

of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Lindsey Handel, Area Engineer, Federal Highway Administration—Washington Division, 711 South Capitol Way, Suite 501, Olympia, WA 98501. Office hours are 8:00 a.m. to 4:00 p.m. (Pacific Time), (360) 753-9550, [Lindsey.Handel@dot.gov](mailto:Lindsey.Handel@dot.gov). You may also contact Steven Kennedy, Sound Transit, (206) 398-5302, [steven.kennedy@soundtransit.org](mailto:steven.kennedy@soundtransit.org).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FHWA has taken final agency actions by issuing a Record of Decision (ROD) for the Lynnwood Link Extension Project. The proposed project would extend the Sound Transit Link light rail system from Northgate in Seattle north into Shoreline, Mountlake Terrace, and Lynnwood in Snohomish County. The 8.5-mile project corridor would generally follow Interstate 5. Project components include traction power substations along the project alignment, new noise walls and relocation of existing noise walls, relocation of underground and overhead utilities, crossover tracks, stormwater management facilities, park-and-ride facilities, and interchange, intersection, street, and sidewalk improvements. Final agency actions: Section 4(f) de minimis impact determination; Section 106 finding of no adverse effect; project-level air quality conformity; and Record of Decision, dated August 31, 2015. Supporting documentation: Final Environmental Impact Statement, dated April 3, 2015.

The EIS and ROD can be viewed and downloaded from the project Web site at <http://www.soundtransit.org/LLE> or viewed at the Seattle, King County, and Sno-Isle Public Libraries. This notice applies to all Federal agency decisions on the project, as of the issuance date of this notice, and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109].
2. Air: Clean Air Act, as amended [42 U.S.C. 7401-7671(q)].
3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].
4. Wildlife: Endangered Species Act [16 U.S.C. 1531-1544]; Anadromous Fish Conservation Act [16 U.S.C. 757(a)-757(g)]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)]; Magnuson-Stevenson Fishery

Conservation and Management Act of 1976, as amended [16 U.S.C. 1801 *et seq.*].

5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archaeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-11]; Archaeological and Historic Preservation Act [16 U.S.C. 469-469(c)]; Native American Grave Protection and Repatriation Act [25 U.S.C. 3001-3013].

6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act [7 U.S.C. 4201-4209]; the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended [42 U.S.C. 61].

7. Wetlands and Water Resources: Clean Water Act, 33 U.S.C. 1251-1377 (Section 404, Section 401, Section 319); Coastal Zone Management Act [16 U.S.C. 1451-1465]; Land and Water Conservation Fund [16 U.S.C. 4601-4604]; Safe Drinking Water Act [42 U.S.C. 300(f)-300(j)(6)]; Rivers and Harbors Act of 1899 [33 U.S.C. 401-406]; TEA-21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001-4128].

8. Hazardous Materials: Comprehensive Environmental Response, Compensation, and Liability Act [42 U.S.C. 9601-9675]; Superfund Amendments and Reauthorization Act of 1986 [PL 99-499]; Resource Conservation and Recovery Act [42 U.S.C. 6901-6992(k)].

9. Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(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.)

**Authority:** 23 U.S.C. 139(l)(1).

Dated: September 21, 2015.

**Frederick A. Judd IV,**  
Division Administrator, Olympia,  
Washington.

[FR Doc. 2015-25593 Filed 10-8-15; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2013-0009]

#### Request for Approval of a New Information Collection

**AGENCY:** National Highway Traffic Safety Administration, DOT.

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

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments.

**DATES:** Written comments should be submitted on or before November 9, 2015.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, Attention: NHTSA Desk Officer.

**FOR FURTHER INFORMATION CONTACT:** For additional information or access to background documents, contact Elizabeth Mazzae, Applied Crash Avoidance Research Division, Vehicle Research and Test Center, NHTSA, 10820 State Route 347—Bldg. 60, East Liberty, Ohio 43319; Telephone (937) 666-4511; Facsimile: (937) 666-3590; email address: [elizabeth.mazzae@dot.gov](mailto:elizabeth.mazzae@dot.gov).

**SUPPLEMENTARY INFORMATION:** Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). In compliance with these requirements, this notice announces that the following information collection request has been forwarded to OMB. In the April 30, 2015, **Federal Register**,<sup>1</sup> NHTSA published a 60-day notice requesting public comment on the proposed collection of information. We received two comments.

First, the Alliance of Automobile Manufacturers (the “Alliance”)

<sup>1</sup> 80 FR 24314 (April 30, 2015).

expressed concern with NHTSA’s “continued focus on simulator research” as a basis for our driver distraction guidance. Specifically, the Alliance stated “that the study method proposed will not yield the meaningful and reliable metrics that will assist in saving lives and preventing crashes. Instead, such metrics and acceptance criteria should be developed using naturalistic driving data.” The Alliance qualified that this advice would not preclude the use of simulators for conducting development tests, but such tests and any auditory-vocal distraction metrics should be validated and calibrated against real-world data before putting forth recommendations. The Alliance also noted studies on auditory-vocal distraction it believes NHTSA should consider in formulating guidelines.

