

operate scheduled passenger service as a commuter air carrier ("the Statute").

**Barbara J. Hairston,**

*Supervisory Dockets Officer, Docket Operations Alternate Federal Register Liaison.*

[FR Doc. 2010-2843 Filed 2-8-10; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Office of the Secretary**

**Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending October 9, 2009**

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* DOT-OST-2009-0243.

*Date Filed:* October 6, 2009.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* October 27, 2009.

*Description:* Application of Albinati Aeronautics SA ("Albinati") requesting a foreign air carrier permit to the full extent authorized by the Air Transport Agreement between the Government of Switzerland and the Government of the United States of America in order to engage in: (i) Charter foreign air transportation of persons, property and mail from points behind Switzerland via Switzerland and intermediate points to a point or points in the United States and beyond; and (ii) Fifth Freedom charter service pursuant to the prior approval requirements set forth in Part 212 of the Department's Economic Regulations.

*Docket Number:* DOT-OST-2009-0244.

*Date Filed:* October 6, 2009.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* October 27, 2009.

*Description:* Application of Hellenic Imperial Airways ("Hellenic")

requesting exemption authority and a foreign air carrier permit to conduct scheduled and charter foreign air transportation of persons, property, and mail, between a point or points in the European Community and the Member States of the European Union, and a point or points in the United States, to the full extent allowed under the Air Transport Agreement between the United States and the European Community and the Member States of the European Union.

**Barbara J. Hairston,**

*Supervisory Dockets Officer, Docket Operations, Alternate Federal Register Liaison.*

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**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

**[STB Docket No. AB-1052X]**

**Almanor Railroad Company—Abandonment Exemption—in Plumas and Lassen Counties, CA**

Almanor Railroad Company (AL) filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 12.3-mile line of railroad between milepost 0.0 in Chester, and milepost 12.3 near Clear Creek, in Plumas and Lassen Counties, CA. The line traverses United States Postal Service Zip Code 96020.

*AL has certified that:* (1) No local traffic has been handled to or from any customer over the rail line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on March 11, 2010, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by February 19, 2010. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 1, 2010, with: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to AL's representative: Fritz R. Kahn, Fritz R. Kahn, P.C., 1920 N Street, NW., 8th Floor, Washington, DC 20036.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

AL has filed environmental and historic reports which address the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by February 12, 2010. Interested persons may obtain a copy of the EA by writing to SEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), AL shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by AL's filing of a notice of consummation by February 9, 2011, and there are no legal or regulatory barriers to

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,500. See 49 CFR 1002.2(f)(25).

consummation, the authority to abandon will automatically expire.

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

Decided: February 4, 2010.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2010-2746 Filed 2-8-10; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Availability of a Draft Environmental Assessment and Public Information Workshop for the Proposed ORD Airport Surveillance Radar, Model 9, West Chicago, IL

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

**ACTION:** Notice of Availability of a Draft Environmental Assessment and Public Information Workshop for the Proposed ORD Airport Surveillance Radar, Model 9, West Chicago, Illinois.

**SUMMARY:** The Federal Aviation Administration (FAA) proposes to fund, construct, and operate an Airport Surveillance Radar, Model 9 (ASR-9) to serve the western airspace of O'Hare International Airport (ORD), Chicago, IL. The FAA's preferred alternative is to install the ASR-9 at a site near the corner of Kress and Western Roads on the southeast side of DuPage Airport, in western DuPage County. The purpose and need of the ASR-9 is to enhance air traffic management for ORD to achieve the benefits of providing expanded radar coverage that would allow terminal air traffic control for additional new approach routes, as evaluated and approved in the O'Hare Modernization Environmental Impact Statement/Record of Decision.

The FAA has prepared a Draft Environmental Assessment (EA) document in conformance with requirements of the National Environmental Policy Act (NEPA) and FAA Order 1050.1E, *Environmental Impacts: Policies and Procedures*. The Draft EA analyzes the potential environmental effects that may result from the construction and operation of the ASR-9. The impacts of the radar are evaluated at the proposed Kress and Western site and alternative sites, including the no action alternative (i.e., not installing the ASR-9). A copy of the Draft EA is available for public review at the following locations:

West Chicago Public Library, 118 West Washington St., West Chicago, IL;  
St. Charles Public Library, 1 South Sixth Ave., St. Charles, IL;  
Geneva Public Library, 127 James St., Geneva, IL;  
DuPage Airport, 2700 International Drive, West Chicago, IL.

The FAA will host a Public Information Meeting on Thursday, March 11, 2010 from 4 p.m. to 8 p.m. at: Hilton Garden Inn St. Charles, 4070 East Main Street, Saint Charles, IL. The public is invited to attend the meeting.

**ADDRESSES:** The FAA will accept written comments on the Draft EA until close of business on March 26, 2010. Comments on the Draft EA will be accepted at the meeting or may be sent to: Ms. Virginia Marcks, FAA, AJW-C14D, 2300 East Devon Ave., Des Plaines, IL 60018, fax 847-294-7698, e-mail [virginia.marcks@faa.gov](mailto:virginia.marcks@faa.gov). Copies of the Draft EA may be obtained by contacting Ms. Virginia Marcks. Comments received on the Draft EA during the public comment period will be addressed in a Final EA.

**FOR FURTHER INFORMATION CONTACT:** Ms. Virginia Marcks, Manager, Infrastructure Engineering Center, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018. Telephone number: 847-294-7494. E-mail: [virginia.marcks@faa.gov](mailto:virginia.marcks@faa.gov).

Issued in Des Plaines, Illinois February 1, 2010.

**Virginia Marcks,**

Manager, Infrastructure Engineering Center, Chicago, AJW-C14D, Central Service Area.

[FR Doc. 2010-2710 Filed 2-8-10; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2010-0011]

#### Requested Administrative Waiver of the Coastwise Trade Laws

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

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel POLLOCK XIII.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief

description of the proposed service, is listed below. The complete application is given in DOT docket MARAD-2010-0011 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 (68 FR 23084; April 30, 2003), 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 docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

**DATES:** Submit comments on or before March 11, 2010.

**ADDRESSES:** Comments should refer to docket number MARAD-2010-0011. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue, SE., Room W21-203, Washington, DC 20590. Telephone 202-366-5979.

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel POLLOCK XIII is:  
*Intended Commercial Use of Vessel:* "OUPV sightseeing cruises in Suisun Slough and surrounding Delta area."  
*Geographic Region:* "California."

#### Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the