

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on 06/07/2007, Private Non-Profit organizations that provide essential services of a governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties:

Atoka, Beckham, Blaine, Caddo, Comanche, Dewey, Ellis, Greer, Kay, Kiowa, Lincoln, Noble, Nowata, Okfuskee, Pottawatomie, Roger Mills, Seminole.

The Interest Rates are:

	Percent
Other (Including Non-Profit Organizations) with Credit Available Elsewhere .....	5.250
Businesses And Non-Profit Organizations without Credit Available Elsewhere .....	4.000

The number assigned to this disaster for physical damage is 10894.

(Catalog of Federal Domestic Assistance Number 59008)

**Jane M. Pease,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. E7-11706 Filed 6-15-07; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #10881 and #10882]

### South Dakota Disaster Number SD-00012

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 2.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the State of South Dakota (FEMA-1702-DR), dated 05/22/2007.

*Incident:* Severe Storms, Tornadoes and Flooding.

*Incident Period:* 05/04/2007 and continuing through 06/08/2007.

**EFFECTIVE DATE:** 06/08/2007.

*Physical Loan Application Deadline Date:* 07/23/2007.

*EIDL Loan Application Deadline Date:* 02/22/2008.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for the State of South Dakota, dated 05/22/2007, is hereby amended to establish the incident period for this disaster as beginning 05/04/2007 and continuing through 06/08/2007.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Jane M. Pease,**

*Acting Associate Administrator for Disaster Assistance.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on the Interstate 81 Corridor Improvement Study in Virginia

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA.

**SUMMARY:** This notice announces actions taken by the FHWA that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to the Interstate 81 Corridor Improvement Study in Virginia. The Federal actions, taken as a result of Tier 1 of a tiered environmental review process under the National Environmental Policy Act, 42 U.S.C. 4321-4351 (NEPA), and implementing regulations on tiering, 40 CFR 1502.20, 40 CFR 1508.28, and 23 CFR 771, determined certain issues relating to the study. Those Tier 1 decisions will be used by Federal agencies in subsequent tier proceedings, including decisions on whether to grant licenses, permits, and approvals for highway projects. The Tier 1 decisions may also be relied upon by State and local agencies in subsequent proceedings.

**DATES:** By this notice, the FHWA is advising the public that it has made decisions that are subject to 23 U.S.C. 139(l)(1) and are final with respect to Tier 1 within the meaning of that law. A claim seeking judicial review of the Tier 1 Federal agency decisions on the Interstate 81 Corridor Improvement

Study will be barred unless the claim is filed on or before December 17, 2007. 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:** Mr. John Simkins, I-81 Corridor Environmental Project Manager, Federal Highway Administration, 400 North 8th Street, Suite 750, Richmond, Virginia 23219-4825; telephone: (804) 775-3342; e-mail: [John.Simkins@dot.gov](mailto:John.Simkins@dot.gov). The FHWA Virginia Division Office's normal business hours are 7 a.m. to 5 p.m. (eastern time). For the Virginia Department of Transportation: Mr. Chris Collins, Project Studies Manager, Virginia Department of Transportation, 1401 East Broad Street, Richmond, Virginia 23219; telephone (804) 225-4249; e-mail: [CG.Collins@VirginiaDOT.org](mailto:CG.Collins@VirginiaDOT.org).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FHWA has issued a Tier 1 Final Environmental Impact Statement and Tier 1 Record of Decision for the Interstate 81 Corridor Improvement Study in Virginia. Decisions in the Tier 1 Record of Decision include the following:

1. Improvement concept to be advanced;
2. Advancing I-81 as a toll pilot facility under Section 1216(b) of the Transportation Equity Act of the 21st Century (TEA-21);
3. Projects with independent utility and logical termini to be studied in Tier 2;
4. Types of Tier 2 NEPA document(s);
5. Location of the corridor for studying alignments in Tier 2; and
6. Possible purchase of certain right-of-way parcels on a case-by-case basis.

Interested parties may consult the Tier 1 Record of Decision and Tier 1 Final Environmental Impact Statement for further information on each of the decisions described above.

The Tier 1 actions by FHWA, and the law under which such actions were taken, are described in the Tier 1 Final Environmental Impact Statement approved March 21, 2007, the Tier 1 Record of Decision issued June 6, 2007, and in other documents in the FHWA project records. The Tier 1 Final Environmental Impact Statement, the Tier 1 Record of Decision, and other documents in the FHWA project records are available by contacting the FHWA or the Virginia Department of Transportation at the address provided above. The Tier 1 Final Environmental Impact Statement and Tier 1 Record of

Decision are also available online at <http://www.I-81.org>.

This notice applies to all FHWA Tier 1 decisions that are final within the meaning of 23 U.S.C. 139(l)(1) as of the issuance date of this notice and all laws under which such actions were taken, including:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351].

(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).

Issued On: June 12, 2007.

**John Simkins,**

*I-81 Corridor Environmental Project Manager.*  
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**BILLING CODE 4940-RY-M**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

**[Amendment No. 5 to Released Rates Decision No. MC–999]**

#### Released Rates of Motor Common Carriers of Household Goods

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Request for comments on proposed changes to the authorization for motor common carriers of household goods to offer “released rates,” under which the carriers limit their liability to consumers for loss of or damage to the household goods transported.

