

**Appendix B-1**

**60-Day Federal Register Notice**

in this notice and the accompanying Substantiation Documentation reflect CEQ's comments and suggestions.

FRA is making the Substantiation Document available on FRA's Web site <http://www.fra.dot.gov/rpd/passenger/33.shtml> for public review and comment for a period of 30 days running concurrently with this notice. After the 30 day comment period, FRA will consider comments received and make any necessary changes to address substantive issues raised by the public.

### III. Proposed Categorical Exclusions

FRA is proposing to add the following seven CEs to section 4(c) of FRA's Environmental Procedures as follows:

(21) Alterations to existing facilities, locomotives, stations and rail cars in order to make them accessible for the elderly and persons with disabilities, such as modifying doorways, adding or modifying lifts, constructing access ramps and railings, modifying restrooms, or constructing accessible platforms.

(22) Bridge rehabilitation, reconstruction or replacement, and the construction of bridges, culverts, and grade separation projects, predominantly within existing right-of-way and that do not involve extensive in-water construction activities, such as projects replacing bridge components including stringers, caps, piles, or decks, the construction of roadway overpasses to replace at-grade crossings, or construction or replacement of short span bridges.

(23) Acquisition (including purchase or lease), rehabilitation, or maintenance of vehicles and equipment that does not cause a substantial increase in the use of infrastructure within the existing right-of-way or other previously disturbed locations, including locomotives, passenger coaches, freight cars, trainsets, and construction, maintenance or inspection equipment.

(24) Installation, repair and replacement of equipment and small structures designed to promote transportation safety, security, accessibility, communication or operational efficiency that take place predominantly within the existing right-of-way and do not result in a major change in traffic density on the existing rail line or facility, such as the installation, repair or replacement of surface treatments or pavement markings, small passenger shelters, railroad warning devices, train control systems, signalization, electric traction equipment and structures, electronics, photonics, and communications systems and equipment, equipment mounts, towers and structures, information

processing equipment, or security equipment, including surveillance and detection cameras.

(25) Environmental restoration, remediation and pollution prevention activities in or proximate to existing and former railroad track, infrastructure, stations and facilities, including activities such as noise mitigation, landscaping, natural resource management activities, replacement or improvement to storm water systems, installation of pollution containment systems, slope stabilization, and contaminated soil removal in conformance with applicable regulations and permitting requirements.

(26) Assembly and construction of facilities and stations that are consistent with existing land use and zoning requirements, do not result in a major change in traffic density on existing rail or highway facilities and result in approximately less than 10 acres of surface disturbance, such as storage and maintenance facilities, freight or passenger loading and unloading facilities or stations, parking facilities, passenger platforms, canopies, shelters, pedestrian overpasses or underpasses, paving, or landscaping.

(27) Track and track structure maintenance and improvements when carried out predominantly within the existing right-of-way and that do not cause a substantial increase in rail traffic beyond existing or historic levels, such as stabilizing embankments, installing or reinstalling track, regrading, replacing rail, ties, slabs and ballast, improving or replacing interlockings, or the installation or maintenance of ancillary equipment.

Issued in Washington, DC, on June 5, 2012.

**Joseph C. Szabo,**  
Administrator.

[FR Doc. 2012-14414 Filed 6-12-12; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[U.S. DOT Docket No. NHTSA-2012-0066]

#### Reports, Forms, and Recordkeeping Requirements

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Request for public comment on proposed revision of the previously approved collection of information.

**SUMMARY:** Before a Federal agency can collect certain information from the

public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatements of previously approved collections.

This document describes an Information Collection Request (ICR) for which NHTSA intends to seek OMB approval.

**DATES:** Comments must be submitted on or before August 13, 2012.

**ADDRESSES:** You may submit comments identified by DOT Docket ID Number NHTSA-2012-0066 using any of the following methods:

*Electronic submissions:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

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

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

*Fax:* 1-202-493-2251

Instructions: Each submission must include the Agency name and the Docket number for the Notice. Note that all comments received will be posted without change to <http://www.regulations.gov> including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** Mary Hinch, Contracting Officer's Technical Representative, Office of Behavioral Safety Research (NTI-132), National Highway Traffic Safety Administration; 1200 New Jersey Ave. SE., W46-500, Washington, DC 20590. Mary Hinch's phone number is 202-366-5595 and her email address is [mary.hinch@dot.gov](mailto:mary.hinch@dot.gov).

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must publish a document in the *Federal Register* providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulations (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) How to enhance the quality, utility, and clarity of the information to be collected; and

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks public comment on the following proposed collection of information:

*Title:* NHTSA Distracted Driving Survey Project.

*Type of Request:* Revision of previously approved collection of information.

*OMB Clearance Number:* 2127-0665.

