

hinder the effective use and expansion of America's Marine Highways; waterways and ports, and their intermodal, road, rail, and marine high connections; and guidelines for the development of a national freight policy from a marine transportation perspective to the Secretary of Transportation via the Maritime Administrator.

**DATES:** Completed application forms should reach us on or before November 17, 2010.

**ADDRESSES:** Interested candidates may request an application form and submit a completed application by one of the following methods: E-mail:

*nac.marad@dot.gov*, subject line: MTSNAC Application Fax: 202-366-6988, ATTN: MTSNAC DFO, please provide name, mailing address and telephone and fax numbers to send application forms to. Mail: MARAD-MTSNAC Designated Federal Officer, Room W21-310, U.S. Department of Transportation, 1200 New Jersey Ave., SE., Washington, DC 20590, please provide name, mailing address and telephone and fax numbers to send application forms to: Internet: To download a PDF or MS-Word application form, visit MTSNAC Web site at <http://www.mtsnac.org>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard Lolich, MTSNAC Designated Federal Officer, Maritime Administration, 1200 New Jersey Ave., SE., Room W21-310, Washington, DC 20590, *Richard.Lolich@dot.gov*, Phone: 202-366-0704, Fax: 202-366-6988.

**SUPPLEMENTARY INFORMATION:** The MTSNAC is an advisory committee established in accordance with the provisions of the Federal Advisory Committee Act (FACA) 5 U.S.C. App. 1 (Pub. L. 92-463) and the Energy Independence and Security Act of 2007 (Pub. L. 110-140). The MTSNAC advises, consults with, reports to, and makes recommendations to the Secretary on matters relating to the Marine Transportation System. Such matters may include, but are not limited to:

Impediments that hinder the effective use and expansion of America's Marine Highways, and the expanded use of the marine transportation system for freight and passengers; Waterways and ports, and their intermodal road, rail, and marine highway connections and actions required to meet current and future national transportation system integration needs; Strategy, policy, and goals to ensure an environmentally responsible and safe system that improves the global competitiveness and national security of the U.S.;

Guidelines for the development of a national freight policy from a marine transportation Perspective, and; such other matters, related to those above, that the Secretary or sponsor may charge the Committee with addressing. The full Committee normally meets at least two to three times per fiscal year. Subcommittee meetings and teleconferences are held more frequently, as needed. It may also meet for extraordinary purposes.

Twenty-eight (28) positions will be filled. Organizations and companies with experience in one or more of the following sectors of the marine transportation industry are encouraged to apply: Ports and Terminal Operators, Shippers, Vessel Operators, Non-Marine Transportation Providers, Metropolitan Planning Organizations and State DOTs, Shipbuilders, Labor and Workforce Development, and Academia.

Registered lobbyists are not eligible to serve on Federal Advisory Committees. Registered lobbyists are lobbyists required to comply with provisions contained in the Lobbying Disclosure Act of 1995 (Pub. L. 110-81, as amended).

Each member serves for a term of two years. Members may serve consecutive terms. All members serve at their own expense and receive no salary. While attending meetings or when otherwise engaged in committee business, members will be reimbursed for travel and per diem expenses as permitted under applicable Federal travel regulations.

If you are interested in applying to become a member of the Committee, send a completed application to Mr. Richard Lolich, Designated Federal Officer (DFO) of the Marine Transportation System National Advisory Council. Send the application in time for it to be received by the DFO on or before November 17, 2010.

Dated: October 12, 2010.

By Order of the Maritime Administrator.

**Christine Gurland,**

*Secretary, Maritime Administration.*

[FR Doc. 2010-26092 Filed 10-15-10; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Safety Advisory 2010-03

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of Safety Advisory; staying alert and situational awareness.

**SUMMARY:** FRA is issuing Safety Advisory 2010-03 to remind railroads and their employees of the importance of situational awareness and the need to stay alert whenever the job that is being performed changes, particularly in main track territory. This safety advisory contains various recommendations to railroads to ensure that these issues are addressed by appropriate policies and procedures.

#### FOR FURTHER INFORMATION CONTACT:

Ronald Hynes, Director, Office of Safety Compliance and Assurance, Office of Railroad Safety, FRA, 1200 New Jersey Avenue, SE., Washington, DC 20590, telephone (202) 493-6404; or Joseph St. Peter, Trial Attorney, Office of Chief Counsel, FRA, 1200 New Jersey Avenue, SE., Washington, DC 20590, telephone (202) 493-6052.

**SUPPLEMENTARY INFORMATION:** The overall safety of railroad operations has improved in recent years. However, a series of events over the past 24 months highlight the need to review current railroad procedures and practices. This safety advisory emphasizes the need for railroads to review and update their current procedures relating to situational awareness, alertness when working on or near main tracks, and job briefings whenever there is a change in situation.

