

State websites to give respondents the opportunity to fill the form out online or print out the form and fill it out manually and submit the form in person or by fax or mail.

Dated: July 10, 2009.

**Mary Ellen Hickey,**

*Managing Director, Bureau of Consular Affairs, Department of State.*

[FR Doc. E9-21088 Filed 8-31-09; 8:45 am]

**BILLING CODE 4710-06-P**

## DEPARTMENT OF STATE

### [Public Notice 6747]

#### **Culturally Significant Object Imported for Exhibition Determinations: "Luc Tuymans"**

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the object in the exhibition: "Luc Tuymans," imported from abroad for temporary exhibition within the United States, is of cultural significance. The object is imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit object at the Wexner Center for the Arts, Columbus, OH, from on or about September 20, 2009, until on or about January 3, 2010; San Francisco Museum of Modern Art, San Francisco, CA, from on or about February 13, 2010, until on or about May 16, 2010; Dallas Museum of Art, Dallas, TX, from on or about June 13, 2010, until on or about September 6, 2010; Museum of Contemporary Art, Chicago, IL, from on or about October 2, 2010, until on or about January 9, 2011, and at possible additional exhibitions or

venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit object, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6467). The address is U.S. Department of State, L/PD, SA-5, 2200 C Street, NW., Suite 5H03, Washington, DC 20522-0505.

Dated: August 25, 2009

**Maura M. Pally,**

*Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. E9-21086 Filed 8-31-09; 8:45 am]

**BILLING CODE 4710-05-P**

## DEPARTMENT OF TRANSPORTATION

### **Federal Railroad Administration**

**[Docket No. FRA-1999-6439, Notice No. 20]**

#### **Adjustment of Nationwide Significant Risk Threshold**

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of Adjustment of Nationwide Significant Risk Threshold.

**SUMMARY:** In accordance with Appendix D to Title 49 Code of Federal Regulations (CFR) part 222, Use of Locomotive Horns at Highway-Rail Grade Crossings, FRA is updating the Nationwide Significant Risk Threshold (NSRT). This action is needed to ensure that the public has the proper threshold of permissible risk for calculating quiet zones established in relationship to the NSRT. This is the third update to the NSRT, which is being increased to 18,775 from 17,610.

**DATES:** The effective date is September 1, 2009.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ronald Ries, Office of Railroad Safety, FRA, 1200 New Jersey Avenue, SE.,

Washington, DC 20590 (telephone: 202-493-6299 or e-mail: [Ronald.Ries@dot.gov](mailto:Ronald.Ries@dot.gov)); or Kathryn Shelton, Office of Chief Counsel, FRA, 1200 New Jersey Avenue, SE., Washington, DC 20590 (telephone: 202-493-6038 or e-mail: [Kathryn.Shelton@dot.gov](mailto:Kathryn.Shelton@dot.gov)).

### **SUPPLEMENTARY INFORMATION:**

#### **Background**

The NSRT is simply an average of the risk indexes for gated public crossings, nationwide, where train horns are routinely sounded. FRA developed this risk index to serve as one threshold of permissible risk for quiet zones established under this rule across the Nation. Thus, a community that is trying to establish and/or maintain its quiet zone pursuant to 49 CFR part 222 can compare the Quiet Zone Risk Index calculated for its specific crossing corridor to the NSRT to determine whether sufficient measures have been taken to compensate for the excess risk that results from prohibiting routine sounding of the locomotive horn. (Alternatively, a community can establish its quiet zone in comparison to the Risk Index With Horns, which is a corridor-specific measure of risk to the motoring public, when locomotive horns are routinely sounded at every public highway-rail grade crossing within the quiet zone.)

In 2006, when the final rule titled, "Use of Locomotive Horns at Highway-Rail Grade Crossings," was amended, the NSRT was 17,030 (71 FR 47614, Aug. 17, 2006). In 2007, FRA recalculated the NSRT to be 19,047 (72 FR 14850, Mar. 29, 2007). In 2008, FRA recalculated the NSRT to be 17,610 (73 FR 30661, May 28, 2008).

#### **New NSRT**

Using collision data from 2004 to 2008, FRA has recalculated the NSRT based on formulas identified in Appendix D to 49 CFR part 222. In making this recalculation, FRA noted that the total number of gated, non-whistle-ban crossings was 39,065.

$$\text{Fatality Rate} = \frac{\text{Fatalities}}{\text{Fatal Incidents} = 287} = \frac{358}{1.2474}$$

$$\text{Injury Rate} = \frac{\text{Injuries in Injury-Only Incidents}}{\text{Injury-Only Incidents} = 708} = \frac{1008}{1.4237}$$

Applying the fatality rate and injury rate to the probable number of fatalities and casualties predicted to occur at each

of the 39,065 identified crossings and the predicted cost of the associated

injuries and fatalities, FRA calculates the NSRT to be 18,775.

Issued in Washington, DC, on August 25, 2009.

**Jo Strang,**

*Associate Administrator for Railroad Safety/  
Chief Safety Officer.*

[FR Doc. E9-20966 Filed 8-31-09; 8:45 am]

BILLING CODE 4910-06-P

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Intent to Prepare an Environmental Impact Statement for Proposed Transit Improvements to the Orange Line, Cook County, IL

**AGENCY:** Federal Transit Administration (FTA), Department of Transportation.

**ACTION:** Notice of Intent to Prepare an Environmental Impact Statement.

**SUMMARY:** The FTA, as the Federal lead agency, and the Chicago Transit Authority (CTA) intend to prepare an Environmental Impact Statement (EIS) for the Orange Line Extension Project in Cook County, Illinois. CTA operates the rapid transit system in Chicago, Cook County, Illinois. The proposed project, described more completely within, would extend the Orange Line, a heavy rail transit line, to connect Midway Station at the Midway International Airport to the Ford City shopping center. The purpose of this Notice of Intent is to alert interested parties regarding the intent to prepare the EIS and to provide information on the nature of the proposed project and possible alternatives to invite public participation in the EIS process.

**DATES:** Written comments on the scope of the EIS, including the project's purpose and need, the alternatives to be considered, the impacts to be evaluated, and the methodologies to be used in the evaluations should be sent to CTA on or before October 27, 2009. See **ADDRESSES** below for the address to which written public comments may be sent. A public scoping meeting to accept comments on the scope of the EIS will be held on the following date:

- Monday, September 21, 2009; 6 p.m. to 8 p.m.; at the Hancock College Preparatory High School, 4034 W. 56th St., Chicago, IL 60629.

The buildings used for the scoping meetings are accessible to persons with disabilities. Any individual who requires special assistance, such as a sign language interpreter, to participate in the scoping meeting should contact Mr. Darud Akbar, Government and Community Relations Officer, at 312-681-2708 or [dakbar@transitchicago.com](mailto:dakbar@transitchicago.com), five days prior to the meeting.

Scoping materials describing the project purpose and need and the alternatives proposed for analysis will be available at the meetings and on the CTA Web site <http://www.transitchicago.com/OrangeEIS>. Paper copies of the scoping materials may also be obtained from Mr. Darud Akbar, Government and Community Relations Officer, at 312-681-2708 or [dakbar@transitchicago.com](mailto:dakbar@transitchicago.com). An interagency scoping meeting will be held on Thursday, September 24 at 1:30 p.m. at CTA Headquarters, in Conference Room 2C, 567 W. Lake Street, Chicago, IL 60661. Representatives of Native American tribal governments and of all Federal, State, regional and local agencies that may have an interest in any aspect of the project will be invited to be participating or cooperating agencies, as appropriate.

**ADDRESSES:** Comments will be accepted at the public scoping meetings or they may be sent to Mr. Jeffrey Busby, General Manager, Strategic Planning, Chicago Transit Authority, P.O. Box 7602, Chicago, IL 60680-7602, or via e-mail at [OrangeExtension@transitchicago.com](mailto:OrangeExtension@transitchicago.com).

**FOR FURTHER INFORMATION CONTACT:** Mr. David Werner, Community Planner, Federal Transit Administration, Region V, 200 West Adams Street, Suite 320, Chicago, IL 60606, phone 312-353-3879, e-mail [David.Werner@dot.gov](mailto:David.Werner@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### Scoping

The FTA and CTA invite all interested individuals and organizations, public agencies, and Native American Tribes to comment on the scope of the EIS, including the project's purpose and need, the alternatives to be studied, the impacts to be evaluated, and the evaluation methods to be used. Comments should address (1) alternatives that may better achieve the project's need and purposes at less cost or with fewer adverse impacts, and (2) any significant environmental impacts relating to the alternatives.

National Environmental Policy Act (NEPA) "scoping" (40 CFR 1501.7) has specific and fairly limited objectives, one of which is to identify the significant issues associated with alternatives that will be examined in detail in the document, while simultaneously limiting consideration and development of issues that are not truly significant. It is in the NEPA scoping process that potentially significant environmental impacts—those that give rise to the need to

prepare an environmental impact statement—should be identified; impacts that are deemed not to be significant need not be developed extensively in the context of the impact statement, thereby keeping the statement focused on impacts of consequence. Transit projects may also generate environmental benefits; these should be highlighted as well—the impact statement process should draw attention to positive impacts, not just negative impacts.

Once the scope of the environmental study, including significant environmental issues to be addressed, is settled, an annotated outline of the document will be prepared and shared with interested agencies and the public. The outline serves at least three worthy purposes, including (1) documenting the results of the scoping process; (2) contributing to the transparency of the process; and (3) providing a clear roadmap for concise development of the environmental document.

#### Purpose and Need for the Project

The purpose of the Orange Line Extension project is to improve access to the existing Orange Line for southwest side and southwest suburban residents and businesses, support the area's ongoing economic development efforts, and strengthen the competitiveness of transit in the reverse commute market.

The need for the project is based on the following considerations: access to the Orange Line is currently constrained by limited parking availability; access to the Orange Line by bus or auto is unreliable due to congestion approaching the existing terminal station; and few uncongested roadways are available to access the current Orange Line terminal because of wider than usual arterial street spacing, which limits mobility for residents and businesses.

#### Project Location and Environmental Setting

The proposed heavy rail transit (HRT) project area lies about 10 miles southwest of the Chicago Central Area (commonly referred to as the "Loop"). The limits of the project area are 59th Street on the north and 79th Street on the south. Midway International Airport is located in the northwestern portion of the project area.

The project area includes parts of the community areas of Ashburn, Clearing, and West Lawn within the City of Chicago, and is adjacent to the Village of Bedford Park and the City of Burbank. The project area is highly developed, with significant residential (primarily single family), industrial, transportation