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The <http://www.regulations.gov> site provides the option of providing comments by filling in a "General Comments" field, or by attaching a document. Given the detailed nature of the comments sought by the Section 301 Committee, all comments should be provided in an attached document. Submissions must state clearly the position taken and describe with specificity the supporting rationale and must be written in English. After attaching the document, it is sufficient to type "See attached" in the "General Comments" field.

Comments will be placed in the docket and open to public inspection pursuant to 15 CFR 2006.13, except confidential business information exempt from public inspection in accordance with 15 CFR 2006.15 or information determined by USTR to be confidential in accordance with 19 U.S.C. 2155(g)(2). Comments may be viewed on the <http://www.regulations.gov> Web site by entering docket number USTR-2009-0011 in the search field on the home page.

Persons wishing to submit business confidential information must certify in writing that such information is confidential in accordance with 15 CFR 2006.15(b), and such information must be clearly marked "BUSINESS CONFIDENTIAL" at the top and bottom of the cover page and each succeeding page. Any comment containing business confidential information must be accompanied by a non-confidential summary of the confidential information. The non-confidential summary will be placed in the docket and open to public inspection. Comments containing business confidential information should not be submitted via the <http://www.regulations.gov> Web site. Instead, persons wishing to submit comments containing business confidential information should contact Sandy McKinzy at (202) 395-9483. Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential

in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitter believes that information or advice may qualify as such, the submitter—

(1) Must clearly so designate the information or advice;

(2) Must clearly mark the material as "SUBMITTED IN CONFIDENCE" at the top and bottom of the cover page and each succeeding page; and

(3) Must provide a non-confidential summary of the information or advice.

The non-confidential summary will be placed in the docket and open to public inspection. Comments submitted in confidence should not be submitted via the <http://www.regulations.gov> Web site. Instead, persons wishing to submit such comments should contact Sandy McKinzy at (202) 395-9483.

**William L. Busis,**

*Chair, Section 301 Committee.*

[FR Doc. E9-8232 Filed 4-9-09; 8:45 am]

**BILLING CODE 3190-W9-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35231]

#### Indiana Northeastern Railroad Company—Acquisition and Operation Exemption—Pigeon River Railroad Company

Indiana Northeastern Railroad Company (INRC), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire from Pigeon River Railroad Company (PGRV) and to operate, approximately 9.27 miles of rail line extending from milepost 122.53, near the Town of Ashley, in Steuben County, IN, to milepost 131.8, near the unincorporated community of South Milford, in LaGrange County, IN.

The transaction is scheduled to be consummated on April 25, 2009, the effective date of the exemption (30 days after the exemption is filed).

INRC certifies that its projected annual revenues as a result of this transaction will not result in INRC becoming a Class II or Class I rail carrier and further certifies that its projected annual revenues will not exceed \$5 million.

According to INRC, there is no provision or agreement that may limit future interchange with a third-party connecting carrier.

Pursuant to the Consolidated Appropriations Act, 2008, Public Law 110-161, section 193, 121 Stat. 1844 (2007), nothing in this decision

authorizes the following activities at any solid waste rail transfer facility:

Collecting, storing or transferring solid waste outside of its original shipping container; or separating or processing solid waste (including baling, crushing, compacting and shredding). The term "solid waste" is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke does not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than April 17, 2009 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35231, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Gordon P. MacDougall, Esq., 1025 Connecticut Avenue, NW., Room 919, Washington, DC 20036-5444.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: April 6, 2009.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. E9-8095 Filed 4-9-09; 8:45am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35225]

#### San Benito Railroad LLC—Acquisition Exemption—Certain Assets of Union Pacific Railroad Company

San Benito Railroad, LLC (San Benito), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Union Pacific Railroad Company (UP) certain railroad assets, including approximately 12.43 miles of rail line extending between approximately milepost 0.07 and approximately milepost 12.50 in the county of San Benito, CA.<sup>1</sup> According to

<sup>1</sup> In the transaction, UP does not transfer to San Benito the right or obligation to conduct common carrier freight operations. UP currently conducts and will continue to conduct common carrier freight operations over the rail line, retaining an exclusive and perpetual freight operating easement.

a map provided by San Benito, the line extends from near Hollister to near Carnadero.

The transaction is scheduled to take place in June 2009 or later (after the April 26, 2009 effective date of the exemption).

If the notice contains false or misleading information, the exemption is void *ab initio*.<sup>2</sup> Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction. Petitions for stay must be filed no later than April 17, 2009 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleading, referring to STB Finance Docket No. 35225, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Janie Shang, K&L Gates LLP, 1601 K Street, NW., Washington, DC 20006.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: April 6, 2009.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Kulunie L. Cannon,**  
Clearance Clerk.

