC Clearance Officer, (202) 649-5490 or, for persons who are deaf or hard of hearing, TTY, (202) 649-5597, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 400 7th Street SW., Suite 3E-218, Mail Stop 9W-11, Washington, DC 20219.

**SUPPLEMENTARY INFORMATION:** Under the PRA (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the OMB for each collection of information they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the OCC is publishing notice of the proposed collection of information set forth in this document.

*Title:* Disclosure of Financial and Other Information by National Banks (12 CFR 18).

*OMB Control No.:* 1557-0182.

*Type of Review:* Extension, without revision, of a currently approved collection.

*Description:* The collections of information are found in 12 CFR 18.3, 18.4, and 18.8. Section 18.3 requires the preparation of an annual disclosure statement and specifies when a national bank must make the statement available to shareholders. Section 18.4 outlines what information the disclosure statement must contain, and provides that a national bank may, at its option, supplement its annual disclosure statement with a narrative discussion. Lastly, § 18.8 requires that a national bank promptly mail or otherwise furnish its annual disclosure statement upon request.

This program of periodic financial disclosure is needed not only to facilitate informed decision making by existing and potential customers and investors, but also to improve public understanding of, and confidence in, the financial condition of individual national banks and the national banking system. Further, financial disclosure reduces the likelihood that the market will overreact to incomplete information.

*Affected Public:* Businesses or other for-profit.

*Burden Estimates:*

*Estimated Number of Respondents:* 1,100.

*Estimated Total Annual Burden:* 555 hours.

*Frequency of Response:* On occasion.

*Comments:* Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the information collection burden;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.