*Form Number:* NHTSA Form 1084.

*Requested Expiration Date of*

*Approval:* 3 years from date of approval.

*Summary of the Collection of Information:* The National Highway Traffic Safety Administration (NHTSA) proposes to conduct awareness surveys to evaluate two traffic safety programs designed to reduce distracted driving. One program will focus on hand-held phone use and be conducted statewide in two States. If clearance is granted, the awareness surveys would be conducted in-person before and after four program waves. Over the program period, 40,000 people would be surveyed, 20,000 in each State. The other program will focus on texting behavior and be conducted at the community level in two States. If clearance is granted, the awareness surveys would either be conducted in-person or by telephone before and after four program waves. Surveys would be conducted in two communities in each State. Over the program period, 20,000 people would be surveyed, 10,000 in each State. Estimated interview length would be approximately 10 minutes for each survey. Information on attitudes, awareness, knowledge, and behavior would be collected through both surveys.

A Spanish-language translation and bilingual interviewers would be used to minimize language barriers to participation. Additionally, the proposed surveys would be anonymous; the surveys would not collect any

personal information that would allow anyone to identify respondents. Participant names would not be collected during the interview. For the telephone surveys, the telephone number used to reach the respondent would be separated from their responses prior to entry into the analytical database. In addition, for the telephone surveys, the interviewers would use computer-assisted telephone interviewing to reduce interview length and minimize recording errors.

*Description of the Need for the Information and Proposed Use of the Information:* NHTSA was established by the Highway Safety Act of 1970 (23 U.S.C. 101) to carry out a Congressional mandate to reduce the mounting number of deaths, injuries, and economic losses resulting from motor vehicle crashes on the Nation's highways. As part of this statutory mandate, NHTSA is authorized to conduct research as a foundation for the development of motor vehicle standards and traffic safety programs. According to the Overview of NHTSA's Driver Distraction Program (see [distraction.gov](http://distraction.gov)), research suggests that driving distracted may degrade driver performance by imposing additional workload on the driver. As summarized in the overview, distraction may result in reduced eye scanning behavior, slower reaction time, degraded vehicle control, and lower detection of objects in peripheral vision.

Driving distracted may influence the likelihood of a crash. This supports the need for strong evaluation efforts to identify what interventions are effective at reducing distracted driving. In this effort, NHTSA proposes to conduct information collections to assess the effectiveness of two traffic safety programs designed to reduce distracted driving. The programs will use waves of public media and enhanced enforcement activity to increase the perceived likelihood of getting a ticket for driving distracted and, consequently, decrease the occurrence of distracted driving behavior. NHTSA would like to conduct public awareness surveys to gather information from the driving public regarding their experience of the programs, including their awareness, perception, and knowledge of the programs. An essential part of these evaluation efforts is to compare baseline and post-program measures to determine if the programs contribute to changes in participant responses; therefore, multiple measurements would be required.

The findings from these two proposed information collections would build on existing knowledge. In 2010 and 2011,

NHTSA conducted a high visibility enforcement program in Hartford, Connecticut and Syracuse, New York using enhanced enforcement and the media campaign, *Phone in One Hand, Ticket in the Other*, to reduce distracted driving behavior. The program demonstrated that this could be done at the community level, exhibited by decreases in both observed hand-held phone use and electronic device manipulation (e.g., texting). The next major step is to demonstrate how this program can be implemented statewide. NHTSA will be taking this step through a statewide distracted driving demonstration program. The findings from the first proposed information collection would provide a fuller understanding of this process. The CT NY program revealed challenges in enforcing distracted driving laws, especially with texting behavior, which can be performed below the line of sight. It is valuable to develop and test enforcement strategies to determine the ones that are effective. NHTSA will be testing enforcement strategies through a high visibility enforcement texting program. The findings from the second proposed information collection would provide insight into the effectiveness of the strategies.

*Description of the Likely Respondents (Including Estimated Number, and Proposed Frequency of Response to the Collection of Information):* NHTSA intends to collect data from 60,000 drivers to conduct awareness surveys for two separate distracted driving evaluation efforts. The distracted driving program focused on hand-held phone use will be conducted statewide in two States. If clearance is granted, awareness surveys would be administered in-person to a population 18 years and older, before and after four program waves. Surveys would be conducted at 10 sites in each State and 250 surveys would be administered at each site per measurement period. Over 4 waves (i.e., 8 measurement periods), 40,000 people would be surveyed in both States (20,000 in each State). (Two States \* 10 locations in each State \* 250 surveys per measurement period \* 8 measurement periods = 40,000 total surveys.)

