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

- **Fax:** Fax comments to the Docket Management Facility at (202) 493-2251.

- **Hand Delivery:** Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Privacy:** We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

**Docket:** To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** David Staples, (202) 267-4058, Keira Jones, (202) 267-4025, or Tyneka L. Thomas, (202) 267-7626, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC on December 20, 2011.

**Pamela Hamilton-Powell,**  
*Director, Office of Rulemaking.*

### Petition For Exemption

**Docket No.:** FAA-2011-1044.

**Petitioner:** Sundance Helicopters, Inc.  
**Section of 14 CFR Affected:** 14 CFR 93.323.

#### *Description of Relief Sought:*

Sundance Helicopters, Inc. seeks relief from the requirement to file VFR flight plans prior to conducting operations in the vicinity of Grand Canyon National Park, AZ.

[FR Doc. 2011-33100 Filed 12-23-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Light Rail Project in Washington

**AGENCY:** Federal Highway Administration (FHWA), Department of Transportation (DOT).

**ACTION:** Notice of limitation on claims for judicial review of actions by FHWA and other Federal agencies.

**SUMMARY:** This notice announces actions taken by FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to the East Link Light Rail Transit Project in King County Washington. These actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l). A claim seeking judicial review of the Federal agency actions on the listed highway project will be barred unless the claim is filed on or before June 24, 2012. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Pete Jilek, Urban Area Engineer, Federal Highway Administration, 711 S. Capitol Way #501, Olympia, Washington, 98501; telephone: (360) 753-9550; and email: [pete.jilek@dot.gov](mailto:pete.jilek@dot.gov). The FHWA Washington Division Urban Area Engineer's regular office hours are between 6 a.m. and 3:30 p.m. (Pacific Time). You may also contact the following FTA officials: Nancy-Ellen Zusman, Assistant Chief Counsel, Office of Chief Counsel, (312) 353-2577, or Terence Plaskon, Environmental Protection Specialist, Office of Human and Natural Environment, (202) 366-0442. FTA Headquarters is located at 1200 New Jersey Avenue SE., Washington, DC 20590. Office hours are from 9 a.m. to 5:30 p.m., EST, Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the following project in the State of Washington: East Link Light Rail Transit Project, King County, WA. **Federal Lead Agency:** Federal Transit Administration (FTA). **Project sponsor:** Central Puget Sound Regional Transit Authority (Sound Transit). **Project description:** The project extends the

current light rail system an additional 18 miles from Downtown Seattle to Mercer Island and Bellevue along Interstate 90 (I-90), and then through Bellevue to Overlake and Redmond in the Puget Sound region of Washington State. The light rail extension will cross Lake Washington in the center lanes of Interstate 90 (I-90). Project elements will affect portions of I-90 in Seattle, Mercer Island and Bellevue, Washington and portions of I-405 in Bellevue, Washington. The project includes 12 stations, four park-and-ride lots, and supporting facilities. The project also includes storage tracks and facilities located just north of the Hospital Station to allow for overnight storage of vehicles and daily startup operations. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, issued in July 2011, and in the FHWA Record of Decision (ROD) issued on November 17, 2011. The FEIS and ROD are available by contacting FHWA at the address above or can be downloaded from the project Web site at <http://projects.soundtransit.org>.

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. This notice does not, however, alter or extend the limitation period of 180 days for challenges to final agency actions subject to previous notices published in the **Federal Register**, including notice given by the Federal Transit Administration on December 16, 2011 (76 FR 78332).

This notice applies to all Federal agency decisions, actions, approvals, licenses and permits on the project as of the issuance date of this notice, including but not limited to those arising under the following laws, as amended:

1. **General:** National Environmental Policy Act [42 U.S.C. 4321-4347]; 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(f)]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(e)]; 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. 470f]; Archaeological Resources Protection Act of 1977 [16 U.S.C. 470aa–470mm]; Archaeological and Historic Preservation Act [16 U.S.C. 469–469c–2]; 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. 460l–4–460l–11]; Safe Drinking Water Act [42 U.S.C. 300f et seq.]; 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. 4001–4129].

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).

**Daniel M. Mathis,**  
Division Administrator, Olympia,  
Washington.

[FR Doc. 2011–33079 Filed 12–23–11; 8:45 am]

**BILLING CODE 4910–22–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2011–0094]

#### Petition for Waiver of Compliance

In accordance with part 211 of title 49 of the Code of Federal Regulations (CFR), this document provides public notice that by a document dated October 28, 2011, the Maryland Transit Administration (MTA) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Section 213.329, *Curves, elevation and speed limitations*; Section 213.333, *Automated vehicle inspection systems*; and Section 213.345, *Vehicle qualification testing*. FRA assigned the petition Docket Number FRA–2011–0094.

MTA seeks a permanent waiver of compliance from the provisions of 49 CFR Sections 213.329, 213.333, and 213.345 as part of its recent purchase of 26 new model MP36PH–3C locomotives. These locomotives are intended for operation by MTA's Maryland Area Regional Commuter (MARC) train service on the National Railroad Passenger Corporation's (Amtrak) Northeast Corridor (NEC) at 100 mph and 4 inches cant deficiency. In MTA's previous waiver request, dated January 22, 2009, MTA sought relief from 49 CFR Section 213.345(b), which references 49 CFR Section 213.333. The waiver would allow MTA to test the MP36 locomotives with accelerometers, instead of instrumented wheelsets. MTA also indicated that it would use computer simulations to evaluate the wheel/rail forces for speeds and track geometry of the MARC route over the NEC.

In December 2010, during route testing in Maryland, the MP36PH–3C sustained carbody yaw oscillations that exceeded the carbody lateral acceleration limits described in FRA's Notice of Proposed Rulemaking (NPRM), as found in Docket Number FRA–2009–0036. In February 2011, MTA rescinded that waiver petition until a solution to the carbody yaw issue could be developed and implemented.

In its current waiver petition, MTA indicated that it has developed and implemented a solution to the sustained carbody yaw issue by modifying the MP36PH–3C locomotive truck, as detailed in Attachment 2 to the waiver petition. It also indicated that computer simulations using a valid computer model demonstrated that the modified MP36PH–3C locomotive complies with

the wheel/rail forces and the truck and carbody acceleration limits contained in the NPRM for 49 CFR section 213.333.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at <http://www.regulations.gov> and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Ave. SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

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, 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 by any of the following methods:

- **Web site:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** (202) 493–2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- **Hand Delivery:** 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by February 10, 2012 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to 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 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 online at <http://www.dot.gov/privacy.html>.