

**Register** notice described above. The laws under which actions were taken include, but are not limited to:

1. *General*: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128].
2. *Air*: Clean Air Act [42 U.S.C. 7401–7671(q)].
3. *Land*: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].
4. *Wildlife*: Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536]; Migratory Bird Treaty Act [16 U.S.C. 703–712].
5. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*].
6. *Social and Economic*: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].
7. *Executive Orders*: E.O. 11990, Protection of Wetlands; E.O. 11988, Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 13175, Consultation and Coordination With Indian Tribal Governments; E.O. 13112, Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1).

Issued on: August 10, 2011.

**James Christian,**

*Division Administrator, Salt Lake City.*

[FR Doc. 2011–21018 Filed 8–17–11; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2011–0067]

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated June 29, 2011, Penn Valley Railroad LLC has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Section 223.15. FRA assigned the petition Docket Number FRA–2011–0067.

Penn Valley Railroad LLC is requesting consideration of a waiver from 49 CFR § 223.15, Safety Glazing Standards, in regard to Coach PRR 1776. The coach is equipped with a type of automotive safety glass and is serviced and maintained by Penn Valley Railroad LLC. There have not been any injuries on this coach due to broken glass. Penn Valley Railroad LLC is requesting the glazing waiver because of the extremely high cost to replace the glazing and the low risk to safety of continuing to operate with the current safety glass.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at <http://www.regulations.gov> and in person at the U.S. 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 October 3, 2011 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 comment, if submitted on behalf of an association, business, labor union, *etc.*). You may review DOT's complete Privacy Act

Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on August 12, 2011.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2011–21095 Filed 8–17–11; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2010–0034]

#### Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated July 15, 2011, Port Authority Trans-Hudson Corporation (PATH) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 236. FRA has previously assigned all PATH Positive Train Control (PTC)-related documentation Docket Number FRA–2010–0034, and is adding this waiver request to that docket.

PATH seeks a waiver from compliance with PTC system requirements found at 49 CFR Section 236.1006, *Equipping locomotives operating in PTC territory*. Specifically, this petition is made in connection with the implementation of PATH's Automatic Train Control (ATC) project and the plan to use unequipped PA–4 cars as maintenance-of-way (MOW) work equipment. PATH is currently in the process of implementing an ATC system using communications-based train control (CBTC) technology throughout the PATH rail network, as described in the Positive Train Control Implementation and Development Plans previously submitted for FRA approval. As part of that program, PATH will be equipping all A-cars (cab control cars) of the new PA–5 fleet with onboard ATC equipment. By December 31, 2015, PATH's passenger carrying fleet will consist of only multiple-unit train consists made of PA–5 cars, and as such, PATH's operation will be in compliance with the new PTC rule. An important element of the new ATC system implementation at PATH will be the incorporation of a track-circuit-based Secondary Train Detection System (STDS) incorporating wayside signals and automatic train stops (trip stops). The STDS will provide for safe

operation of both PA-5 trains with failed ATC equipment, and MOW work equipment that will not be fitted with onboard ATC equipment.

It is PATH's intention to retire the existing PA-4 fleet from passenger service, but to retain some of these PA-4 cars to function as MOW work equipment. PATH will modify the interiors of some of these vehicles so that they are configured to transport tools and equipment. The PA-4 work vehicles would retain their trip cock equipment, and as such, the STDS would provide enforced braking for these vehicles at stop (red) signals. Further, since the PA-4 cars reliably shunt track circuits, they will be continuously detected by both the STDS and the CBTC system, thereby preventing train-to-train collisions.

PATH's justification for relief is that the proposed use of non-equipped PA-4 vehicles for MOW work equipment does not introduce any new or different safety hazards to the existing operation, and provides additional safety elements not available for other types of MOW equipment. The installation of the ATC and/or CBTC systems and the STDS by December 31, 2015, in conjunction with well-established operating rules and procedures, will in fact provide enhanced safety for such operations.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at <http://www.regulations.gov> and in person at the U.S. 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 October 3, 2011 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 comment, if submitted on behalf of an association, business, labor union, *etc.*). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on August 12, 2011.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2011-21094 Filed 8-17-11; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2011-0104]

#### Requested Administrative Waiver of the Coastwise Trade Laws

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel CATATONIC.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below. The complete application is given in DOT docket MARAD-2011-0104 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of

the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

**DATES:** Submit comments on or before September 19, 2011.

**ADDRESSES:** Comments should refer to docket number MARAD-2011-0104. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue, SE., Room W21-203, Washington, DC 20590. Telephone 202-366-5979, E-mail [Joann.Spittle@dot.gov](mailto:Joann.Spittle@dot.gov).

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel CATATONIC is:

*Intended Commercial Use of Vessel:* "Take passengers on half-day or all day sails off Waikiki. Boat will also anchor off Waikiki Beach for snorkeling and swimming. Vessel will depart and arrive back to Kewalo Basin Harbor, which is a commercial boat harbor. We are aiming at taking out family groups and groups of friends."

*Geographic Region:* "Hawaii."

#### Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, *etc.*). You may review DOT's complete Privacy Act Statement in the **Federal Register**