Issued in Washington, DC, on May 1, 2006.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2000–7257]

Notice No. 39; Railroad Safety Advisory Committee; Notice of Meeting

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

ACTION: Notice of the Railroad Safety Advisory Committee (RSAC) meeting.

SUMMARY: FRA announces the next meeting of the RSAC, a Federal Advisory Committee that develops railroad safety regulations through a consensus process. The RSAC meeting topics include opening remarks from the FRA Administrator, a discussion panel on lessons learned during the ten years RSAC has existed, and the report on the Safety of Remote Control Locomotive Operations. Status reports will be given on the Passenger Safety, Roadway Worker, Continuous Welded Rail, and Locomotive Standards working groups. The Committee will be asked to vote to accept a task on railroad security.

DATES: The meeting of the RSAC is scheduled to commence at 9:30 a.m., and conclude at 4 p.m., on Thursday, May 18, 2006.

ADDRESSES: The meeting of the RSAC will be held at the Wyndham Washington, DC, 1400 M Street, NW., Washington, DC 20005, (202) 493–1700. The meeting is open to the public on a first-come, first-serve basis, and is accessible to individuals with disabilities. Sign and oral interpretation can be made available if requested 10 calendar days before the meeting.

FOR FURTHER INFORMATION CONTACT: Patricia Butera, RSAC Coordinator, FRA, 1120 Vermont Avenue, NW., Stop 25, Washington, DC 20590, (202) 493–6212 or Grady Cothen, Deputy Associate Administrator for Safety Standards and Program Development, FRA, 1120 Vermont Avenue, NW., Mailstop 25, Washington, DC 20590, (202) 493–6302.

SUPPLEMENTARY INFORMATION: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), FRA is giving notice of a meeting of the RSAC. The meeting is scheduled to begin at 9:30 a.m., and conclude at 4 p.m., on Thursday, May 18, 2006. The meeting of the RSAC will be held at the Wyndham Washington, DC, 1400 M Street, NW., Washington, DC 20005, (202) 493–1700. RSAC was established to provide advice and recommendations to the FRA on railroad safety matters. Currently, the Committee consists of 48 individual voting representatives and five associate representatives drawn from among 30 organizations representing various rail industry perspectives, two associate representatives from the agencies with railroad safety regulatory responsibility in Canada and Mexico, and other diverse groups. Staffs of the National Transportation Safety Board and the Federal Transit Administration also participate in an advisory capacity. The Committee's charter must be renewed by May 17, at which time it is anticipated that proposed changes to the membership will be approved. The changes include the addition of one voting seat for the Transportation Security Administration and five voting seats for hazardous materials shippers and manufacturers.

See the RSAC Web site for details on pending tasks at: *http://rsac.fra.dot.gov/.* Please refer to the notice published in the **Federal Register** on March 11, 1996, (61 FR 9740) for more information about the RSAC.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Safety Advisory 2006–04

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

ACTION: Notice of Safety Advisory 2006–04; Tank Cars with Stub Sills.

SUMMARY: FRA is issuing Safety Advisory 2006–04 recommending that owners of tank cars equipped with the ACF Industries, Incorporated (ACF) 200 stub sill design, inspect and enhance the underframes in accordance with the procedures contained in ACF's Maintenance Bulletin TC–200. Owners should contact ACF (see below) for a copy of Maintenance Bulletin TC–200 and for clarification of procedures and any additional information.

FOR FURTHER INFORMATION CONTACT: Albert R. Taber or Thomas A. Phemister, Railroad Safety Specialists (Hazardous Materials), Hazardous Materials Division, Office of Safety Assurance and Compliance, Federal Railroad Administration, U.S. Department of Transportation, 1120 Vermont Avenue, NW., Washington, DC 20590–0001 (telephone: (202) 493–6254 or (202) 493–6050; e-mail: *al.taber@dot.gov* or *tom.phemister@dot.gov*).

SUPPLEMENTARY INFORMATION:

Background

Since 1990, FRA, in conjunction with Transport Canada, has documented approximately eleven known defects on tank cars built with the ACF 200 stub sill design (ACF–200 tank cars). These defects included tank head cracks, pad to tank cracks, sill web cracks, and tank car buckling that in some instances led to hazardous materials incidents. In addition, the Association of American Railroads (AAR) Stub Sill (SS–3) inspection data related to ACF–200 tank cars shows significant percentages of longitudinal weld cracks located in the pad to sill area, and parent metal cracks in the pad. These cracks present a possible source of the loss of tank integrity which could lead to unintended releases of hazardous materials from ACF–200 tank cars.

On November 15, 2005, FRA representatives met with officials representing the original builder of the ACF–200 tank cars to discuss the evolution of the design, areas of concern, and proper modifications/enhancements to the sill of ACF–200 tank cars to ensure structural integrity while transporting hazardous materials by rail. At this meeting, FRA learned that the safety concerns with the ACF–200 stub sill design are fatigue related which could be addressed through periodic inspection and modification of the tank cars at certain intervals determined by mileage and re-qualification inspection and maintenance dates. Specifically, FRA learned that the fatigue-related safety concerns with the ACF–200 stub sill design can be eliminated by modifying the underframe of the tank car in accordance with ACF's Maintenance Bulletin TC–200 (ACF Style 200 Stub Sill Underframe Enhancement, issued in May 1994) and installing the P470 angle application head brace. Once the P470 Angle Application has been installed (popularly known as the ''ladder fix''), the underframe of the tank car is transformed into what is known as the ACF–270 stub sill design. According to ACF, this program of retrofitting ACF–200 tank cars to the ACF–270 design, began nearly a decade ago and has

progressed through the fleet, resulting in the majority of the affected cars having already been retrofitted to the ACF–270 design.

