

Virginia City, Nevada, in a National Historic District. Regarding the locomotive's 1472 service day inspection, VTRR requests to extend the period in which the inspection is due from June 11, 2023, to December 31, 2023, by which time VTRR 29 will have accumulated fewer than 1,200 service days. In support of its request, VTRR states that its railroad is insular, and the relief will help VTRR "make up for lost operating days due to the mandated shut town of [the] business and the detrimental effects of the pandemic to [the] company and to [the] community." VTRR adds that VTRR 29 received a new dry pipe in 2021 during an inspection of its boiler interior, and both interior and exterior boiler inspections were performed at each annual inspection since 2008. VTRR also states it "exercises complete control of the operation, inspection, maintenance, and repairs" of VTRR 29.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov).

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 and a public hearing, 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 at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Communications received by March 24, 2023 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

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), the U.S. Department of Transportation (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](http://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/privacy-notice> for the privacy notice of [regulations.gov](https://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy**,  
Associate Administrator for Railroad Safety,  
Chief Safety Officer.

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2022-0105]

#### Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated November 21, 2022, Black River & Western Railroad Company (BRW) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR 230.17, *One thousand four hundred seventy-two (1472) service day inspection*. FRA assigned the petition Docket Number FRA-2022-0105.

Specifically, BRW requests relief for steam locomotive No. 60, which is used in public tourist excursions. Regarding the locomotive's 1472 service day inspection, BRW requests to extend the period in which the inspection is due from May 1, 2023, to December 31, 2023. BRW states that No. 60 did not enter service until August 2011 and is expected to accrue only 350 service days by May 1, 2023. In support of its request, BRW states that the locomotive has been stored inside in a locked facility, has operated without incident, and had a successful annual inspection on August 30, 2022.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov).

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 and a public hearing, 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 at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Communications received by March 24, 2023 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

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), the U.S. Department of Transportation (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](http://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/privacy-notice> for the privacy notice of [regulations.gov](https://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy**,  
Associate Administrator for Railroad Safety,  
Chief Safety Officer.

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## DEPARTMENT OF TRANSPORTATION

### Bureau of Transportation Statistics

[Docket Number RITA-2008-0002]

#### Agency Information Collection Activity; Notice To Continue To Collect: Confidential Close Call Transit Data for the Washington Metropolitan Area Transit Authority (WMATA)

**AGENCY:** Bureau of Transportation Statistics (BTS), Office of the Assistant Secretary for Research and Technology (OST-R), Department of Transportation.

**ACTION:** Notice to continue to collect confidential close call transit data.

**SUMMARY:** In accordance with the requirements of the Paperwork Reduction Act of 1995, this notice announces the intention of the Bureau of Transportation Statistics (BTS) to request the Office of Management and Budget (OMB) to use the approved OMB Number 2138-0044, and continue to collect the following information: Confidential Close Call Transit Data for the Washington Metropolitan Area Transit Authority (WMATA or the Authority), which includes but is not

limited to the collection of data from Rail, Bus, Information Technology, and Command Center personnel. This data collection effort supports a multi-year program focused on improving the Authority in its entirety, by collecting and analyzing data and information on close calls and other unsafe occurrences within WMATA. The program is co-sponsored by WMATA and labor leadership including: the President/Business Agent of the Amalgamated Transit Union (ATU) Local 689, the International Brotherhood of Teamsters (IBT) Local 922 and Office & Professional Employees International Union (OPEIU) Local 2. The Close Call program is designed to identify safety issues and propose preventive actions based on voluntary reports of a close call submitted confidentially to BTS, an Agency within the U.S. Department of Transportation. This information collection is necessary for systematically analyzing data to identify root causes of potentially unsafe events.

**DATES:** Written comments should be submitted by March 24, 2023.

**ADDRESSES:** To ensure that your comments are not entered more than once into the docket, submit comments by only one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically. Docket Number: DOT-OST-2017-0043.
- *Mail:* Docket Services, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.
- *Hand Delivery:* Deliver to mail address above between 9 a.m. and 5 p.m. EST, Monday through Friday, except Federal holidays.
- *Fax:* (202) 493-2251.