#### Recent Incidents

The following is a discussion of the circumstances surrounding a recent fatal incident, and is based only on FRA's preliminary investigation. The accident is still under investigation by FRA and local authorities. The causes and contributing factors, if any, have not yet been established. Therefore, nothing in this safety advisory is intended to attribute a cause to the incident or place responsibility for the incident on the acts or omissions of any person or entity.

The fatal incident occurred on September 1, 2010, at approximately 6:50 a.m., in Coon Rapids, Minnesota, on the BNSF Railway's (BNSF) Twin Cities Division, Staples Subdivision, in double-main track territory. The incident occurred when a westbound BNSF track geometry train stopped on Main Track #1 just west of Egrett Boulevard, a public highway-rail grade crossing equipped with flashers and gates, to allow a BNSF roadmaster (track supervisor) to disembark from the geometry car. The roadmaster stepped off the rear (east) end of the geometry car on the field side of Main Track #1 and onto the highway-rail grade crossing. As the geometry train resumed movement west, the roadmaster walked

perpendicularly across the crossing, toward a BNSF vehicle parked on the opposite side of the crossing that was waiting to pick him up. As he did so, he stepped into the path of an oncoming passenger train traveling east on adjacent Main Track #2 at 79 mph, and was struck and killed. The roadmaster was a 53-year-old employee with 31 years of railroad service.

FRA is investigating a number of potential factors that may have been involved in this fatal event. FRA is determining whether any of these factors, or any other factors it may discover, worked to drastically change the roadmaster's job situation when he alighted from the geometry car, or provided a false sense of security regarding the conditions at the crossing. Some of these factors include:

(1) The potential distraction caused by the paperwork the roadmaster was holding.

(2) The location of the involved crossing in a "quiet zone." Consequently, the striking passenger train was not required to sound its horn at the grade crossing where the incident occurred.

(3) Whether the locomotive engineer of the passenger train was aware that he or she was passing maintenance-of-way equipment.<sup>1</sup>

(4) The view afforded the roadmaster of adjacent Main Track #2, to the west, as the geometry train departed in that direction.

(5) The location of the BNSF vehicle the roadmaster was walking toward.

(6) The affect of the active warnings displayed by the warning devices at Egrett Boulevard.

Subsequent to the incident discussed above, BNSF conducted an incident briefing with all of their employees, specifically reminding the employees that fouling track during work, or incidental fouling for crossing over a track, can never be taken as a routine matter. Additionally, the briefing addressed several existing BNSF operating rules mandating that employees be alert and attentive to their duties, be alert to potential train movements, and take proper precautions when fouling tracks, including incidental fouling when walking across tracks when protection has not been provided. FRA fully supports these rules and applauds BNSF for taking the initiative to remind all of its employees of the dangers inherent when fouling tracks. FRA believes the foremost obligation of each employee,

with regard to his or her own personal safety, is individual awareness and accountability.

FRA notes that there have been other recent incidents in which railroad employees have been killed and injured after potentially becoming distracted or unaware of changing job situations. For instance:

(1) In 2008, an incident occurred when a two-person train crew, after reaching their destination, was instructed to secure their freight train at a location beyond their normal crew change point. The location was on double-main track on a bridge near a parking lot where a relief crew could reach the train. The conductor left the cab of the locomotive to tie hand brakes in order to secure the train, but appears to have done so without performing a job briefing with the engineer and without taking his hand-held radio. He crossed in front of the locomotive and walked across the bridge between the two tracks. An eastward train, approaching at 26 mph, observed the conductor in the foul, sounded its whistle, turned the locomotive's headlights to bright, and tried to stop. However, the eastward train struck and killed the conductor.

(2) In 2008, a track gang and a contractor were working together and walking track along the right-of-way on the Northeast Corridor. Periodically, the gang would request and receive "foul time" to do closer inspections. Sometime before the incident, the foul time was cancelled and acknowledged. Shortly thereafter, an Amtrak train passed into the area and struck three of the track workers and killed the contractor.

(3) In 2009, a four-person yard switching crew was pulling cars up a switching lead to make a shoving movement into a yard track while a road train was approaching in the same direction on the main track adjacent to the switching lead. The conductor riding the second locomotive of the yard switcher exited the cab and got off the train on the "live" side next to the main track, actually fouling the main track. He was subsequently struck and killed by the train operating on the main track.

The employees in the above-listed incidents were all familiar with operating and safety rules, yet in each case, the employees' situational awareness seems to have been degraded. FRA believes that employee alertness to changing job situations could have been heightened in these situations by the act of engaging in additional job briefings. As the railroad industry is well aware, a job briefing should take place at the beginning of a task and anytime the task

changes. Railroad operating rules and certain Federal railroad safety regulations require that these job briefings take place. The job briefing can act, particularly when there is more than one person involved with the task, as a "time out," so to speak, for the affected employees to reinforce the need to exercise vigilance and awareness in the performance of their tasks.

