

## DEPARTMENT OF TRANSPORTATION

## Federal Railroad Administration

## Agency Request for Emergency Processing of Collections of Information by the Office of Management and Budget

AGENCY: Federal Railroad Administration, DOT.

ACTION: Notice.

**SUMMARY:** The Federal Railroad Administration (FRA) hereby gives notice that it has submitted the following information collection requests (ICRs) to the Office of Management and Budget (OMB) for emergency processing under the Paperwork Reduction Act of 1995 (P.L. 104-13, 44 U.S.C. Chapter 35). FRA requests that OMB authorize the collections of information identified below on or before April 6, 1998, for 180 days after the date of issuance of this notice in the **Federal Register**. A copy of these individual ICRs, with applicable supporting documentation, may be obtained by calling FRA's clearance officers, Robert Brogan (telephone number (202) 632-3318) or Maryann Johnson (telephone number (202) 632-3226). Comments and questions about the ICRs identified below should be directed to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for FRA, Washington, D.C. 20503.

*Title:* Railroad Safety Culture Survey.  
*OMB Number:* 2130—new.

*Frequency:* One-time.

*Affected Public:* Railroad workers.

*Number of respondents:* 1100.

*Estimated Time Per Respondent:* 20 minutes.

*Total Burden:* 367 hours.

*Title:* Railroad Safety Culture Survey—Focus Group Sessions.

*OMB Number:* 2130—new.

*Frequency:* One-time.

*Affected Public:* Railroad workers.

*Number of respondents:* 420 employees attending 28 session groups.

*Estimated Time Per Respondent:* 2 hrs.

*Total Burden:* 840 hours.

*Title:* Railroad Safety Culture Survey—Key Interviews.

*OMB Number:* 2130—new.

*Frequency:* One-time.

*Affected Public:* Railroad managers.

*Number of respondents:* 16.

*Estimated Time Per Respondent:* 1 hr.

*Total Burden:* 16 hours.

*Description:* The above ICRs intend to expose cultural shortcomings in the railroad industry, including harassment and intimidation of subordinates, and frame a program to develop a corporate culture that advances and awards safety in the work environment. The project, in short, serves the objectives of FRA in promoting rail safety.

Therefore, FRA is seeking emergency clearance to obtain data necessary to measure and evaluate the corporate culture of the railroad industry.

**Authority:** 44 U.S.C. 3501-3520.

Issued in Washington, D.C. on March 30, 1998.

**Maryann Johnson,**

*Information Collection Budget Officer, Office of Information Technology and Support Systems, Federal Railroad Administration.*  
[FR Doc. 98-9281 Filed 4-8-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

## Federal Railroad Administration

## Petition for a Waiver of Compliance

In accordance with Title 49 Code of Federal Regulations (CFR) §§ 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance with certain requirements of the Federal railroad safety regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being sought and the petitioner's arguments in favor of relief.

**Kyle Railroad Company**

*FRA Waiver Petition No. WPS-97-9*

Kyle Railroad Company (Kyle), a subsidiary of Kyle Railways, Inc. seeks a permanent waiver of compliance from certain provisions of the Federal Roadway Worker Protection Standards, subpart C of 49 CFR part 214. The waiver is requested for six railroads owned by Kyle Railways, Inc., namely: Arizona Eastern Railway  
Eastern Alabama Railway  
Kyle Railroad Company  
San Joaquin Valley RR Company  
San Pedro & South Western RR Company  
Kiamichi Railroad Company

Specifically, Kyle requests relief to the extent "that working limits within Yard Limits or Restricted Limits be established by means of restricted speed

and by placing red flags or red lights, 1/4 mile or within sight distance, but not less than 400 feet, of both ends of the obstruction."

In support of the petition, Kyle states that:

When possible, on tracks other than mainline, a switch aligned to prevent access to the working limits and secured with an effective securing device, placed by the roadway worker in charge of the working limits, would be used. We have included the sight distance provision to insure that vandalism would not result in loss of protection.

The reason for this request is primarily due to our conclusion that to comply with § 214.327, the use of portable derrails to establish working limits, would be necessary. We believe that the use of portable derrails poses a significant risk of personal injury to employees required to handle them. This due to the inherent awkwardness of the device and the weight of approximately sixty (60) pounds each. We do not believe the remaining alternatives included in this section, are economically feasible.

Interested parties are invited to participate in this proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with this proceeding 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 (e.g., Waiver Petition Docket Number WPS-97-9) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, FRA, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning this proceeding are available for examination during regular business hours (9 a.m.-5 p.m.) at FRA's docket room located at 1120 Vermont Avenue, NW., Room 7051, Washington, DC 20005.

Issued in Washington, DC on April 6, 1998.

**Grady C. Cothen,**

*Deputy Associate Administrator for Safety Standards and Program Development.*  
[FR Doc. 98-9430 Filed 4-8-98; 8:45 am]

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