

refer to them generically should be clearly stated. By making use of the newly defined terms general lien and restricted lien and by relying on the provisions of Article VI, Section 3 as proposed to be amended, only relatively minor amendments to the provisions of Rule 1104(a) are required to effectuate the dual purposes of this proposed rule change. Other proposed changes in Rule 1104 are intended for clarification only and are not substantive.

OCC believes that the proposed rule change is consistent with the purposes and requirements of Section 17A of the Act because it will promote the prompt and accurate clearance and settlement of securities transactions, remove impediments to the mechanisms of a national system for the prompt and accurate clearance and settlement of securities transactions, and assure the safeguarding of securities and funds in the custody or control of OCC by clarifying limitations on the use of certain customer property in the event of a Clearing Member insolvency while protecting the clearing system by permitting broader use of other collateral deposited by Clearing Members.

#### *B. Self-Regulatory Organization's Statement on Burden on Competition*

OCC does not believe that the proposed rule change would impose any burden on competition.

#### *C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

Written comments were not and are not intended to be solicited with respect to the proposed rule change, and none have been received.

### **III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

Within thirty five days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to ninety days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

- (a) By order approve the proposed rule change or
- (b) Institute proceedings to determine whether the proposed rule change should be disapproved.

### **VI. Solicitation of Comments**

Interested persons are invited to submit written data, views, and

arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>) or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-OCC-2005-23 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-OCC-2005-23. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 100 F Street, NE., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of OCC and on OCC's Web site at <http://www.optionsclearing.com>.

All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-OCC-2005-23 and should be submitted on or before June 9, 2006.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.<sup>12</sup>

**Jill M. Peterson,**  
*Assistant Secretary.*

[FR Doc. E6-7624 Filed 5-18-06; 8:45 am]

**BILLING CODE 8010-01-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Office of the Secretary**

#### **Proposed Agency Information Collection Activities; Comment Request**

**AGENCY:** Federal Railroad 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 Requirements (ICRs) abstracted below have been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICRs describe the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collections of information was published on March 15, 2006 (71 FR 13452)

**DATES:** Comments must be submitted on or before June 19, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 25, Washington, DC 20590 (telephone: (202) 493-6292) or Victor Angelo, Office of Support Systems, RAD-43, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6470). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Public Law No. 104-13, section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On March 15, 2006, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 71 FR 13452. FRA received no comments after issuing this notice. Accordingly, DOT announces that these information collection activities have been re-evaluated and certified under 5 CFR 1320.5(a) and forwarded to OMB for review and approval pursuant to 5 CFR 1320.12(c).

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for

<sup>12</sup> 17 CFR 200.30-3(a)(12).

public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30 day notice is published. 44 U.S.C. 3507 (b)–(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, August 29, 1995. OMB believes that the 30 day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, August 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

The summaries below describe the nature of the information collection requirements (ICRs) and the expected burden. The revised requirements are being submitted for clearance by OMB as required by the PRA.

*Title:* Railroad Operating Rules.

*OMB Control Number:* 2130–0035.

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

*Affected Public:* Railroads.

*Form(s):* N/A.

*Abstract:* The collection of information is due to the railroad operating rules set forth in 49 CFR part 217 which require Class I and Class II railroads to file with FRA copies of their operating rules, timetables, and timetable special instructions, and subsequent amendments thereto. Class III railroads are required to retain copies of these documents at their systems headquarters. Also, 49 CFR 220.21(b) prescribes the collection of information which requires railroads to retain one copy of their current operating rules with respect to radio communications and one copy of each subsequent amendment thereto. These documents must be made available to FRA upon request.

*Annual Estimated Burden Hours:* 766,488 hours.

*Title:* Filing of Dedicated Cars.

*OMB Control Number:* 2130–0502.

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

*Affected Public:* Railroads.

*Form(s):* N/A.

*Abstract:* Title 49, part 215 of the Code of Federal Regulations, prescribes certain conditions to be followed for the movement of freight cars that are not in compliance with this part. These cars must be identified in a written report to FRA before they are assigned to dedicated service, and the words “Dedicated Service” must be stenciled on each side of the freight car body.

FRA uses the information to determine whether the equipment is safe to operate and that the operation qualifies for dedicated service. See 49 CFR 215.5 (c) (2), 215.5 (d).

*Annual Estimated Burden Hours:* 4 hours.