**SUMMARY:** The Board proposes, and seeks comment on, three changes to its released rates authorization, to enhance the protection of consumers whose household goods are damaged or lost by motor common carriers.

**DATES:** Comments are due July 30, 2007. Reply comments (if any) are due August 13, 2007.

**ADDRESSES:** Send an original and 10 copies of any comments, referring to Amendment No. 5 to Released Rates Decision No. MC–999, to: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001.

**FOR FURTHER INFORMATION CONTACT:** Lawrence C. Herzig, (202) 245–0282. [Federal Information Relay Service (FIRS) for the hearing impaired: 1–800–877–8339].

**SUPPLEMENTARY INFORMATION:** Prior to the enactment of the Safe, Accountable, Flexible, Efficient Transportation Equity

Act: A Legacy for Users (SAFETEA–LU), Pub. L. 109–59, 119 Stat. 1144 (2005), motor carriers of household goods (HHG) were generally held liable, under 49 U.S.C. 14706, for the actual loss or injury they caused to the property they transported. Because most HHG are “used,” the carrier’s liability was for the depreciated value of the goods. However, under 49 U.S.C. 14706(f), HHG carriers could, with the permission of the Board, limit their liability by offering “released rates,” under which a carrier’s liability is limited to a value established by written declaration of the shipper or by written agreement. The Board has authorized HHG carriers to offer released rates under certain terms and procedures.

The Board’s current released rates orders—*Released Rates of Motor Common Carriers of Household Goods*, 5 S.T.B. 1147 (2001), and *Released Rates of Motor Common Carriers of Household Goods*, Amendment No. 4 to Released Rates Decision No. MC–999 (STB served Apr. 22, 2002, and July 26, 2006)—authorize HHG carriers to limit their liability for damage to, or loss of, the goods in their care upon a written declaration of the shipper. Under these orders, HHG carriers could avoid the default cargo liability level by offering their shippers a choice of two alternative carrier-liability options based on the rate that the shipper agreed to pay for the transportation of its goods. Under one option, the carrier’s cargo liability is limited to 60 cents per pound per article (“60-cents option”) if the shipper writes a valuation of “60 cents per pound” on the bill of lading/contract. In that event, the shipper pays only a base rate for the shipment. Alternatively, for an additional charge, the shipper may obtain “full value protection” for the shipped goods (the “FVP option”), meaning that the carrier is liable for the replacement value of the lost or damaged goods (up to the pre-declared value of the shipment), or, at the carrier’s option, for restoring damaged goods to their prior condition.

In section 4207 of SAFETEA–LU, Congress changed the statutorily prescribed, standard cargo liability of HHG carrier from the actual (i.e., depreciated) value of lost or damaged goods to the replacement value of those goods unless the shipper waives in writing that level of protection. See 49 U.S.C. 14706(f)(2), (3).<sup>1</sup> Thus, the

standard (or default) cargo liability of a HHG carrier is now the replacement value of the goods (for example, the value of a comparable new television to replace a used television that was lost in a household move, rather than the depreciated value of the used television).

Also in SAFETEA–LU, at section 4215, Congress directed the Board to review the current Federal regulations regarding the level of cargo liability protection provided by motor carriers that transport HHG and to revise the regulations, if necessary, to provide enhanced protection in the case of loss or damage. After receiving public comments, the Board published its review in *Review of Liability of Motor Common Carriers of Household Goods*, STB Ex Parte No. 662 (*Review*) (STB served Aug. 9, 2006).

In the *Review* proceeding, the Consumer Protection Division of the Office of the Attorney General of Maryland (Consumer Protection Division) suggested ways to condition the released rates authorization to enhance consumer protection. We propose to adopt the Consumer Protection Division’s two suggested changes, and ask for comment on those two proposed changes as well as a third proposed change. In addition, we invite suggestions on any other conditions that could help to ensure that consumers understand the consequences of selecting the 60-cents option when shipping their HHG.

*Requiring All Shipping Documents to Include Full Value Protection.* The Consumer Protection Division indicated that each year it receives complaints from consumers who did not know that they had shipped their goods under the 60-cents option until they filed claims with the moving company for property that was lost, stolen, or damaged during the move. According to the Consumer Protection Division, moving companies often include in their basic moving contract a waiver of the consumer’s right to FVP, and consumers sign contracts without understanding that they are agreeing to limit the moving company’s liability.

As suggested by the Consumer Protection Division, the Board proposes to require moving companies to provide, in any order for service, contract form, or bill of lading, a provision for, and a written estimate of, the cost of the move under FVP. If the moving company provides only the required estimate at FVP and the shipper accepts, the shipper will have the standard

<sup>1</sup> The statutory amendment required a change to the released rates authorization. See *Released Rates of Motor Common Carriers of Household Goods*, Amendment No. 4 to Released Rates Decision No. MC–999 (STB served June 13, 2007). As noted in that decision, we construe the new statutory default

level of liability as the equivalent of what formerly was the FVP option.