The objectives of the current work, to develop a low-cost, standardized test protocol and task acceptance criteria for evaluating the distraction potential of tasks performed with integrated systems, cannot be accomplished through naturalistic research. To achieve the greatest degree of repeatability and experimental control, the test protocol will use driving simulator and visual occlusion testing.

As the Alliance suggests, NHTSA will be conducting an on-road component to its research supporting the development of driver distraction guidelines for auditory-vocal interfaces that will be discussed in a **Federal Register** information collection request notice at a later date. NHTSA will pull from many sources in formulating its auditory-vocal guidelines. This will include analyzing data from NHTSA research studies as well as other relevant studies in this area of research.

Second, American Honda Motor Company, Inc. (Honda) commented that the quality of the NHTSA’s driver distraction measurement research would be enhanced if Honda’s “Pedal Tracking and Detection Response Task” (PT–DRT) method was included in this NHTSA research. Honda proposed that NHTSA collect objective data using the PT–DRT method as part of the current research. Honda also indicated that they would like NHTSA to adopt the PT–DRT method as an acceptable alternative to the currently allowed task

acceptance protocol in NHTSA’s Driver Distraction Guidelines.

NHTSA intends to conduct this research using a method that builds on the protocol developed for NHTSA’s Visual-Manual Driver Distraction Guidelines and incorporates the extensively researched Detection Response Task (DRT). NHTSA intends for our Guidelines test protocol to be complementary and integrated, to the extent possible, to achieve an assessment that is both robust and efficient to conduct.

NHTSA believes that the scientific basis for the DRT method being standardized by ISO is strong. Furthermore, the results of research by ISO member organizations have been robust. The DRT will provide an easy to implement, reliable, and well-vetted method for comparing distraction effects of secondary tasks with that of a reference task (*i.e.*, radio tuning).

NHTSA has received briefings and demonstrations of the PT–DRT method by Honda and has been impressed with their scientific, reasoned approach and willingness to share information with NHTSA. However, we feel it is most efficient and cost-effective for us at this point to move forward with investigating the incorporation of the well-vetted DRT into our driving simulator based method and not to add a second, new test method to the planned research. NHTSA wishes to clarify that the research will determine the test methods that we will use in evaluating auditory-vocal secondary tasks performed by drivers, vehicle manufacturers may use whatever method they desire to assess their own vehicles.

*OMB Control Number:* To be issued at time of approval.

*Title:* Driver Distraction Measurement Research.

*Form Numbers:* None.

*Type of Review:* New information collection.

*Abstract:* NHTSA seeks to collect information from the public as part of a multi-study research effort that supports the development of measurement techniques for auditory-vocal interactions involving in-vehicle and portable devices used by motor vehicle drivers. Driving experiments will be conducted using driving simulator and visual occlusion apparatus research

tools. Study participants will perform specific secondary tasks while driving and their performance and behavior (*e.g.*, eye glance locations and durations) will be recorded.

Information will be collected during participant recruitment to assess individuals’ suitability for participation. Participants will complete a brief set of questions to assess the incidence and severity of any simulator-related discomfort. In the event a participant indicates they experienced severe discomfort, that participant’s performance may be removed from the study and study staff will ensure that the person is well enough safely drive home or will arrange for another means of transportation.

*Respondents:* Web-based and print newspaper advertisements will be used to obtain respondents who are licensed drivers aged 18–70 years. Study participants must have no health conditions that may adversely affect driving performance, have average or better vision and hearing, and not require assistive devices to safely operate a vehicle. Criteria for participation also include driving at least 3,000 miles annually and experience using a cell phone while driving.

*Estimated Number of Respondents:* It is estimated that a total of 1,200 individuals will complete the first set of screening questions and 1,000 of those 1,200 will also complete the second set of screening questions. Of the 1,000, it is estimated that 500 individuals will meet criteria for participation. From those 500, approximately 300 individuals will be chosen to produce a balance of age and genders.

*Estimated Time per Response:* Completion of the screening questions is estimated to take approximately 5 minutes for the first set and 10 minutes for the second set. The simulator discomfort questionnaire is estimated to take 2 minutes per participant.

*Total Estimated Burden:* 278 total hours.

*Frequency of Collection:* The data collections described will be performed once to obtain the target number of 300 valid test participants.

