

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration****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 renewal of the following currently approved information collection activities. 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 December 4, 2007.

**ADDRESSES:** Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 25, Washington, DC 20590, or Ms. Gina Christodoulou, Office of Support Systems Staff, RAD-43, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, "Comments on OMB control number 2130-0500."

Alternatively, comments may be transmitted via facsimile to (202) 493-6265 or (202) 493-6170, or via e-mail to Mr. Brogan at [robert.brogan@dot.gov](mailto:robert.brogan@dot.gov), or to Ms. Christodoulou at [gina.christodoulou@dot.gov](mailto:gina.christodoulou@dot.gov). Please refer to the assigned OMB control number in any correspondence submitted. FRA

will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 25, Washington, DC 20590 (telephone: (202) 493-6292) or Ms. Gina Christodoulou, Office of Support Systems Staff, RAD-43, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6139). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Pub. L. 104-13, section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection

techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A)(i)-(iv); 5 CFR 1320.8(d)(1)(i)-(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a "user friendly" format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Below is a brief summary of currently approved information collection activities that FRA will submit for clearance by OMB as required under the PRA:

*Title:* Accident/Incident Reporting and Recordkeeping.

*OMB Control Number:* 2130-0500.

*Abstract:* The collection of information is due to the railroad accident reporting regulations set forth in 49 CFR Part 225 which require railroads to submit monthly reports summarizing collisions, derailments, and certain other accidents/incidents involving damages above a periodically revised dollar threshold, as well as certain injuries to passengers, employees, and other persons on railroad property. Because the reporting requirements and the information needed regarding each category of accident/incident are unique, a different form is used for each category.

*Form Number(s):* FRA F 6180.54; 55; 55A; 56; 57; 78; 81; 97; 98; 99; 107.

*Affected Public:* Businesses.

*Respondent Universe:* 685 railroads.

*Frequency of Submission:* On occasion.

*Reporting Burden:*

| CFR section                                                                                        | Respondent universe | Total annual responses        | Average time per response | Total annual burden hours | Total annual burden cost |
|----------------------------------------------------------------------------------------------------|---------------------|-------------------------------|---------------------------|---------------------------|--------------------------|
| 225.9—Telephone Reports of Certain Accidents/Incidents and Other Events.                           | 685 railroads       | 500 phone reports             | 15 minutes                | 125                       | \$5,000                  |
| 225.11—Reporting of Rail Equipment Accidents/Incidents—Form FRA F 6180.54.                         | 685 railroads       | 3,000 forms                   | 2 hours                   | 6,000                     | 240,000                  |
| 225.12—Rail Equipment Accident/Incident Reports Alleging Human Factor as Cause—Form FRA F 6180.81. | 685 railroads       | 1,400 forms                   | 15 minutes                | 350                       | 14,000                   |
| —Part I Form FRA F 6180.78 (Notices)                                                               | 685 railroads       | 1,000 notices + 4,100 copies  | 10 minutes + 3 minutes    | 372                       | 14,880                   |
| —Joint Operations                                                                                  | 685 railroads       | 100 requests                  | 20 minutes                | 33                        | 1,320                    |
| —Late Identification                                                                               | 685 railroads       | 20 attachments + 20 notices   | 15 minutes                | 10                        | 400                      |
| —Employee Statement Supplementing Railroad Accident Report (Part II Form FRA 6180.78).             | Railroad employees  | 75 statements                 | 1.5 hours                 | 113                       | 5,198                    |
| —Employee Confidential Letter                                                                      | Railroad employees  | 10 letters                    | 2 hours                   | 20                        | 920                      |
| 225.13—Late Reports                                                                                | 685 railroads       | 50 amended rpts. + 40 copies. | 1 hour + 3 minutes        | 52                        | 2,080                    |
| 225.17—Doubtful Cases; Alcohol or Drug Involvement: Narrative Reports to FRA.                      | 685 railroads       | 80 reports                    | 30 minutes                | 40                        | 1,600                    |
| —Appended reports required by §219.209(b)                                                          | 685 railroads       | 5 reports                     | 30 minutes                | 3                         | 120                      |
| 225.19—Rail-Highway Grade Crossing Accident/Incident Report—Form FRA F 6180.57.                    | 685 railroads       | 3,000 forms                   | 2 hours                   | 6,000                     | 240,000                  |
| —Death, Injury, or Occupational Illness (Form FRA F 6180.55a).                                     | 685 railroads       | 12,000 forms                  | 20 minutes                | 4,000                     | 160,000                  |
| 225.21—Railroad Injury and Illness Summary: Form FRA F 6180.55.                                    | 685 railroads       | 8,220 forms                   | 10 minutes                | 1,370                     | 54,800                   |
| 225.21—Annual Railroad Report of Employee Hours and Casualties, By State—Form FRA F 6180.56.       | 685 railroads       | 685 forms                     | 15 minutes                | 171                       | 6,840                    |
| 225.21/25—Railroad Employee Injury and/or Illness Record—Form FRA F 6180.98.                       | 685 railroads       | 18,000 forms                  | 60 minutes                | 18,000                    | 828,000                  |
| —Copies of Forms to Employees                                                                      | 685 railroads       | 540 form copies               | 2 minutes                 | 18                        | 828                      |
| 225.21—Initial Rail Equipment Accident/Incident Record—Form FRA F 6180.97.                         | 685 railroads       | 13,000 forms                  | 30 minutes                | 6,500                     | 299,000                  |
| 225.21—Alternative Record for Illnesses Claimed to Be Work Related—Form FRA F 6180.107.            | 685 railroads       | 300 forms                     | 15 minutes                | 75                        | 3,000                    |
| 225.25 (h)—Posting of Monthly Summary                                                              | 685 railroads       | 8,220 lists                   | 16 minutes                | 2,192                     | 87,680                   |
| 225.27—Retention of Records                                                                        | 685 railroads       | 1,900 records                 | 2 minutes                 | 63                        | 2,520                    |
| 225.33—Internal Control Plans—Amendments                                                           | 685 railroads       | 25 amendments                 | 14 hours                  | 350                       | 14,000                   |
| 225.35—Access to Records and Reports                                                               | 15 railroads        | 400 lists                     | 20 minutes                | 133                       | 5,320                    |
| —Subsequent Years                                                                                  | 4 railroads         | 16 lists                      | 20 minutes                | 5                         | 200                      |
| 225.37—Magnetic Media Transfer and Electronic Submission.                                          | 8 railroads         | 96 transfers                  | 10 minutes                | 16                        | 640                      |
| —Electronic Submission: Batch Control Forms (6180.99) and Form FRA F 6180.55.                      | 685 railroads       | 200 forms                     | 3 minutes                 | 10                        | 400                      |

*Total Responses:* 77,002.  
*Estimated Total Annual Burden:*  
 46,021 hours.

*Status:* Regular Review.  
 Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Authority:** 44 U.S.C. 3501–3520.

Issued in Washington, DC on September 28, 2007.

**D.J. Stadtler,**

*Director, Office of Financial Management,  
 Federal Railroad Administration.*

[FR Doc. E7–19678 Filed 10–4–07; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35062]

#### **Finger Lakes Railway Corp.—Control Exemption—Ontario Central Railroad Corp.; Notice of Exemption**

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

**ACTION:** Notice of exemption.

**SUMMARY:** The Board grants an exemption, under 49 U.S.C. 10502, from the prior approval requirements of 49 U.S.C. 11323, *et seq.*, for Finger Lakes Railway Corp. (FGLK), a Class III rail carrier, to acquire control by purchase of 81.05% of the issued and outstanding stock of Ontario Central Railroad Corp. (ONCT) from Livonia, Avon & Lakeville Railroad Corp. The rail line consists of 14 miles of the rail line in New York.

**DATES:** The exemption will be effective on October 15, 2007. Petitions to stay must be filed by October 10, 2007. Petitions to reopen must be filed by October 22, 2007.

**ADDRESSES:** An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35062, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001. In addition, one copy of all pleadings must be served on FGLK's representative, Eric M. Hocky, Gollatz, Griffin & Ewing, P.C., Four Penn Center, Suite 200, 1600 John F. Kennedy Blvd., Philadelphia, PA 19103–2808.

**FOR FURTHER INFORMATION CONTACT:** Julia Farr, (202) 245–0359. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.]

#### **SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, e-mail, or call: ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706; e-mail: [asapdc@verizon.net](mailto:asapdc@verizon.net); telephone: (202) 306–4004. [Assistance for the hearing impaired is available through FIRS at 1–800–877–8339.]

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: October 1, 2007.

By the Board, Chairman Nottingham, Vice Chairman Buttrey, and Commissioner Mulvey.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. E7–19714 Filed 10–4–07; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35083]

#### **SMS Rail Lines of New York, LLC—Lease and Operation Exemption—Delaware and Hudson Railway Company, Inc. Line in Albany County, NY**

SMS Rail Lines of New York, LLC (SMS), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to lease from Delaware and Hudson Railway Company, Inc., d/b/a Canadian Pacific Railway, and operate the Voorheesville Running Track, approximately 15 miles of rail line extending between milepost 11.00 in Voorheesville 12085 and a point 50 feet south of the centerline of the bridge at milepost 26.14 (or engineering station 6136+/-) in Delanson 12053, including the use of wye track and any track leading to the Northeast Industrial Park at milepost 12.1 and 12.29, in Albany County, NY.

SMS certifies that its projected revenues as a result of the transaction will not result in the creation of a Class II or Class I rail carrier and will not exceed \$5 million.

The earliest this transaction may be consummated is October 19, 2007, the effective date of the exemption (30 days after the exemption was filed).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Petitions for stay must be filed no later than October 12, 2007 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35083, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001. Also, a copy of each pleading must be served on Fritz R. Kahn, Fritz R. Kahn, P.C., 1920 N Street, NW., 8th floor, Washington, DC 20036.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: September 28, 2007.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. E7–19601 Filed 10–4–07; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35086]

#### **Ogeechee Railroad Company—Acquisition and Operation Exemption—Georgia Midland Railroad, Inc.**

Ogeechee Railroad Company (ORC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire (by lease assignment) Georgia Midland Railroad, Inc.'s (GMR) lease from the Georgia Department of Transportation (GADOT) of a 21.1-mile rail line between milepost SA–36.4 at or near Ardmore, GA, and milepost SA–57.5 at or near Sylvania, GA (the Sylvania line), and to operate over it.

ORC indicates that, with the consent of GADOT, GMR acquired its lease of the Sylvania line by assignment from Ogeechee Railway Company.<sup>1</sup> ORC states that an agreement has been reached between ORC and GMR for the assignment of GMR's lease to ORC and for ORC's operation of the line. According to ORC, GADOT has indicated that it will consent to the assignment of GMR's lease to ORC upon ORC's becoming a rail carrier.

ORC certifies that its projected revenues do not exceed those that would qualify it as a Class III rail carrier and further certifies that its projected annual revenues as a result of this transaction will not exceed \$5 million.

<sup>1</sup> See *Georgia Midland Railroad, Inc.—Acquisition and Operation Exemption—Ogeechee Railway Company*, STB Finance Docket No. 34466 (STB served Mar. 12, 2004).