

(49 U.S.C. 30113; delegations of authority at 49 CFR 1.50. and 501.8)

Issued on: July 30, 2009.

Ronald L. Medford,

Acting Deputy Administrator.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) Part 235 and 49 U.S.C. 20502(a), the following railroad has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236, as detailed below.

[Docket Number FRA-2009-0069]

Applicant: Norfolk Southern Corporation, Mr. B. T. Fennell, Division Superintendent, Harrisburg Division, 4600 Deer Path Road, Harrisburg, Pennsylvania 17111.

The Norfolk Southern Corporation (NS) requests a waiver from the requirements of 49 CFR 236.566; Locomotive of each train operating in train stop, train control, or cab signal territory; equipped.

The request is to permit NS to use non-equipped, remote-controlled locomotives to operate as controlling units on the NS Morrisville Line, in 261-CSS territory, between CP-MA, Milepost (MP) MV 4.7 and CP-Lang, MP MV 6.3.

The reason given for the proposed waiver is to provide head room out of the Morrisville Yard for remotely operated non-equipped locomotives onto the Main Track and Signaled Siding for switching operations. It is limited to switching movements West of CP-MA into equipped territory and reversing back into Morrisville Yard.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and include a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing

that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

All communications concerning this proceeding should be identified by Docket Number FRA-2009-0069 and may be submitted by one of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the instructions for submitting comments on the DOT electronic site;
- *Fax:* 202-493-2251;
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590; or
- *Hand Delivery:* Room W12-140 of the U.S. Department of Transportation West Building Ground Floor, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

FRA wishes to inform all potential commenters that anyone is able to search the electronic form of all 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) or you may visit <http://www.regulations.gov>.

Issued in Washington, DC on August 6, 2009.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. E9-19279 Filed 8-11-09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) Part 235 and 49 U.S.C. 20502(a), the following railroad has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR Part 236, as detailed below.

[Docket Number FRA-2009-0079]

Applicant: Norfolk Southern Corporation, Mr. B. L. Sykes, Chief Engineer C&S Engineering, 1200 Peachtree Street, NE., Atlanta, Georgia 30309.

The Norfolk Southern Corporation (NS) seeks approval of the proposed discontinuance and removal of the control signals and the conversion of a power-operated crossover to hand-operation at CP-111, Milepost EP-73.4, on the NS Harrisburg Division, Port Road Branch, Running Tracks B & C, Harrisburg, Pennsylvania. Four signals are to be removed and the power-operated crossover is to be converted to hand-operation.

The reason given for the proposed changes is to eliminate facilities no longer needed for present day operation.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and include a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

All communications concerning this proceeding should be identified by Docket Number FRA-2009-0079 and may be submitted by one of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the instructions for submitting comments on the DOT electronic site;
- *Fax:* 202-493-2251;
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200

New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590; or

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

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

FRA wishes to inform all potential commenters that anyone is able to search the electronic form of all 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 August 6, 2009.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

Fiscal Year 2010 Safety Grants

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice.

SUMMARY: This notice is to inform the public of FMCSA's Fiscal Year (FY) 2010 safety grant opportunities and FMCSA's changes to its application and award processes for grant programs. The Agency instituted procedural changes in an effort to simplify and streamline its grants application and award processes. The 11 safety programs include the Motor Carrier Safety Assistance Program (MCSAP) Basic grants; MCSAP Incentive grants; MCSAP New Entrant Safety Audit grants; MCSAP High

Priority grants; Commercial Motor Vehicle (CMV) Operator Safety Training grants; Border Enforcement grants (BEG); Commercial Driver's License Program Improvement (CDLPI) grants; Commercial Driver's License Information System (CDLIS) Modernization grants; Performance and Registration Information Systems Management (PRISM) grants; Safety Data Improvement Program grants (SaDIP); and the Commercial Vehicle Information Systems and Networks (CVISN) grants. Each grant program was provided for in the Agency's most recent authorization, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The purpose of this notice is to provide grantees with information on the Agency's FY 2010 safety grant application deadlines.

FOR FURTHER INFORMATION CONTACT: Please contact the following FMCSA staff with questions or needed information on the Agency's grant programs:

MCSAP New Entrant Safety Audit Grants—Arthur Williams, arthur.williams@dot.gov, 202-366-3695, Border Enforcement Grants—Carla Vagnini, carla.vagnini@dot.gov, 202-366-3771, MCSAP High Priority Grants—Cim Weiss, cim.weiss@dot.gov, 202-366-0275, CMV Operator Safety Training Grants—Julie Otto, julie.otto@dot.gov, 202-366-0710, CDLPI Grants—Brandon Poarch, brandon.poarch@dot.gov, 202-366-3030, CDLIS Modernization Grants—Brandon Poarch, brandon.poarch@dot.gov, 202-366-3030, SaDIP Grants—Betsy Benkowski, betsy.benkowski@dot.gov, 202-366-4808, PRISM Grants—Tom Lawler, tom.lawler@dot.gov, 202-366-3866, CVISN Grants—Julie Lane, julie.lane@dot.gov, 202-385-2391.

All staff may be reached at FMCSA, 1200 New Jersey Avenue, SE., Washington, DC 20590. Office hours are from 9 a.m. to 5 p.m., EST, Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Regulatory History

On March 24, 2009, FMCSA published a notice with request for comments in the **Federal Register** (74 FR 12437) regarding the establishment of Fiscal Year (FY) 2010 grant application due dates and other grant program changes.

Background and Purpose

FMCSA recognizes that State governments and other grantees are dependent on its safety grants to

develop and maintain important commercial motor vehicle (CMV) safety programs. FMCSA further acknowledges that delays in awarding grant funds may have an adverse impact on these important safety programs. As a result, FMCSA conducted a grants process review, in an effort to identify ways to streamline the application, award, and grants management processes, and to award grant funds earlier each fiscal year. In addition, FMCSA made changes in the grants application, award and oversight processes to standardize application forms, increase the use of electronic documents, standardize quarterly reports and reduce the number of needed grant amendments.

Discussion of Comments

Five comments were received in the docket. All commenters supported FMCSA's changes, especially any efforts to award funds earlier in the fiscal year. One commenter suggested delaying on the proposed application dates until FY 2011. Another commenter suggested one due date for all grants. Other comments included suggestions beyond the scope of FMCSA's current changes. This information will be considered during future grant program modifications.

FY 2010 Safety Grants Program

First, the schedule for the FY 2010 grant applications is as follows:

MCSAP Basic and Incentive Grants—August 1, 2009.

New Entrant Safety Audit Grants—September 1, 2009.

Border Enforcement Grants—September 15, 2009.

CMV Operator Safety Training Grants—October 1, 2009.

SaDIP Grants—October 2, 2009.

MCSAP High Priority Grants—October 15, 2009.

CDLPI Grants—November 1, 2009.

CDLIS Modernization Grants—November 15, 2009.

PRISM Grants—December 1, 2009.

CVISN Grants—December 1, 2009.

Second, consistent with its contract authority, FMCSA will enter into grant agreements beginning October 1 or as soon thereafter as administratively practicable. FMCSA intends to enter into grant agreements no later than 90 days from the date the application is due but not prior to October 1.

Third, for all grants other than MCSAP Basic and Incentive, FMCSA will use a standard grant application form and a new quarterly reporting process. In its grant announcements on grants.gov, FMCSA will use Standard Form 424 ("Application for Federal Assistance") and its attachments for all of its grant programs. While each grant