

demand air carriers filing FAA Form 1800-31.

*Determination:* Disapproved. The proposed class listed two carriers that do not conform to the proposed class. Therefore, the proposed class could not be approved.

*Brief Description of Projects Approved for Collection and Use:*

Runway 16/34 safety area improvements design.  
Runway 16/34 safety area improvements construction.

Snow removal equipment storage building improvements.  
PFC administrative costs.

*Decision Date:* February 22, 2011.  
*For Further Information Contact:* Andrew Brooks, New York Airports District Office, (516) 227-3816.

AMENDMENTS TO PFC APPROVALS

Amendment No. city, state	Amendment approved date	Original approved Net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated exp. date
08-13-C-01-COS Colorado Springs, CO	2/04/11	\$8,307,189	\$500,000	03/01/14	05/01/11
07-13-C-01-BNA Nashville, TN	2/15/11	5,874,558	2,344,134	08/01/11	04/01/11
08-14-C-02-BNA Nashville, TN	2/16/11	27,518,418	20,833,179	01/01/16	06/01/16
03-03-C-01-SAN San Diego, CA	2/17/11	83,075,730	65,058,035	03/01/06	03/01/06
09-15-C-01-BNA Nashville, TN	2/17/11	11,287,500	6,196,434	06/01/17	09/01/16
06-07-C-06-BUR Burbank, CA	2/18/11	41,346,265	42,946,265	04/01/13	06/01/13
09-09-C-01-BUR Burbank, CA	2/18/11	20,465,000	21,965,000	01/01/15	05/01/15
09-10-C-01-BUR Burbank, CA	2/18/11	951,400	951,400	02/01/16	02/01/16
07-06-C-02-SUN Halley, ID	2/22/11	763,226	709,197	03/01/11	01/01/11

Issued in Washington, DC, on May 2, 2011.

**Joe Hebert,**

*Manager, Financial Analysis and Passenger Facility Charge Branch.*

[FR Doc. 2011-11154 Filed 5-9-11; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

**Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System**

[Docket Number FRA-2010-0163]

In accordance with part 235 of title 49 of the Code of Federal Regulations (CFR) and 49 U.S.C. 20502(a), this document provides the public notice that by a document DATED December 13, 2010 and a clarification document DATED April 4, 2011, CSX Transportation, Inc., (CSX) and the Allegheny Valley Railroad (AVRR) have jointly petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of a signal system. FRA assigned the petition Docket Number FRA-2010-0163.

Applicants: Mr. Joseph S. Ivanyo, Chief Engineer, Communications and Signals, CSX Transportation, Inc., 500 Water Street—SC J-350, Jacksonville, Florida 32202.

Mr. James E. Strett, President, Allegheny Valley Railroad, 519 Cedar Way—Bldg. 1, Ste. 100, Oakmont, Pennsylvania 15139.

CSX and AVRR jointly seek approval of the proposed discontinuance of the Laughlin Junction Interlocking, milepost (MP) BF325.1, on CSX's P&W Subdivision, Baltimore Division, Pittsburgh, Pennsylvania. The proposed discontinuance consists of the conversion of the power-operated switch, on the Glenwood Running Track, at MP BF-325.18 to hand-operation; the removal of controlled signals 73L, 73LA, 73R, 75RA and 75LB. CSX's track #2 will become the Glenwood Running Track. Automatic signals 3247 and 3248 are to be installed on CSX track #1. The Method of Operation on the running track, currently ABS-261 and CPS-261, will become CSX Rule 96, *Other Than Main Track*.

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 Department of Transportation's Docket Operations Facility, 1200 New Jersey Ave., 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 June 24, 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).

Issued in Washington, DC on May 4, 2011.

**Robert C. Lauby,**

*Deputy Associate Administrator for  
Regulatory & Legislative Operations.*

[FR Doc. 2011-11281 Filed 5-9-11; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[FRA Emergency Order No. 21, Notice No. 4]

#### Northwestern Pacific Railroad Co.; Notice of Partial Relief from Emergency Order No. 21

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

**ACTION:** Notice of partial relief.

**SUMMARY:** In response to a November 11, 2010, petition, this notice provides partial relief for the Northwestern Pacific Railroad Co. (NWP Co.) from the limitations of FRA Emergency Order No. 21. The relief allows the NWP Co. to re-open to rail traffic approximately 61.1 miles of trackage owned by Sonoma Marin Area Rail Transit (SMART)<sup>1</sup> extending between (1) a point designated as Brazos Junction, milepost (MP) B49.8 and the Ignacio Wye, MP 5-25.8 and (2) a point designated as MP 62.9 near Windsor, California. Emergency Order No. 21 remains in effect between MP 62.9 near Windsor, California and MP 295.5 at Arcata, California, except for the partial relief from Emergency Order No. 21 that FRA granted in Emergency Order No. 21, Notice 2, for approximately 1.5 miles of track and certain yard track in Willits, California.