NHTSA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED BURDEN HOURS

Question set	N	H	C	Cost	Time
Screening, Part 1 .....	1200	0.0833	\$79.00	\$7,896.84	100
Screening, Part 2 .....	1000	0.1677	79.00	13,248.30	168
Simulator Sickness .....	300	0.0333	48.00	479.52	10

TABLE 1—ESTIMATED BURDEN HOURS—Continued

Question set	N	H	C	Cost	Time
Total .....	.....	.....	.....	21,624.66	278

**Authority:** The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.95.

**Nathaniel Beuse,**

*Associate Administrator, Vehicle Safety Research.*

[FR Doc. 2015–25798 Filed 10–8–15; 8:45 am]

**BILLING CODE 4910–59–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35958]

#### Westmoreland County Industrial Development Corporation—Acquisition of Control Exemption—Turtle Creek Industrial Railroad, Inc.

Westmoreland County Industrial Development Corporation (WCIDC), a Class III rail carrier,<sup>1</sup> has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to acquire all of the stock of Turtle Creek Industrial Railroad, Inc. (TCIR), also a Class III rail carrier.

According to WCIDC, Dura-Bond Corporation (Dura-Bond), a noncarrier, currently controls TCIR. WCIDC and Dura-Bond have entered into a stock purchase agreement<sup>2</sup> dated September 26, 2013, by which WCIDC will acquire all of TCIR's stock from Dura-Bond. Once that transaction is consummated, WCIDC will control TCIR.

WCIDC intends to consummate this transaction on or shortly after October 25, 2015, the effective date of the exemption.

WCIDC states that: (i) The rail owned by WCIDC does not connect with the rail line owned by TCIR; (ii) the subject acquisition of control is not part of a series of anticipated transactions that would connect the rail line owned by TCIR with the rail line owned by WCIDC; and (iii) neither WCIDC nor TCIR are Class I carriers. Therefore, the transaction is exempt from the prior

approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under Sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the verified 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 will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than October 16, 2015 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings referring to Docket No. FD 35958, 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 WCIDC's representative: John N. Ward, Ward & Christner, P.C., 15 N. Main Street, Greensburg, PA 15601.

Board decisions and notices are available on our Web site at [WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV).

Decided: October 6, 2015.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Tia Delano,**  
*Clearance Clerk.*

[FR Doc. 2015–25783 Filed 10–8–15; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35964]

#### American Chemistry Council, The Chlorine Institute, and the Fertilizer Institute—Petition for Declaratory Order—Positive Train Control

On September 30, 2015, the American Chemistry Council, the Chlorine Institute, and the Fertilizer Institute

(collectively Petitioners) filed a petition for an order “declaring that the common carrier obligation, codified at 49 U.S.C. 11101(a), requires a Class I railroad to transport toxic inhalation hazard (‘TIH’) materials over main lines, as defined at 49 U.S.C. 20157(i)(2), although the Class I railroad has not equipped, or will not equip, such lines with an operable positive train control (‘PTC’) system by the December 31, 2015 deadline specified by 49 U.S.C. 20157(a).” (Pet. 1.) According to the petition, some railroads have indicated that they intend to embargo TIH shipments, as early as Thanksgiving 2015, in light of the impending statutory PTC deadline. (Pet. 2, 5–6.) Petitioners request that the Board institute a declaratory order proceeding, consider the September 30 petition to be their opening statement, and promptly issue an expedited procedural schedule. On October 5, 2015, the Association of American Railroads (AAR) filed a petition requesting an alternate expedited procedural schedule and an oral hearing.

The Board has discretionary authority under 5 U.S.C. 554(e) and 49 U.S.C. 721 to issue a declaratory order to terminate a controversy or remove uncertainty. The Board will institute a declaratory order proceeding and establish a procedural schedule. The Board will consider the September 30 petition to be Petitioners' opening statement. Substantive replies to the opening statement will be due on October 23, 2015. Rebuttals will be due on November 2, 2015. The Board will rule on AAR's request for an oral hearing in a future order.

*It is ordered:*

1. A declaratory order proceeding is instituted.

2. Substantive replies to the September 30 opening statement are due by October 23, 2015.

3. Rebuttals are due by November 2, 2015.

4. Notice of this action will be published in the **Federal Register** on October 9, 2015.

5. This decision is effective on its service date.

Decided: October 6, 2015.

<sup>1</sup> WCIDC owns a common carrier line of railroad located between Scottsdale and Greensburg, Pa. The lines are operated by Southwest Pennsylvania Railroad Company. *See Westmoreland Cty. Indus. Dev. Corp.—Acquis. Exemption—Sw. Pa. R.R.*, FD 32767 (ICC served Nov. 3, 1995).

<sup>2</sup> A redacted version of the agreement was filed with the notice of exemption. An unredacted version was filed concurrently under seal, along with a motion for protective order pursuant to 49 CFR 1104.14(b). That motion will be addressed in a separate decision.