

extending approximately 2.22 miles, from milepost 4.28, in the City and County of Denver, to milepost 6.50 in Jefferson County, Colo. (the Gold Line Segment).<sup>2</sup> RTD states that, on both segments, UP will retain the remaining rights-of-way not acquired by RTD. According to RTD, on the East Corridor Segment, RTD will relocate UP's existing track both to enable UP to provide uninterrupted freight service and to accommodate the construction and operation of RTD's facilities. RTD states that, on the Gold Line Segment, UP will retain the tracks on which it currently operates. RTD also states that UP will retain the exclusive right to operate freight service on both the East Corridor Segment and the Gold Line Segment.

On June 25, 2009, RTD and UP executed the FasTracks Project Property Transfer and Railroad Relocation Agreement (Transfer Agreement), which provides a framework for a series of transactions through which RTD is acquiring rail corridors, yard track, and other property from UP. Prior to consummating the acquisition, RTD states that RTD and UP intend to execute 4 additional agreements in conjunction with this transaction. These agreements include: (1) Addenda C and D to the Transfer Agreement;<sup>3</sup> (2) Relocation and Construction Agreement; (3) Operations Agreement for the East Corridor Segment; and (4) Operations Agreement for the Gold Line Segment. RTD states that the parties plan to execute the purchase and sale agreements for the transfer of the Gold Line Segment and the East Corridor Segment on or about August 4, 2010. RTD also states that RTD and UP anticipate that they will consummate the acquisition of the Gold Line Segment on or about September 30, 2010, and the acquisition of the East Corridor Segment during or after late 2013. Thus, according to RTD, the parties will consummate both acquisitions after the September 3, 2010, effective date of the exemption (30 days after the exemption was filed). According to RTD, it will acquire no

<sup>2</sup> RTD states that it will also acquire UP's interest in discrete parcels not integral to UP's existing freight operations at 5 locations along UP's Limon, Greeley, and Moffat Tunnel Subdivisions for access, private roadway crossings, and similar purposes ancillary to RTD's use of the lines. In addition, UP will grant RTD 4 aerial easements over UP's lines for rail or pedestrian flyovers. RTD and UP are also concluding the negotiation of an exchange of property to accommodate the relocation of UP's lead accessing its Burnham Shop in the City and County of Denver.

<sup>3</sup> Addendum C addresses RTD's acquisition of the East Corridor segment. Addendum D addresses RTD's acquisition of the Gold Line Segment.

right or obligation to provide freight rail service on the East Corridor Segment or the Gold Line Segment, and it is acquiring the property for the purpose of providing intrastate passenger commuter rail operations.<sup>4</sup> RTD certifies that, because it will conduct no freight operations on the line segments being acquired, its annual revenues from freight operations as a result of this transaction will not result in the creation of a Class II or Class I rail carrier.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke does not automatically stay the transaction. Petitions for stay must be filed no later than August 27, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35394, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Charles A. Spitulnik, Kaplan Kirsch & Rockwell LLP, 1001 Connecticut Avenue, NW., Suite 800, Washington, DC 20036.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: August 17, 2010.

By the Board,

**Rachel D. Campbell,**

*Director, Office of Proceedings.*

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2010-20701 Filed 8-19-10; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

**[Docket No. PHMSA-2010-0178 (Notice No. 10-3)]**

#### Information Collection Activities

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995,

<sup>4</sup> RTD has filed a motion to dismiss in this proceeding. It avers that it will not become a rail carrier providing transportation subject to Board jurisdiction. The motion will be addressed in a subsequent decision.

PHMSA invites comments on certain information collections pertaining to hazardous materials transportation for which PHMSA intends to request renewal from the Office of Management and Budget (OMB).

**DATES:** Interested persons are invited to submit comments on or before October 19, 2010.

**ADDRESSES:** You may submit comments identified by the docket number (PHMSA-2009-0409) by any of the following methods:

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

- *Fax:* 1-202-493-2251.

- *Mail:* Docket Operations, U.S.

Department of Transportation, West Building, Ground Floor, Room W12-140, Routing Symbol M-30, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery:* To Docket Operations, Room W12-140 on the ground floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Instructions:* All submissions must include the agency name and docket number or Regulation Identification Number (RIN) for this notice. Internet users may access comments received by DOT at: <http://www.regulations.gov>. Note that comments received will be posted without change to: <http://www.regulations.gov> including any personal information provided.

Requests for a copy of an information collection should be directed to Deborah Boothe or Steven Andrews, Office of Hazardous Materials Standards (PHH-10), Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue, SE., East Building, 2nd Floor, Washington, DC 20590-0001, Telephone (202) 366-8553.

**FOR FURTHER INFORMATION CONTACT:** Deborah Boothe or Steven Andrews, Office of Hazardous Materials Standards (PHH-10), Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue, SE., East Building, 2nd Floor, Washington, DC 20590-0001, Telephone (202) 366-8553.

**SUPPLEMENTARY INFORMATION:** Section 1320.8(d), Title 5, Code of Federal Regulations requires PHMSA to provide interested members of the public and affected agencies an opportunity to comment on information collection and recordkeeping requests. This notice identifies information collection requests that PHMSA will be submitting to OMB for renewal and extension.

