

action was necessary to update the process for issuing operations specifications, and it established a regulatory basis for current practices, such as amending, terminating, and suspending operations specifications.

**Respondents:** Approximately 28 new applicants and 467 existing foreign air carriers and foreign persons annually.

**Frequency:** Information is collected on occasion.

**Estimated Average Burden per Response:** 10 Hours for new applicants. One to ten hours for existing applicants.

**Estimated Total Annual Burden:** 280 hours for new applicants and 467 to 4670 hours for existing applicants.

Issued in Washington, DC, on October 7, 2019.

**Robert C. Carty,**

*Deputy Executive Director, Flight Standards Service.*

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Chittenden County, Vermont

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice to rescind the 2010 Record of Decision.

**SUMMARY:** The FHWA is issuing this notice to advise the public that the 2010 Record of Decision issued for the proposed Southern Connector/Champlain Parkway project is being rescinded.

**FOR FURTHER INFORMATION CONTACT:** Kenneth R. Sikora, Jr., Environmental Program Manager, Federal Highway Administration, 87 State Street, Room 216, Montpelier, Vermont 05602. Telephone: (802) 828-4573.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Vermont Agency of Transportation (VTrans), is rescinding the Record of Decision (ROD) for the Southern Connector/Champlain Parkway project issued on January 13, 2010.

The Notice of Intent to prepare the Supplemental Environmental Impact Statement (SEIS) was published in the **Federal Register** on December 31, 2003. The ROD was issued on January 13, 2010. The FHWA, in conjunction with the Vermont Agency of Transportation (VTrans), has determined that the ROD shall be rescinded for the following reason: Although the 2005 Draft SEIS and the 2009 Final SEIS each considered disproportionately high and

adverse impacts on minority and low-income populations in accordance with Executive Order 12898, public outreach for that analysis was limited to the general public involvement associated with the NEPA process. Since the 2010 ROD, FHWA has become aware of new information about project impacts that may bear on the project decision.

In order to assess the relevance of this new information, FHWA and VTrans have decided to perform targeted public outreach to any minority and low-income populations in the project study area in order to determine whether the conclusions reached in the 2009 Final SEIS and 2010 ROD remain valid. FHWA and VTrans have also determined that the environmental justice analysis and conclusions in the NEPA review should be reassessed using the latest (2010) census data, and based on FHWA's December 16, 2011 Guidance on Environmental Justice and NEPA.

The reassessment of census data and public outreach will be performed as part of a written evaluation of the 2009 Final SEIS. The outcome of the written evaluation will assess all changes to the project as well as its setting in determining project impacts. The identified impacts will be compared to those disclosed in the 2009 FSEIS. FHWA and VTrans will assess whether or not all of the project's environmental impacts were adequately considered, and if any of the impacts may rise to the level of significance. Based on the identification of any new impacts, and to what extent they rise to the level of significance, the written evaluation will recommend whether or not the preparation of a new Supplemental EIS would be appropriate to issue a new or an amended ROD for the project to move forward.

FHWA and VTrans continue to recognize a strong need for this project. The written evaluation will provide a basis for determining the way forward to implement this project. Any future FHWA action within this project study area will comply with environmental review requirements of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321), FHWA's environmental regulations (23 CFR 771) and related authorities, as appropriate. Comments and questions concerning this action should be directed to FHWA at the address provided above.

(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.)

Issued on: October 7, 2019.

**Matthew R. Hake,**

*Division Administrator, Montpelier, Vermont.*

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**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2019-0064]

#### Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on September 3, 2019, Burlington Northern Santa Fe Railway (BNSF) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR 232.305(b)(2). FRA assigned the petition Docket Number FRA-2019-0064.

Specifically, BNSF requests the same regulatory relief provided to the Union Pacific Railroad Company (UP) in Docket Number FRA-2007-28454. Current regulations require railroad carriers to perform a single car air brake test (SCABT) when a car is on a shop or repair track, as defined in 49 CFR 232.303(a), for any reason and has not received a SCABT within the previous 12-month period. This also includes cars on an in-train wheel replacement track that do not require wheel replacement (if there are no FRA defects present), but may otherwise have an air date indicating it has not received a SCABT within the previous 12-month period and is in compliance with all other requirements of 49 CFR 232.305. BNSF requests relief through a change in repair track designation per 49 CFR 232.303. Specifically, BNSF requests that the in-train wheel replacement track not be designated a shop or repair track. However, BNSF proposes to continue performing a SCABT on any car undergoing an in-train wheelset replacement because of an FRA-condemnable wheel defect as defined in 49 CFR 232.305(b)(5).