FRA also wishes to reiterate concerns previously expressed to the railroad industry in a letter dated January 26, 2010. In the present era of "instant communications and technology and information 'overload,'" railroad employees need to maintain complete situational awareness and avoid distractions. Railroad employees should keep cell phones and other distracting devices turned off and focus their full attention on the task at hand. As the above examples indicate, even slight lapses in situational awareness can lead to tragedy.

*Recommended Action:* In light of the above discussion, and in an effort to maintain the safety of railroad employees on the Nation's rail system, FRA recommends that railroads:

(1) Develop processes that promote safety mentoring of fellow workers regardless of their titles or positions.

(2) Develop procedures that address the need for dialogue between coworkers when exiting equipment near tracks or moving equipment.

(3) Review their current process regarding job briefings and determine best practices that encourage constant communication about the activities at hand.

(4) Assess their current rules addressing personal safety and employee behavior when on or near tracks, with particular emphasis on main tracks.

(5) Review current rules pertaining to activities that could cause employees to become distracted, including rules pertaining to the use of electronic devices, with the view of strengthening and expanding them to include all employees when they are on or near tracks.

(6) Review current rules pertaining to sounding the locomotive horn, with the view of requiring the horn to be sounded when approaching and passing standing trains, especially at or near grade crossings, regardless of whether such crossings are located in quiet zones.

FRA encourages railroad industry members to take action consistent with the preceding recommendations and to take other actions to help ensure the safety of the Nation's railroad employees. FRA may modify this Safety

<sup>1</sup> BNSF has an operating rule that requires the horn to be sounded when approaching engineering department employees and their related equipment.

Advisory 2010–03, issue additional safety advisories, or take other appropriate actions necessary to ensure the highest level of safety on the Nation's railroads, including pursuing other corrective measures under its rail safety authority.

Issued in Washington, DC, on October 12, 2010.

**Jo Strang,**

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

[FR Doc. 2010–26089 Filed 10–15–10; 8:45 am]

**BILLING CODE 4910–06–P**

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## DEPARTMENT OF THE TREASURY

### Office of Thrift Supervision

[Docket ID: OTS–2010–0028]

#### Open Meeting of the OTS Minority Depository Institutions Advisory Committee

**AGENCY:** Department of the Treasury,  
Office of Thrift Supervision.

**ACTION:** Notice of meeting.

**SUMMARY:** The OTS Minority Depository Institutions Advisory Committee (MDIAC) will convene a meeting on Wednesday, November 3, 2010, in Conference Room 6A of the Office of Thrift Supervision, 1700 G Street, NW., Washington, DC, beginning at 9 a.m. Eastern Time. The meeting will be open to the public.

**DATES:** The meeting will be held on Wednesday, November 3, 2010, at 9 a.m. Eastern Time.

**ADDRESSES:** The meeting will be held at the Office of Thrift Supervision, 1700 G Street, NW., Washington, DC in Conference Room 6A. The public is invited to submit written statements to the MDIAC by any one of the following methods:

- *E-mail address:* [CommAffairs@ots.treas.gov](mailto:CommAffairs@ots.treas.gov); or
- *Mail:* To Deirdre A. Foley, Designated Federal Official, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552 in triplicate.

The agency must receive statements no later than October 27, 2010.

**FOR FURTHER INFORMATION CONTACT:** Deirdre A. Foley, Designated Federal Official, (202) 906–5750, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

**SUPPLEMENTARY INFORMATION:** By this notice, the Office of Thrift Supervision is announcing that the OTS Minority Depository Institutions Advisory Committee will convene a meeting on Wednesday, November 3, 2010, in Conference Room 6A at the Office of Thrift Supervision, 1700 G Street, NW., Washington, DC, beginning at 9 a.m. Eastern Time. The meeting will be open to the public. Because the meeting will be held in a secured facility with limited space, members of the public who plan to attend the meeting, and members of the public who require

auxiliary aid, must contact the Office of Community Affairs at 202–906–7891 by 5 p.m. Eastern Time on Wednesday, October 27, 2010, to inform OTS of their desire to attend the meeting and to provide the information that will be required to facilitate entry into the OTS building. To enter the building, attendees should provide a government issued ID (e.g., driver's license, voter registration card, etc.) with their full name, date of birth, and address. The purpose of the meeting is to advise OTS on ways to meet the goals established by section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), Public Law 101–73, Title III, 103 Stat. 353, 12 U.S.C.A. § 1463 note. The goals of section 308 are to preserve the present number of minority institutions, preserve the minority character of minority-owned institutions in cases involving mergers or acquisitions, provide technical assistance, and encourage the creation of new minority institutions. The MDIAC will help OTS meet those goals by providing informed advice and recommendations regarding a range of issues involving minority depository institutions.

Dated: October 6, 2010.

By the Office of Thrift Supervision.

**Deirdre A. Foley,**

*Designated Federal Official.*

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