*Title:* Bad Order and Home Shop Card.

*OMB Control Number:* 2130–0519.

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

*Affected Public:* Railroads.

*Form(s):* N/A.

*Abstract:* Under 49 CFR part 215, each railroad is required to inspect freight cars placed in service and take the necessary remedial action when defects are identified. Part 215 defects are specific in nature and relate to items that have or could have caused accidents or incidents. Section 215.9 sets forth specific procedures that railroads must follow when it is necessary to move defective cars for repair purposes. For example, railroads must affix a “bad order” tag describing each defect to each side of the freight car. It is imperative that a defective freight car be tagged “bad order” so that it may be readily identified and moved to another location for repair purposes only. At the repair point, the “bad order” tag serves as a repair record. Railroads must retain each tag for 90 days to verify that proper repairs were made at the designated location. FRA and State inspectors review all pertinent records to determine whether defective cars presenting an immediate hazard are being moved in transportation.

*Annual Estimated Burden Hours:* 12,750 hours.

*Title:* Stenciling Reporting Mark on Freight Cars.

*OMB Control Number:* 2130–0520.

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

*Affected Public:* Railroads.

*Form(s):* N/A.

*Abstract:* Title 49, section 215.301 of the Code of Federal Regulations, sets forth certain requirements that must be followed by railroad carriers and private car owners relative to identification marks on railroad equipment. FRA, railroads, and the public refer to the stenciling to identify freight cars.

*Annual Estimated Burden Hours:* 15,000 hours.

*Title:* Rear-End Marking Devices.

*OMB Control Number:* 2130–0523.

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

*Affected Public:* Railroads.

*Form(s):* N/A.

*Abstract:* The collection of information is set forth under 49 CFR

part 221 which requires railroads to furnish a detailed description of the type of marking device to be used for the trailing end of rear cars in order to ensure rear cars meet minimum standards for visibility and display.

Railroads are required to furnish a certification that the device has been tested in accordance with current “Guidelines for Testing Rear End Marking Devices.” Additionally, railroads are required to furnish detailed test records which include the testing organizations, description of tests, number of samples tested, and the test results in order to demonstrate compliance with the performance standard.

*Annual Estimated Burden Hours:* 8 hours.

*Title:* Locomotive Certification (Noise Compliance Regulations).

*OMB Control Number:* 2130–0527.

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

*Affected Public:* Railroads.

*Form(s):* N/A.

*Abstract:* Part 210 of title 49 of the United States Code of Federal Regulations (CFR) pertains to FRA’s noise enforcement procedures which encompass rail yard noise source standards published by the Environmental Protection Agency (EPA). EPA has the authority to set these standards under the Noise Control Act of 1972. The information collected by FRA under part 210 is necessary to ensure compliance with EPA noise standards for new locomotives.

*Annual Estimated Burden Hours:* 2,785 hours.

*Title:* Grade Crossing Signal System Safety.

*OMB Control Number:* 2130–0534.

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

*Affected Public:* Railroads.

*Form(s):* FRA F 6180.83.

*Abstract:* FRA believes that highway-rail grade crossing (grade crossing) accidents resulting from warning system failures can be reduced. Motorists lose faith in warning systems that constantly warn of an oncoming train when none is present. Therefore, the fail-safe feature of a warning system loses its effectiveness if the system is not repaired within a reasonable period of time. A greater risk of an accident is present when a warning system fails to activate as a train approaches a grade crossing. FRA’s regulations require railroads to take specific responses in the event of an activation failure. FRA uses the information to develop better solutions to the problems of grade crossing device malfunctions. With this

information, FRA is able to correlate accident data and equipment malfunctions with the types of circuits and age of equipment. FRA can then identify the causes of grade crossing system failures and investigate them to determine whether periodic maintenance, inspection, and testing standards are effective. FRA also uses the information collected to alert railroad employees and appropriate highway traffic authorities of warning system malfunctions so that they can take the necessary measures to protect motorists and railroad workers at the grade crossing until repairs have been made.

*Annual Estimated Burden Hours:* 4,151 hours.

*Title:* Bridge Worker Safety Rules.

*OMB Control Number:* 2130-0535.

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

*Affected Public:* Railroads.

*Form(s):* N/A.

