

company and its drivers from the HOS regulations, local government officials have not done so and it would not be practical for them to do so in the future. This is because (1) many unplanned events occur in remote locations where it may not be clear who a railroad should contact to declare an emergency; (2) more than half of unplanned event call times typically occur between 4:00 p.m. and 7:00 a.m., including a large number between midnight and 7:00, making it virtually impossible for the railroads to contact an official to request an emergency declaration before they request a contractor to respond to the unplanned event; and (3) companies likely would not know if such an emergency declaration had been made before they respond to a call from a railroad.

In their application, the Companies compare the work of railroad employees responding to an emergency situation to that of utility service employees responding to an emergency situation. Utility service vehicles are exempt from the HOS regulations. According to the Companies, the rationale for the utility service vehicle exemption applies with equal force to railroad emergency response contractors when they respond to unplanned events.

The Companies are seeking an exemption from the HOS regulations only for the time spent by their drivers driving to the site of the unplanned event. The term "unplanned event" includes, but is not limited to some of the following: A derailment; a rail failure or other report of dangerous track condition; a disruption to the electric propulsion system; a bridge-strike; a disabled vehicle on the track; a train collision; weather and storm-related events; a matter of national security; or a matter concerning public safety; a blocked grade crossing, etc. The Companies said that the exemption would be narrower than the utility service exemption, which allows drivers to drive after they complete work restoring utility service. The Companies wrote that they would ensure their drivers would not drive a CMV after completing work until the drivers had obtained the required 10 hours or 34 hours of rest depending on their cumulative hours on duty for the day and week. The applicants request the exemption be granted for five years.

#### IV. Method To Ensure an Equivalent or Greater Level of Safety

The Companies state that they have and will continue to take the following steps to ensure that safety is not compromised by the exemption. The Companies will do the following:

- Ensure drivers will have at least one hour of lead time before mobilizing equipment and actively begin driving;
- During one-hour lead time, drivers can participate in stretching and light exercise to improve alertness prior to driving;
- Drivers will drive in a convoy using escort vehicles in the front and back;
- Vehicles will be equipped with two-way radios and supervisors conduct routine radio checks every 30 to 45 minutes requiring response from drivers; and
- Ensure supervisors train employees to recognize fatigue and that drivers adhere to policy that no driver is required to drive a vehicle if feeling fatigued.

The applicants believe that the exemption, if granted, would not pose a safety risk since the drivers drive relatively short distances on public roads to get to the site of an unplanned event and do not drive after completing work at a site until requisite rest is obtained. A copy of the application for exemption is available for review in the docket for this notice.

Issued on: March 1, 2019.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2019-04189 Filed 3-7-19; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2019-0029]

#### Requested Administrative Waiver of the Coastwise Trade Laws: Vessel KADIDDLEHOPPER (50' Sailboat); Invitation for Public Comments

**AGENCY:** Maritime Administration, DOT.  
**ACTION:** Notice.

**SUMMARY:** The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirements of the coastwise trade laws to allow the carriage of no more than twelve passengers for hire on vessels, which are three years old or more. 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 April 8, 2019.

**ADDRESSES:** You may submit comments identified by DOT Docket Number MARAD-2019-0029 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search

MARAD-2019-0029 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2019-0029, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

*Note:* If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

*Instructions:* All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at [www.regulations.gov](http://www.regulations.gov), including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

#### FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email [Bianca.carr@dot.gov](mailto:Bianca.carr@dot.gov).

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

—*Intended Commercial use of Vessel:* "Private Charters up to 12 passengers"

—*Geographic Region Including Base of Operations:* "California" (Base of Operations: Marina Del Ray, CA)

—*Vessel Length and Type:* 50' sailboat

The complete application is available for review identified in the DOT docket as MARAD-2019-0029 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 vessel name, state the commenter's interest in the waiver application, and address the waiver criteria given in section 388.4 of

MARAD's regulations at 46 CFR part 388.

### Public Participation

#### *How do I submit comments?*

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

#### *Where do I go to read public comments, and find supporting information?*

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2019-0029 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

#### *Will my comments be made available to the public?*

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

#### *May I submit comments confidentially?*

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

### Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice, DOT/ALL-14 FDMS, accessible through [www.dot.gov/privacy](http://www.dot.gov/privacy). 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.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

\* \* \* \* \*

Dated: March 5, 2019.

By Order of the Maritime Administrator.

**T. Mitchell Hudson, Jr.,**

Secretary, Maritime Administration.

[FR Doc. 2019-04215 Filed 3-7-19; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2019-0012]

#### Deepwater Port License Application: Texas COLT LLC

**AGENCY:** Maritime Administration, Department of Transportation.

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

**SUMMARY:** The U.S. Coast Guard (USCG), in coordination with the Maritime Administration (MARAD), will prepare an environmental impact statement (EIS) as part of the environmental review of the Texas COLT LLC (Texas COLT) deepwater port license application. The application proposes the ownership, construction, operation and eventual decommissioning of an offshore oil export deepwater port that would be located in Federal waters approximately 27.8 nautical miles off the coast of Brazoria County, Texas in a water depth of approximately 110 feet. The deepwater port would allow for the loading of Very Large Crude Carriers (VLCCs) and other sized crude oil cargo carriers via two single point mooring buoy systems.

This Notice of Intent (NOI) requests public participation in the scoping process, provides information on how to participate and announces an informational open house and public meeting in Lake Jackson, Texas. Pursuant to the criteria provided in the Deepwater Port Act of 1974, as amended, Texas is the designated Adjacent Coastal State for this application.

**DATES:** There will be one public scoping meeting held in connection with the Texas COLT deepwater port application. The meeting will be held in Lake Jackson, Texas on March 22, 2019, from 6:00 p.m. to 8:00 p.m. The public meeting will be preceded by an

informational open house from 4:00 p.m. to 5:30 p.m.

The public meeting may end later than the stated time, depending on the number of persons wishing to speak. Additionally, materials submitted in response to this request for comments on the Texas COLT deepwater port license application must reach the Federal Docket Management Facility as detailed below by April 8, 2019.

**ADDRESSES:** The open house and public meeting in Lake Jackson, Texas will be held at the Courtyard Lake Jackson, 159 State Highway 288, Lake Jackson, TX 77566, phone: (979) 297-7300, web address: <https://www.marriott.com/hotels/travel/ljncy-courtyard-lake-jackson/>. Free parking is available at the venue.

The public docket for the Texas COLT deepwater port license application is maintained by the U.S. Department of Transportation, Docket Management Facility, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. The license application is available for viewing at the *Regulations.gov* website: <http://www.regulations.gov> under docket number MARAD-2019-0012.

We encourage you to submit comments electronically through the Federal eRulemaking Portal at <http://www.regulations.gov>. If you submit your comments electronically, it is not necessary to also submit a hard copy. If you cannot submit material using <http://www.regulations.gov>, please contact either Mr. Ken Smith, USCG or Mr. Linden Houston, MARAD, as listed in the following **FOR FURTHER INFORMATION CONTACT** section of this document, which also provides alternate instructions for submitting written comments. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted. Anonymous comments will be accepted. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. The Federal Docket Management Facility's telephone number is 202-366-9317 or 202-366-9826, the fax number is 202-493-2251.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ken Smith, USCG, telephone: 202-372-1413, email: [Ken.A.Smith@uscg.mil](mailto:Ken.A.Smith@uscg.mil), or Mr. Linden Houston, MARAD, telephone: 202-366-4839, email: [Linden.Houston@dot.gov](mailto:Linden.Houston@dot.gov). For questions regarding viewing the Docket, call Docket Operations, telephone: 202-366-9317 or 202-366-9826.

**SUPPLEMENTARY INFORMATION:**