The distracted driving program focused on texting behavior will be conducted at the community level in two States. If clearance is granted, awareness surveys would be administered in-person or by telephone to a population 18 years and older, before and after four program waves. Surveys would be conducted in two communities in each State. For the very first and very last measurement periods,

1,000 surveys would be conducted. This would be done to increase the power required to measure change. For all other measurement periods, 500 surveys would be conducted. Over 4 waves (i.e., 8 measurement periods), 10,000 people would be surveyed in each State (20,000 people would be surveyed in both States). (Two States \* 2 communities in each State \* (2 measurement periods \* 1,000 surveys) + (6 measurement periods \* 500) = 20,000 surveys.)

For the telephone surveys, interviews would be conducted with persons at both residential phone numbers and cell phone numbers. Systematic sampling procedures would include Random Digit Dial sampling techniques. Federal law prohibits the use of auto dialing to call cell phones; therefore all cell phone numbers would be dialed manually. For interviews conducted with persons using landline phones, no more than one respondent per household would be selected. For interviews conducted with persons on cell phones, a single user of the cell phone would be selected. Each sample member would complete just one interview. Businesses are ineligible for the sample and would not be interviewed.

*Estimate of the Total Annual Reporting and Recordkeeping Burden Resulting From the Collection of Information:* For the statewide hand-held program, NHTSA estimates interviews would require an average of 10 minutes to complete or a total of 6,667 hours for the 40,000 respondents. For the community texting program, NHTSA estimates interviews would require an average of 10 minutes to complete or a total of 3,333 hours for the 20,000 respondents. Thus, for both proposed surveys, the total time burden on the general public would be 10,000 hours. The respondents would not incur any reporting cost from the information collection. The respondents also would not incur any record keeping burden or recordkeeping cost from the information collection.

**Authority:** 44 U.S.C. Section 3506(c)(2)(A).

Issued on: June 8, 2012.

**Jeffrey Michael,**

*Associate Administrator, Research and Program Development.*

[FR Doc. 2012-14413 Filed 6-12-12; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35621]

#### Genesee & Wyoming Inc.— Continuance in Control Exemption— Columbus & Chattahoochee Railroad, Inc.

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of exemption.

**SUMMARY:** The Board is granting an exemption under 49 U.S.C. 10502, from the prior approval requirements of 49 U.S.C. 11323-25 for Genesee & Wyoming Inc. (GWI), a noncarrier, to continue in control of Columbus & Chattahoochee Railroad, Inc. (CCR), upon CCR's becoming a Class III rail carrier in a related transaction involving the lease from Norfolk Southern Railway Company (NSR), and operation of, a 25.50-mile rail line between Girard and Mahrt, Ala.,<sup>1</sup> subject to labor protective conditions. GWI is a holding company that directly or indirectly controls one Class II rail carrier and 59 Class III rail carriers. The NSR line that CCR will lease and operate indirectly connects with Georgia Southwestern Railroad, Inc. (GSWR), a Class III carrier controlled by GWI.

**DATES:** This exemption will be effective on July 1, 2012. Petitions for stay must be filed by June 19, 2012. Petitions to reopen must be filed by June 25, 2012.

**ADDRESSES:** Send an original and 10 copies of all pleadings referring to Docket No. FD 35621, to: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, send one copy of pleadings to Eric M. Hocky, Thorp Reed & Armstrong, LLP, One Commerce Square, 2005 Market Street, Suite 1000, Philadelphia, PA 19103.

**FOR FURTHER INFORMATION CONTACT:** Jonathon Binet, (202) 245-0368. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision, which is available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: June 7, 2012.

<sup>1</sup> See *Columbus & Chattahoochee R.R.—Lease & Operation Exemption—Norfolk S. Ry.*, FD 35620 (STB served May 11, 2012).

By the Board, Chairman Elliott, Vice Chairman Mulvey, and Commissioner Begeman.

**Derrick A. Gardner,**  
*Clearance Clerk.*

[FR Doc. 2012-14423 Filed 6-12-12; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Regulation Project

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning substantiation requirement for certain contributions.

**DATES:** Written comments should be received on or before August 13, 2012 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Yvette Lawrence, Internal Revenue Service, room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of this regulation should be directed to Allan Hopkins, at (202) 622-6665, or at Internal Revenue Service, room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet, at [Allan.M.Hopkins@irs.gov](mailto:Allan.M.Hopkins@irs.gov).

**SUPPLEMENTARY INFORMATION:**  
*Title:* Substantiation Requirement for Certain Contributions.

*OMB Number:* 1545-1431.  
*Regulation Project Number:* IA-74-93 (Final).

*Abstract:* These regulations provide that, for purposes of substantiation for certain charitable contributions, consideration does not include de minimis goods or services. It also provides guidance on how taxpayers may satisfy the substantiation requirement for contributions of \$250 or more.

*Current Actions:* There is no change to this existing regulation.