*Abstract:* Section 21039 of Title 49 of the United States Code required FRA to issue rules, regulations, orders, and standards for the safety of maintenance-of-way employees on railroad bridges, including for "bridge safety equipment" such as nets, walkways, handrails, and safety lines, and requirements for the use of vessels when work is performed on bridges located over bodies of water. FRA has added 49 CFR part 214 to establish minimum workplace safety standards for railroad employees as they apply to railroad bridges. Specifically, section 214.15(c) establishes standards and practices for safety net systems. Safety nets and net installations are to be drop-tested at the job site after initial installation and before being used as a fall protection system, after major repairs, and at six-month intervals if left at one site. If a drop-test is not feasible and is not performed, then a written certification must be made by the railroad or railroad contractor, or a designated certified person, that the net does comply with the safety standards of this section. FRA and State inspectors use the information to enforce Federal regulations. The information that is maintained is at the job site promotes safe bridge worker practices.

*Annual Estimated Burden Hours:* 1 hour.

*Title:* Railroad Police Officers.

*OMB Control Number:* 2130-0537.

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

*Affected Public:* Railroads.

*Form(s):* N/A.

*Abstract:* Under 49 CFR part 207, railroads are required to notify states of all designated police officers who are

discharging their duties outside of their respective jurisdictions. This requirement is necessary to verify proper police authority.

*Annual Estimated Burden Hours:* 181 hours.

*Addressee:* Send comments regarding any of these information collections to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, NW., Washington, DC 20503, Attention: FRA Desk Officer.

Comments are invited on the following: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the **Federal Register**.

*Authority:* 44 U.S.C. 3501-3520.

Issued in Washington, DC on May 15, 2006.

**D.J. Stadlter,**

*Director, Office of Budget, Federal Railroad Administration.*

[FR Doc. E6-7619 Filed 5-18-06; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[USCG-2005-22219]

#### **Northeast Gateway Energy Bridge, L.L.C., Liquefied Natural Gas Deepwater Port License Application; Preparation of Environmental Impact Statement**

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice of availability; notice of public meeting; request for comments.

**SUMMARY:** The Maritime Administration (MARAD) announces the availability of the Draft Environmental Impact Statement (DEIS) for the Northeast Gateway Energy Bridge, L.L.C., Liquefied Natural Gas Deepwater Port license application. The application describes a project that would be located in Federal waters of Massachusetts Bay, in Block 125,

approximately 13 miles south-southeast of Gloucester, MA. The Coast Guard and MARAD request public comments on the DEIS. Publication of this notice begins a 45 day comment period and provides information on how to participate in the process. As a point of clarification, there is another deepwater port application by Neptune LNG, L.L.C. in the same vicinity. These applications are being processed and reviewed independently.

**DATES:** Public hearings will be held in Gloucester, MA on June 14, 2006 and in Salem, MA on June 15, 2006. Both hearings will be from 6 p.m. to 8 p.m. and will be preceded by an informational open house from 4:30 p.m. to 6 p.m. The public meetings may end later than the stated time, depending on the number of persons wishing to speak. Material submitted in response to the request for comments on the DEIS must reach the Docket Management Facility by July 3, 2006.

**ADDRESSES:** The public meeting in Gloucester will be held at the Gloucester High School Auditorium, 32 Leslie O. Johnson Road, Gloucester, MA, telephone: 617-635-4100. The public meeting in Salem will be at the Salem State College Library, Charlotte Forten Hall, 360 Lafayette Street, Salem, MA, telephone: 978-542-7192.

The DEIS, the application, and associated documentation are available for viewing at the DOT Docket Management System Web site: <http://dms.dot.gov> under docket number 22219. The DEIS is also available at public libraries in Beverly, MA, Boston, MA, Gloucester, MA, Manchester-by-the-Sea, MA, Marblehead, MA, Rockport, MA, and Salem, MA.

Address docket submissions for USCG-2005-22219 to: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590-0001.

The Docket Management Facility accepts hand-delivered submissions, and makes docket contents available for public inspection and copying at this address, in room PL-401, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Facility's telephone number is 202-366-9329, the fax number is 202-493-2251, and the Web site for electronic submissions or for electronic access to docket contents is <http://dms.dot.gov>.

#### **FOR FURTHER INFORMATION CONTACT:**

Roddy Bachman, U.S. Coast Guard, telephone: 202-372-1451, e-mail: [rbachman@comdt.uscg.mil](mailto:rbachman@comdt.uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager,