reasoning supporting the exemptions from the 30-minute break time rule and allowing a 14-hour daily on-duty-period for drivers of ready-mixed concrete vehicles applies to drivers engaged in the transportation of asphalt and related materials and equipment. Both are perishable products that are not useable if they are not dropped and spread within a brief delivery window. Because of this short delivery window, the routes from the production facility to the delivery site for both products are limited to less than 40 miles, and the time spent actually driving a CMV typically only a few hours per day. Thus in both cases, the drivers do not face the same fatigue factors as drivers of long-haul trucks, and therefore do not pose the same risk of a fatigue-related accident as long-haul drivers.”

NAPA requests that the operation of certain vehicles and equipment (Water Truck, Tack (tar) Distributor, Equipment Hauler and Pick-Sweeper (Street Sweeper)) be included in the definition of “transportation of asphalt and related materials and equipment” for purposes of these exemptions.

NAPA states in its application that drivers would remain subject to the HOS regulations and would receive sufficient rest due to the nature of their operations that limit driving to an average of six to seven hours per day or less during the paving season. NAPA believes that granting these exemptions would achieve the same level of safety provided by the two HOS rules. The requested exemptions are for 5 years with renewals. A copy of NAPA’s application for exemptions is available for review in the docket for this notice.

Issued on: August 30, 2017.
Larry W. Minor,
Associate Administrator for Policy.

DEPARTMENT OF TRANSPORTATION
Federal Railroad Administration
[Docket Number FRA–2017–0076]

Petition for Waiver of Compliance


THSX maintains and operates No. 142, a 2–8–2 “Mikado” type steam locomotive built in 1989 by the Tangshan Locomotive Works in China for the New York, Susquehanna & Western Railroad. THSX requests relief from performing the 1472 service day inspection (SDI), for No. 142, regarding inspection of the boiler every 15 calendar years or 1472 service days. This is required under CFR 49 Section 230.17—One thousand four hundred seventy-two (1472) service day inspection. THSX is requesting an additional 58 calendar days before performing a 1472 SDI. The previous SDI was performed on September 2, 2002. Granting relief will allow No. 142 an SDI period of 15 calendar years and 58 calendar days while not exceeding 1472 service days.

No. 142 is operated by THSX on Belvedere & Delaware Railroad for weekly tourist service. THSX’s justification for requesting relief is that No. 142 has only operated for a total 640 service days within the 15-calendar year period. The extension will allow No. 142 to operate through their busiest tourist season. THSX anticipates approximately 18 additional service days during the requested time extension.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at 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.

Anyone can 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 document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at https://www.transportation.gov/privacy. See also https://www.regulations.gov/privacyNotice for the privacy notice of regulations.gov.

Robert C. Lauby,
Associate Administrator for Railroad Safety, Chief Safety Officer.
[FR Doc. 2017–18985 Filed 9–6–17; 8:45 am]
BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration
[Docket No. MARAD–2017–0160]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel BONITA; Invitation for Public Comments

AGENCY: Maritime Administration.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.
DATES: Submit comments on or before October 10, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0160. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at http://www.regulations.gov. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at http://www.regulations.gov.


SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel BONITA is:

—Intended Commercial Use of Vessel: “Overnight luxury pleasure time charters for week long or greater charter periods.”

—Geographic Region: “California”

The complete application is given in DOT docket MARAD–2017–0163 at http://www.regulations.gov. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD’s regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

For more information on DOT/MARAD’s rulemaking process, see 14 FDMS, accessible through www.dot.gov/privacy.

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0163]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel CLAUDIAN; Invitation for Public Comments

AGENCY: Maritime Administration.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD’s regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

FOR FURTHER INFORMATION CONTACT:


SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel CLAUDIAN is:

—Intended Commercial Use of Vessel: “Coastal cruise and sunset cruise”

—Geographic Region: “California”

The complete application is given in DOT docket MARAD–2017–0163 at http://www.regulations.gov. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD’s regulations at 46 CFR part 388.