BNSF states that this relief would serve safety and the public good by reducing the number of wheels in service which have elevated impact readings and will therefore have a long-term positive impact on rail integrity. BNSF has an extensive wayside detector network with over 4,000 detectors with varying technologies utilized to identify deteriorating component performance. Wheel Impact Load Detectors (WILD) are a part of this network that focus specifically on car and locomotive

wheels that have impact readings indicating surface defects. BNSF further states that the approval of this request will add to the total number of elevated kip reading wheels removed and not adversely impact any other safety related initiatives with respect to cars.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](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 parties desire an opportunity for oral comment and a public hearing, 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:

- **Website:** <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 November 25, 2019 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can 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 document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can

be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacyNotice> for the privacy notice of [regulations.gov](http://regulations.gov).

Issued in Washington, DC.

**John Karl Alexy,**

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

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**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. DOT-OST-2016-0023]

#### Extension of a Previously Approved Collection: Public Charters, 14 CFR Part 380

**AGENCY:** Office of the Secretary.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Department of Transportation (DOT) invites the general public, industry and other governmental parties to comment on Public Charters. The pre-existing information collection request was previously approved by the Office of Management and Budget (OMB).

**DATES:** Written comments should be submitted by December 10, 2019.

**FOR FURTHER INFORMATION CONTACT:** Ms. Reather Flemmings (202-366-1865) and Mr. Brett Kruger (202-366-8025), Office of the Secretary, Office of International Aviation, U.S. Air Carrier Licensing/Special Authorities Division-X44, 1200 New Jersey Ave. SE, Washington, DC 20590.

**ADDRESSES:** You may submit comments [identified by DOT-DMS Docket No. DOT-OST-2016-0023] through one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **Fax:** 1-202-493-2251.
- **Mail or Hand Delivery:** Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

#### SUPPLEMENTARY INFORMATION:

**OMB Control Number:** 2106-0005.

**Title:** Public Charters, 14 CFR part 380.

**Form Numbers:** 4532, 4533, 4534, 4535.

**Type of Review:** Extension of a Previously Approved Collection: The

current OMB inventory has not changed.

**Abstract:** 14 CFR part 380 establishes regulations embodying the Department's terms and conditions for Public Charter operators to conduct air transportation using direct air carriers. Public Charter operators arrange transportation for groups of people on chartered aircraft. This arrangement is often less expensive for the travelers than individually buying a ticket. Part 380 exempts charter operators from certain provisions of the U.S. code in order that they may provide this service. A primary goal of Part 380 is to seek protection for the consumer. Accordingly, the rule stipulates that the charter operator must file evidence (a prospectus—consisting of OST Forms 4532, 4533, 4534, 4535, and supporting financial documents) with the Department for each charter program certifying that it has entered into a binding contract with a direct air carrier to provide air transportation and that it has also entered into agreements with Department-approved financial institutions for the protection of charter participants' funds. The prospectus must be approved by the Department prior to the operator's advertising, selling or operating the charter. If the prospectus information were not collected it would be extremely difficult to assure compliance with agency rules and to assure that public security and other consumer protection requirements were in place for the traveling public. The information collected is available for public inspection (*unless the respondent specifically requests confidential treatment*). Part 380 does not provide any assurances of confidentiality.

**Burden Statement:** Completion of all forms in a prospectus can be accomplished in approximately two hours (30 minutes per form) for new filers and one hour for amendments (existing filings). The forms are simplified and request only basic information about the proposed programs and the private sector filer. The respondent can submit a filing to operate for up to one year and include as many flights as desired, in most cases. If an operator chooses to make changes to a previously approved charter operation, then the operator is required by regulations to file revisions to its original prospectus.

**Respondents:** Private Sector: Air carriers; tour operators; the general public (including groups and individuals, corporations and Universities or Colleges, etc.).

**Number of Respondents:** 245.

**Number of Responses:** 1,782.