Identify all transmissions with "Docket Number RITA-2008-0002" at the beginning of each page of the document.

**Instructions:** All comments must include the agency name and docket number for this notice. Paper comments should be submitted in duplicate. The Docket Management Facility is open for examination and copying, at the above address from 9 a.m. to 5 p.m. EST, Monday through Friday, except Federal holidays. If you wish to receive confirmation of receipt of your written comments, please include a self-addressed, stamped postcard with the following statement: "Comments on Docket Number RITA-2008-0002." The Docket Clerk will date stamp the postcard prior to returning it to you via the U.S. mail. Please note that all

comments received, including any personal information, will be posted and will be publicly viewable, without change, at [www.regulations.gov](http://www.regulations.gov). 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) or you may review the Privacy Act Statement at [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:**

Demetra V. Collia, Bureau of Transportation Statistics, Office of the Assistant Secretary for Research and Technology, U.S. Department of Transportation, Office of Safety Data and Analysis, RTS-31, E36-302, 1200 New Jersey Avenue SE, Washington, DC 20590-0001; Phone No. (202) 366-1610; Fax No. (202) 366-3383; email: [demetra.collia@dot.gov](mailto:demetra.collia@dot.gov). Office hours are from 8:30 a.m. to 5 p.m., EST, Monday through Friday, except Federal holidays.

**Data Confidentiality Provisions:**

Under this data collection, the confidentiality of the information submitted to BTS is protected under the BTS confidentiality statute (49 U.S.C. 6307) and the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) of 2018 (Pub. L.: 115-435 Foundations for Evidence-Based Policymaking Act of 2018, Title III). In accordance with these confidentiality statutes, only statistical (aggregated) and non-identifying data will be made publicly available by BTS through its reports. BTS will not release to WMATA or any other public or private entity any information that might reveal the identity of individuals who have submitted a report.

**SUPPLEMENTARY INFORMATION:**

**I. The Data Collection**

The Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35; as amended) and 5 CFR part 1320 require each Federal agency to obtain OMB approval to initiate an information collection activity. BTS is seeking OMB approval to continue the following BTS information collection activity:

*Title:* Confidential Close Call Transit Data.

*OMB Control Number:* 2138-0044.

*Type of Review:* Continue to Collect.

*Respondents:* WMATA employees.

*Number of Potential Responses:* 150 (per annum).

*Estimated Time per Response:* 60 minutes.

*Frequency:* Intermittent for 3 years. Reports are submitted when there is a qualifying event.

*Total Annual Burden:* 150 hours.

*Abstract:* Collecting safety data on the nation's transportation system is an

important component of BTS's mission and responsibility to the transportation community and is authorized in BTS statute (49 U.S.C. 6302). BTS and WMATA share a common interest in promoting safety based on accurate information. To that end, WMATA and the Amalgamated Transit Union (ATU) Local 689, the International Brotherhood of Teamsters (IBT) Local 922 and Office & Professional Employees International Union (OPEIU) Local 2 have supported the Confidential Close Call Program at WMATA as a means of fostering an environment of ongoing advancements in their safety culture.

A close call is a situation or circumstance that had the potential for safety consequences, but did not result in an adverse safety event. Knowledge of a close call presents an opportunity to address unsafe work conditions and encourage a culture of safety in the workplace. It is estimated that the time to complete a close call report and participate in a brief confidential interview will be no than 60 minutes for a maximum total burden of 150 hours (150 reports \* 60 minutes/60 = 150 hours). Reports are submitted when there is a qualifying event, *i.e.*, when a close call occurs within any office of the Authority.