These information collections are contained in 49 CFR 171.6 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171–180). PHMSA has revised burden estimates, where appropriate, to reflect current reporting levels or adjustments based on changes in proposed or final rules published since the information collections were last approved. The following information is provided for each information collection: (1) Title of the information collection, including former title if a change is being made; (2) OMB control number; (3) summary of the information collection activity; (4) description of affected public; (5) estimate of total annual reporting and recordkeeping burden; and (6) frequency of collection. PHMSA will request a three-year term of approval for each information collection activity and, when approved by OMB, publish notice of the approval in the **Federal Register**.

PHMSA requests comments on the following information collections:  
**Title:** Inspection and Testing of Portable Tanks and Intermediate Bulk Containers.

**OMB Control Number:** 2137–0018.

**Summary:** This information collection consolidates provisions for documenting qualifications, inspections, tests and approvals pertaining to the manufacture and use of portable tanks and intermediate bulk containers under various provisions of the HMR. It is necessary to ascertain whether portable tanks and intermediate bulk containers have been qualified, inspected, and retested in accordance with the HMR. The information is used to verify that certain portable tanks and intermediate bulk containers meet required performance standards prior to their being authorized for use, and to document periodic requalification and testing to ensure the packagings have not deteriorated due to age or physical abuse to a degree that would render them unsafe for the transportation of hazardous materials.

**Affected Public:** Manufacturers and owners of portable tanks and intermediate bulk containers.

**Annual Reporting and Recordkeeping Burden:**

**Number of Respondents:** 8,770.

**Total Annual Responses:** 86,100.

**Total Annual Burden Hours:** 66,390.

**Frequency of collection:** On occasion.

**Title:** Hazardous Materials Incident Reports.

**OMB Control Number:** 2137–0039.

**Summary:** This collection is applicable upon occurrence of incidents as prescribed in §§ 171.15 and 171.16 of the HMR. A Hazardous Materials Incident Report, DOT Form F 5800.1,

must be completed by a person in physical possession of a hazardous material at the time a hazardous material incident occurs in transportation, such as a release of materials, serious accident, evacuation or closure of a main artery. Incidents meeting criteria in § 171.15 also require a telephonic report. This information collection enhances the Department's ability to evaluate the effectiveness of its regulatory program, determine the need for regulatory changes, and address emerging hazardous materials transportation safety issues. The requirements apply to all interstate and intrastate carriers engaged in the transportation of hazardous materials by rail, air, water, and highway.

**Affected Public:** Shippers and carriers of hazardous materials.

**Annual Reporting and Recordkeeping Burden:**

**Number of Respondents:** 1,678.

**Total Annual Responses:** 16,768.

**Total Annual Burden Hours:** 23,037.

**Frequency of collection:** On occasion.

**Title:** Cargo Tank Motor Vehicles in Liquefied Compressed Gas Service.

**OMB Control Number:** 2137–0595.

**Summary:** This information collection and recordkeeping requirements pertain to the manufacture, certification, inspection, repair, maintenance, and operation of certain DOT specification and non-specification cargo tank motor vehicles used to transport liquefied compressed gases. These requirements are intended to ensure cargo tank motor vehicles used to transport liquefied compressed gases are operated safely, and to minimize the potential for catastrophic releases during unloading and loading operations. They include: (1) Requirements for operators of cargo tank motor vehicles in liquefied compressed gas service to develop operating procedures applicable to unloading operations and carry the operating procedures on each vehicle; (2) inspection, maintenance, marking, and testing requirements for the cargo tank discharge system, including delivery hose assemblies; and (3) requirements for emergency discharge control equipment on certain cargo tank motor vehicles transporting liquefied compressed gases that must be installed and certified by a Registered Inspector. (See sections 173.315(n); 177.840(l); 180.405; 180.407(h); and 180.416(b), (d) and (f))

**Affected Public:** Carriers in liquefied compressed gas service, manufacturers and repairers.

**Annual Reporting and Recordkeeping Burden:**

**Number of Respondents:** 6,958.

**Total Annual Responses:** 920,538.  
**Total Annual Burden Hours:** 200,914.  
**Frequency of collection:** On occasion.

Issued in Washington, DC on August 16, 2010.

**Charles E. Betts,**

*Acting Director, Office of Hazardous Materials Standards.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2010–0116]

#### Federal Motor Vehicle Safety Standards; Air Brake Systems; Technical Report on the Effectiveness of Antilock Braking Systems in Heavy Truck Tractors and Trailers

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Request for comments on technical report.

**SUMMARY:** This notice announces NHTSA's publication of a Technical Report its existing Safety Standard 121, *Air Brake Systems*. The report's title is: *The Effectiveness of ABS [Antilock Braking Systems] in Heavy Truck Tractors and Trailers*.

**DATES:** Comments must be received no later than December 20, 2010.

**ADDRESSES:** *Report:* The technical report is available on the Internet for viewing in PDF format at <http://www.nrd.nhtsa.dot.gov/Pubs/811339.pdf>. You may obtain a copy of the report free of charge by sending a self-addressed mailing label to Charles J. Kahane (NVS–431), National Highway Traffic Safety Administration, Room W53–312, 1200 New Jersey Avenue, SE., Washington, DC 20590.

*Comments:* You may submit comments [identified by Docket Number NHTSA–2010–0116] by any of the following methods:

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

- *Fax:* 1–202–493–2251.

- *Mail:* Docket Management Facility, M–30, U.S. Department of Transportation, West Building, Ground Floor, Rm. W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays.