

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Public Law 104–13, Section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501–3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On November 16, 2011, FRA published a 60-day notice in the **Federal Register** soliciting comments on an ICR that the agency was seeking OMB approval. 76 FR 221. FRA received no comments after issuing this 60-day notice. Accordingly, DOT announces that these information collection activities have been re-evaluated and certified under 5 CFR 1320.5(a) and forwarded to OMB for review and approval pursuant to 5 CFR 1320.12(c).

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507 (b)–(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30-day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

The summaries below describe the nature of the information collection requirements (ICRs) and the expected burden. The revised requirements are being submitted for clearance by OMB as required by the PRA.

**Title:** Railroad Rehabilitation and Improvement Financing Program.

**OMB Control Number:** 2130–0548.

**Type of Request:** Revision of a currently approved collection.

**Affected Public:** State and local governments, government sponsored authorities and corporations, railroads, and joint ventures that include at least one railroad.

**Abstract:** Title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (Act), 45 U.S.C. 821 *et seq.*, authorized the Federal Railroad Administration (FRA) to provide railroads financial assistance through the purchase of preference shares, and

the issuance of loan guarantees. This program is referred to as the Railroad Rehabilitation and Improvement Financing (“RRIF Program”). Under the RRIF program, direct loans and loan guarantees may be provided to State and local governments, certain interstate compacts, government sponsored authorities and corporations, railroads, joint ventures that include at least one railroad, and solely for the purpose of constructing a rail connection between a plant or facility and a second rail carrier, limited option rail freight shippers that own or operate a plant or other facility that is served by no more than a single railroad.

**Form Number(s):** FRA F–216, RRIF Program Loan Application and FRA F–217, Categorical Exclusion Worksheet.

**Annual Estimated Burden Hours:** 29,539.4 hours.

**Addressee:** Send comments regarding this information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street NW., Washington, DC 20503, Attention: FRA Desk Officer. Alternatively, comments may be sent via email to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget, at the following address:  
*oira\_submissions@omb.eop.gov.*

**Comments are invited on the following:** Whether the proposed collections of information are necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department’s estimates of the burden of the proposed information collections; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collections of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the **Federal Register**.

**Authority:** 44 U.S.C. 3501–3520.

Issued in Washington, DC, on January 18, 2012.

**Rebecca Pennington,**

*Director, Office of Financial Management,  
Federal Railroad Administration.*

[FR Doc. 2012–1372 Filed 1–24–12; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No. FTA–2010–0009]

#### Notice of Availability of Proposed New Starts/Small Starts Policy Guidance

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** This notice announces the availability of the Federal Transit Administration’s (FTA) Proposed Policy Guidance on New Starts/Small Starts and requests your comments on it. This document compliments the Notice of Proposed Rulemaking for Major Capital Investment Projects by describing the detailed measures proposed for evaluation of projects seeking New Starts and Small Starts funding and the way these measures would be used in project ratings if adopted. The proposed regulations and appendix are intended to act as a framework for the project evaluation and rating process, and the proposed policy guidance fills in the details.

**DATES:** Comments must be received on or before March 26, 2012. Late filed comments will be considered to the extent practicable.

**ADDRESSES:** *Comments:* You may submit comments identified by docket number (FTA–2010–0009) by any of the following methods:

*Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*U.S. Mail:* U.S. Department of Transportation, Docket Operations, West Building, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

*Hand Delivery:* U.S. Department of Transportation, Docket Operations, West Building, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Fax:* (202) 493–2251.

*Instructions:* You must include the agency name (Federal Transit Administration) and the docket number (FTA–2010–0009) or the Regulatory Identification Number (2132–AB02) for this rulemaking at the beginning of your comments. All comments received will be posted, without change and including any personal information provided, to <http://www.regulations.gov>, where they will be available to internet users. *Please see*, the Privacy Act.

You must submit two copies if your comments if you submit them by mail. If you wish to receive confirmation that FTA received your comments, you must include a self-addressed, stamped postcard. Due to security procedures in effect since October 2001 regarding mail deliveries, mail received through the U.S. Postal Service may be subject to delays. Parties submitting comments may wish to consider using an express mail firm to ensure the prompt filing of any submissions not filed electronically or by hand.

**FOR FURTHER INFORMATION CONTACT:** For program matters, Elizabeth Day, Office of Planning and Environment, (202) 366-5159 or *Elizabeth.Day@dot.gov*. For legal matters, Christopher VanWyk, (202) 366-1733 or *Christopher.VanWyk@dot.gov*.

**SUPPLEMENTARY INFORMATION:** As described in the notice of proposed rulemaking to amend the regulation under which the Federal Transit Administration evaluates and rates major new transit investments seeking funding under the discretionary "New Start" and "Small Starts" program authorized by Section 5309 of Title 49, U.S. Code, FTA is making available this proposed policy guidance for public comment. Section 5309(d)(6) of Title 49, U.S. Code, requires the FTA to publish policy guidance regarding the major capital investment program review and evaluation process and criteria each time significant changes are made, but not less frequently than once every two years. Further, the law requires FTA to invite and respond to public comment on proposed policy guidance. FTA invites comments on the proposed policy guidance, which is available in the docket (under the docket number provided above) and on FTA's public Web site.

Issued on: January 17, 2012.

**Peter Rogoff,**

*FTA Administrator.*

[FR Doc. 2012-1195 Filed 1-24-12; 8:45 am]

**BILLING CODE:P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. AB 167 (Sub-No. 1191X); Docket No. AB 55 (Sub-No. 710X); Docket No. AB 290 (Sub-No. 552X)]

#### Consolidated Rail Corporation—Abandonment Exemption—in Philadelphia, PA; CSX Transportation, Inc.—Discontinuance of Service Exemption—in Philadelphia, PA; Norfolk Southern Railway Company—Discontinuance of Service Exemption—in Philadelphia, PA

Consolidated Rail Corporation (Conrail), CSX Transportation, Inc. (CSXT), and Norfolk Southern Railway Company (NSR) (collectively, applicants) jointly have filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* for Conrail to abandon, and for CSXT and NSR to discontinue service over, a 2.98-mile line of railroad known as the Berks Street Industrial Track, extending from milepost 0.00 ± to milepost 2.98 ± in Philadelphia, Pa.<sup>1</sup> The line traverses United States Postal Service Zip Codes 19122, 19123 and 19134.

Applicants have certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic that has moved or could move over the line can be rerouted; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of a complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to these exemptions, any employee adversely affected by the abandonment or discontinuances shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees,

<sup>1</sup> Applicants state that Conrail has ownership of the line extending from milepost 2.70 to milepost 2.98 but only has operating rights from milepost 0.00 to milepost 2.70. The portion over which Conrail retains only operating rights was sold to the City of Philadelphia in 1978.

a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, these exemptions will be effective on February 24, 2012, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by February 6, 2012. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by February 14, 2012, with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to applicants' representative: Benjamin C. Dunlap, Jr., Esquire, Nauman, Smith, Shissler and Hall, LLP, 200 North Third Street, 18th Floor, Harrisburg, PA 17101.

If the verified notice contains false or misleading information, the exemptions are void *ab initio*.

Applicants have filed a combined environmental and historic report that addresses the effects, if any, of the abandonment and discontinuances on the environment and historic resources. OEA will issue an environmental assessment (EA) by January 30, 2012. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-(800) 877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), Conrail shall file a notice of consummation with the Board to signify that it has exercised the

<sup>2</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemptions' effective date. See *Exemption of Out-of-Serv. Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemptions' effective date.

<sup>3</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,500. See 49 CFR 1002.2(f)(25).