**II. Background**

WMATA deployed the Close Call program in April 2013, and in May 2016 the program expanded to include bus employees. The Confidential Close Call Program is a Cooperative Agreement between BTS, WMATA management, the Amalgamated Transit Union (ATU) Local 689, the International Brotherhood of Teamsters (IBT) Local 922 and Office & Professional Employees International Union (OPEIU) Local 2. This program provides a confidential platform to facilitate the voluntary reporting of close call events without fear of discipline. Collecting data on the nation's transportation system is an important component of BTS' mission and responsibility to the transportation community as stated in its authorizing statute (49 U.S.C. 6302). BTS and WMATA/ATU, IBT Local 922 and OPEIU Local 2, share a common interest in promoting rail transit and bus safety using timely, accurate, and relevant data. WMATA/ATU, IBT Local 922 and OPEIU Local 2, is sponsoring the Confidential Close Call Program for Transit Rail and Bus System to improve transit rail and bus safety by studying the effectiveness of its own systems through the data and information collected from reported close call events.

Any situation or circumstance that has the potential for safety consequences, but did not result in an adverse safety event is defined as a close call. Knowledge about a close call presents an opportunity to address unsafe work conditions and practices, prevent accidents, contribute to policy making decisions and improve overall safety in the workplace.

BTS collects close call reports submitted by WMATA employees, conducts employee interviews, develop and maintain an analytical database containing reported data and other pertinent information, provides statistical analysis to WMATA, and protects the confidentiality of these data through its own statute (49 U.S.C. 6302) and CIPSEA. Only statistical and non-sensitive information will be made available through publications and reports.

Voluntary reporting of close calls to a confidential system provides a tool to identify and correct weaknesses within WMATA and prevents accidents. Close Call reporting fosters a voluntary, cooperative, non-punitive environment to communicate safety concerns for the greater good. Through the analysis of the data that is reported, WMATA receives information about factors that contribute to unsafe events, which becomes the catalyst to develop new training programs and identify root causes of adverse events. The database also provides researchers with valuable information regarding precursors to safety risks and contributes to research and development of intervention programs aimed at averting accidents and fatalities.

Employees involved in reporting a close call incident are asked to fill out a report and participate in a brief, confidential interview. Employees submit the report electronically to BTS. Participants will be asked to provide information such as: (1) name and contact information; (2) time and location of the event; (3) a short description of the event; (4) contributing factors to the close call; and (5) any other information that might be useful in determining a root cause for such events.

### III. Request for Public Comment

BTS requests comments on any aspects of this information collection request, including: (1) the accuracy of the estimated burden of 150 hours detailed in section I; (2) ways to enhance the quality, usefulness, and clarity of the collected information; and (3) ways to minimize the collection burden without reducing the quality of

the information collected, including additional use of automated collection techniques or other forms of information technology.

**Demetra V. Collia,**

*Office Director.*

[FR Doc. 2023–01127 Filed 1–20–23; 8:45 am]

**BILLING CODE 4910–HY–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 Internal Revenue Service, 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. Currently, the IRS is soliciting comments concerning proceeds of bonds used for reimbursement.

**DATES:** Written comments should be received on or before March 24, 2023 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to [pra.comments@irs.gov](mailto:pra.comments@irs.gov). Include 1545–1226 or T.D. 8394, Proceeds of Bonds Used for Reimbursement.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of this collection should be directed to LaNita Van Dyke, at (202) 317–6009, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at [LaNita.VanDyke@irs.gov](mailto:LaNita.VanDyke@irs.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Proceeds of Bonds Used for Reimbursement.

*OMB Number:* 1545–1226. Regulation Project Number: T.D. 8394.

*Abstract:* This regulation clarifies when the allocation of bond proceeds to reimburse expenditures previously made by an issuer of the bond is treated as an expenditure of the bond proceeds. The issuer must express a reasonable official intent, on or prior to the date of payment, to reimburse the expenditure

in order to assure that the reimbursement is not a device to evade requirements imposed by the Internal Revenue Code with respect to tax exempt bonds.

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

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* State, local or tribal governments, and not-for-profit institutions.

*Estimated Number of Respondents:* 2,500.

*Estimated Time per Respondent:* 2 hours, 24 minutes.

*Estimated Total Annual Burden Hours:* 6,000.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number.

Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: January 17, 2023.

**Molly J. Stasko,**

*Senior Tax Analyst.*

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