[FR Doc. E9-8076 Filed 4-9-09; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice: Letter of Public Notification of the Airports Grants Program Including ARRA Requirements; Information Collection Activity

**AGENCY:** Federal Aviation Administration (FAA), DOT.

This request is being submitted to OMB via an Emergency Information Collection Request.

**SUMMARY:** New requirements within the American Recovery and Reimbursement Act of 2009 have made necessary a revision to the OMB-approved collection "Airports Grants Program" to include further burden. The information listed below represents the new totals for the complete "Airports Grants Program" with the new requirements per the American Recovery and Reimbursement Act of 2009.

**FOR FURTHER INFORMATION CONTACT:** Nancy S. Williams, APP-501 at

[Nancy.S.Williams@faa.gov](mailto:Nancy.S.Williams@faa.gov), or 202-267-8822.

#### SUPPLEMENTARY INFORMATION:

**Title:** Airports Grants Program Including ARRA Requirements.

**OMB Control Number:** 2120-0569.

**Forms(s)** 5100-100, 5100-101, 5100-108, 5100-126, 5100-127, 5370-1.

**Affected Public:** An estimated 1,950 Respondents.

**Frequency:** This information is collected on occasion.

**Estimated Average Burden per Response:** Approximately 9 hours per response.

**Estimated Annual Burden Hours:** An estimated 86,240 hours annually.

**Abstract:** The FAA collects information from airport sponsors and planning agencies in order to administer the Airports Grants Program. Data is used to determine eligibility, ensure proper use of Federal Funds, and ensure project accomplishment.

Issued in Washington, DC, on March 31, 2009.

**Carla Mauney,**

FAA Information Collection Clearance Officer, IT Enterprises Business Services Division, AES-200.

[FR Doc. E9-7914 Filed 4-9-09; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Office of Commercial Space Transportation; Notice of Availability and Request for Comment on the Draft Programmatic Environmental Impact Statement for Streamlining the Processing of Experimental Permit Applications

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation.

**ACTION:** Notice of availability and request for comment.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 *et seq.*), Council on Environmental Quality NEPA implementing regulations (40 CFR parts 1500-1508), and FAA Order 1050.1E, Change 1, the FAA is announcing the availability of and requesting comments on the *Draft Programmatic Environmental Impact Statement for Streamlining the Processing of Experimental Permit Applications* (PEIS). The FAA Office of Commercial Space Transportation is the lead Federal agency for the development of the PEIS. The National Aeronautics and Space Administration and the U.S.

Air Force are cooperating agencies. Under the Proposed Action evaluated in the PEIS, the FAA would issue experimental permits for the launch and reentry of reusable suborbital rockets from both FAA-licensed and non-licensed launch sites using the PEIS as the basis for determining the potential environmental consequences of issuing experimental permits.

Under the No Action Alternative, the FAA would continue issuing experimental permits for the launch and reentry of reusable suborbital rockets using its present method of analyzing environmental consequences case by case, without tiering from a programmatic document.

The PEIS examines the potential environmental impacts of issuing an experimental permit for the operation of reusable suborbital rockets anywhere in the U.S. and abroad, and the potential site-specific impacts of permitted launches from seven FAA-licensed commercial launch sites: California Spaceport, California; Mojave Air and Space Port, California; Kodiak Launch Complex, Alaska; Mid-Atlantic Regional Spaceport, Virginia; Space Florida Launch Complex-46 at Cape Canaveral Air Force Station, Florida; Oklahoma Spaceport, Oklahoma; Spaceport America, New Mexico; and one Federal range, the Shuttle Landing Facility at John F. Kennedy Space Center, Florida.

Subsequent environmental analyses that fall under the scope of the PEIS could tier from this document and incorporate the findings of the PEIS by reference, allowing an applicant and the FAA to focus on the relevant and unique impacts of an experimental permit application. Tiering and incorporation by reference would streamline the development of subsequent environmental analyses in accordance with NEPA and FAA Order 1050.1E.

The PEIS will not authorize the launch or reentry of reusable suborbital rockets from launch sites. Individual launch operators would be required to coordinate with site operators to gain access to a site. In addition, the launch operators would be required to apply to the FAA for an experimental permit, which would require an individual safety and environmental review.

**DATES:** The public comment period for the NEPA process begins with the publication of the U.S. Environmental Protection Agency's Notice of Availability of the Draft PEIS in the **Federal Register**. To ensure that all comments can be addressed in the Final PEIS, the FAA must receive comments no later than May 25, 2009.

<sup>2</sup> A motion to dismiss has been filed in this proceeding. The motion will be addressed in a subsequent Board decision.