FRA is aware that most interested parties agree with ACF and FRA that a retrofit program is the best course of action. Through meetings with, primarily, small fleet owners, FRA has learned that many car owners have completed, or are making substantial progress on, their ACF–200 tank car retrofit programs. FRA recognizes the importance of good engineering practice and sill design in conjunction with a reliable maintenance plan. For ACF–200 tank cars, FRA agrees with ACF that the program established by Maintenance Bulletin TC–200, augmented by the P470 Angle Application, represents good engineering practice and a material safety enhancement. This Safety Advisory recommends that owners of unmodified ACF–200 tank cars bring these cars into conformity with Maintenance Bulletin TC–200 and the P470 Angle Application at the earliest practicable date.

Recommended Action: Based on the need to achieve the maximum level of safety possible in the railroad tank car transportation industry and to enhance the public's confidence in that level of safety, FRA makes the following recommendations:

1. ACF–200 tank car owners should enter into discussions with the car builder and decide the best course of action with regard to inspection of and modifications to tank cars built with the ACF–200 stub sill design and not yet retrofitted to the ACF–270 design. Copies of the ACF Maintenance Bulletin TC–200 and the P470 Angle Application are available from—Director of Customer Service, American Railcar Industries, 100 Clark Street, St. Charles, MO 63301–2075. *http://www.americanrailcar.com.*

2. ACF–200 tank car owners should modify ACF–200 tank cars to the ACF–270 design at the earliest of any of the following events:

- A tank car is due for re-qualification under 49 CFR 180.509;
- A tank car is recalled under an AAR Maintenance Advisory requiring modification in the draft sill area;
- A tank car has been in service for 150,000 miles; or
- A tank car requires general repairs and the repairs consume (or are expected to consume) at least 36 hours.

3. First priority in modifying unretrofitted ACF–200 tank cars to the ACF–270 design should go to cars in the general service fleet and, then, to the pressure car fleet.

FRA policy is that the owner of the car's reporting marks is the owner of the car and primarily responsible for maintaining the car in a safe and compliant condition. However, for purposes of this Safety Advisory, FRA would expect cooperation from the entity who controls the usage of the car in day to day operations, from the lessee/shipper, and from the title holder of the car. Although FRA does not see the need for further regulatory or enforcement action at this time, FRA will continue to monitor the status of ACF–200 tank cars in the hazardous materials industry and will take any necessary regulatory or enforcement action to ensure the highest level of safety on the nation's railroads.

Issued in Washington, DC, on May 2, 2006.

Jo Strang,

Associate Administrator for Safety.

[FR Doc. E6–6873 Filed 5–4–06; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[USCG–2006–24644]

TORP Terminal LP, Bienville Offshore Energy Terminal Liquefied Natural Gas Deepwater Port License Application

AGENCY: Maritime Administration, DOT.

ACTION: Notice of application.

SUMMARY: The Coast Guard and the Maritime Administration (MARAD) announce that they have received an application for the licensing of a natural gas deepwater port, and that the application appears to contain the required information. This notice summarizes the applicant's plans and the procedures that will be followed in considering the application.

DATES: The Deepwater Port Act of 1974, as amended, requires any public hearing on this application to be held not later than 240 days after this notice, and requires a decision on the application to be made not later than 90 days after the final public hearing.

ADDRESSES: The public docket for USCG–2006–24644 is maintained by the: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590–0001.

Docket contents are available for public inspection and copying, at this address, in room PL–401, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Facility's telephone is 202–366–9329, its fax is 202–493–2251, and its Web site for electronic submissions or for electronic access to docket contents is *http://dms.dot.gov*. Note that all comments received will be posted without change to *http://dms.dot.gov* including any personal information provided. Please see the Privacy Act heading below.

FOR FURTHER INFORMATION CONTACT: Mary K. Jager, U.S. Coast Guard, telephone: 202–267–6084, e-mail: *mjager@comdt.uscg.mil*. If you have questions on viewing the docket, call Andrea M. Jenkins, Program Manager, Docket Operations, telephone: 202–366–0271.

SUPPLEMENTARY INFORMATION:

Receipt of Application

On January 12, 2006, the Coast Guard and MARAD received an application from TORP Terminal LP, 15995 North Barkers Landing, Suite 310, Houston, Texas 77079 for all Federal authorizations required for a license to own, construct, and operate a deepwater port governed by the Deepwater Port Act of 1974, as amended, 33 U.S.C. 1501 et seq. (the Act). On May 1, 2006, we determined that the application appears to contain all information required by the Act.

Background

According to the Act, a deepwater port is a fixed or floating manmade structure other than a vessel, or a group of structures, located beyond State seaward boundaries and used or intended for use as a port or terminal for the transportation, storage, and further handling of oil or natural gas for transportation to any State.

A deepwater port must be licensed by the Maritime Administrator (by delegated authority of the Secretary of Transportation, published on June 18, 2003 (68 FR 36496)). Statutory and regulatory requirements for licensing appear in 33 U.S.C. 1501 *et seq.* and in 33 CFR part 148. Under delegations from and agreements between the Secretary of Transportation and the Secretary of Homeland Security, applications are processed by the Coast Guard and MARAD. Each application is considered on its merits.

The Act provides strict deadlines for processing an application. Once we determine that an application contains the required information, we must hold public hearings on the application within 240 days, and the Maritime Administrator must render a decision on the application within 330 days. We will publish additional **Federal Register** notices to inform you of these public hearings and other procedural