#### Authority

Authority to enforce Federal railroad safety laws has been delegated by the Secretary of Transportation to the Administrator of FRA. See 49 U.S.C. 103; 49 CFR 1.49. FRA is authorized to issue emergency orders where an unsafe condition or practice "causes an emergency situation involving a hazard

of death, personal injury or significant harm to the environment." \* \* \* 49 U.S.C. 20104(a). These orders may impose such "restrictions and prohibitions \* \* \* that may be necessary to abate the situation." *Id.* Likewise, FRA is authorized to grant relief from an emergency order when the agency deems that the unsafe condition or practice that gave rise to the emergency order no longer exists.

#### Background on Emergency Order No. 21

On November 25, 1998, FRA issued Emergency Order No. 21, Notice No. 1 addressed to "the Northwestern Pacific Railroad," requiring it to—

discontinue operation by anyone of trains on [that railroad's] rail line from mile post 295.5 at Arcata, California to mile post 63.4 between Schellville, California and Napa Junction, California until the [railroad] inspects and properly repairs its track and grade crossing signals, and it trains its employees how to properly maintain the safety of its track and grade crossing signals.

63 FR 67976 (Dec. 9, 1998). The only exception to the prohibition on train operations over that rail line was for "the operation of work trains for the specific and sole purpose of effecting repairs on the railroad." 63 FR 67978.

On May 28, 1999, FRA granted the petition of the Northwestern Pacific Railway Company, LLC (NWPY)<sup>2</sup> for partial relief from Emergency Order No. 21 for approximately 1.5 miles of track owned by the North Coast Railroad Authority (NCRA)<sup>3</sup> near Willits, California, including trackage between the junction of the California Western Railroad and the Willits Depot, as well as Tracks 20, 24, 25, 26, 27, 709, and 711 in Willits Yard. Emergency Order No. 21, Notice No. 2, 64 FR 30557 (June 8, 1999).

On February 1, 2001, FRA granted NWPY's petition for partial relief from Emergency Order No. 21 for approximately 40.8 miles of track, owned by Northwestern Pacific Railroad Authority, a joint powers agency representing the Golden Gate Bridge, Highway and Transportation District, the County of Marin, and NCRA, between MP 49.8S (formerly designated

<sup>2</sup> In Emergency Order 21, Notices No. 1-3, Northwestern Pacific Railway Company, LLC was referred to as "Northwestern Pacific Railroad" and "NWP"; however, the correct name of the railroad was "Northwestern Pacific Railway Company, LLC," and was more commonly referred to as "NWPY" in the railroad industry.

<sup>3</sup> The North Coast Railroad Authority is "a California public agency formed pursuant to California Government Code Section 93000 *et seq.*," that "owns and operates that portion of the NWP between Healdsburg, mile post 68, and Arcata." 64 FR 30557.

as MP 63.4, near Lombard, California) and MP 43.0, near Petaluma, California. Emergency Order No. 21, Notice No. 3, 66 FR 9625 (Feb. 8, 2001).<sup>4</sup> NWPY ceased operations in September 2001.

#### Standard for Obtaining Full Relief From Emergency Order No. 21

In order to gain full relief from Emergency Order No. 21, NWP Co. must take the following actions, which were specified in that order:

(1) Properly repair and inspect all grade crossing signals and certify to the FRA Administrator that all necessary repairs and inspections have been performed and that all required tests are up-to-date.

(2) Adopt a set of grade crossing signal standards and instructions acceptable by FRA. \* \* \*

(3) Update, correct and/or redraw circuit plans for each the grade crossing signal system to meet compliance with 49 CFR 234.201 and 234.203. A list of locations of the updated, corrected or redrawn circuit plans shall be submitted to the Regional Administrator for Region 7.

(4) Provide proper and adequate test equipment for signal maintainers.

(5) Repair all track not subject to Emergency Order No. 14 to Class 1 track standards as detailed in 49 CFR part 213. [Note: Emergency Order No. 14 already requires the Northwestern Pacific Railroad to repair all track subject to that order to class 1 track standards for the hauling of passengers and all hazardous materials. Otherwise, the railroad may designate the track still subject to that order as excepted.]

(6) Clear all vegetation from drainage facilities and away from signs and signals and track bed so that the track meets the requirements of 49 CFR 213.37.

(7) Furnish FRA with a 12-month track maintenance plan. \* \* \*

(8) Establish a program of employee training on the Federal Track Standards to ensure that employees performing inspection, maintenance, and restoration work are qualified in accordance with 49 CFR 213.7. \* \* \*

(9) Certify in writing that each individual conducting track inspections has sufficient knowledge, skills, and ability to successfully conduct the types of inspections that will be performed by that individual. Records of that certification are to be maintained by the railroad.

(10) Obtain written approval from the FRA Administrator that all of the requirements of this Emergency Order have been met and properly performed. \* \* \*

63 FR 67978-67979.

Emergency Order No. 21, Notice No. 1, allows for partial relief for designated portions of the trackage subject to the Emergency Order. The railroad is first required to meet all of the system-wide requirements, as listed in Items 2, 4, 7, 8, and 9, above. The railroad may then obtain from

<sup>4</sup> The November 11, 2010, request by NWP Co. and the NCRA for partial relief includes the track for which relief was granted on February 1, 2001.

<sup>1</sup> On January 1, 2003, SMART was formed as an entity that was formally comprised of the Golden Gate Bridge, Highway and Transportation District, Marin County, and the Northwestern Railroad Authority.