Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

For Further Information: Copies of the applications are available for inspection in the Records Center, East Building, PHH–30, 1200 New Jersey Avenue, Southeast, Washington DC, or at *http://fdms.gov*.

This notice of receipt of applications for modification of special permit is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on April 3, 2009.

Delmer F. Billings,

Director, Office of Hazardous Materials, Special Permits and Approvals.

MODIFICATION SPECIAL PERMITS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
8162–M		Structural Composites Industries, LLC Pomona, CA.	49 CFR 173.302(a)(1); 173.304(a)(1); 175.3.	To modify the special permit to remove one type of material for use in manufacturing cylinders.
11470–M		The Procter & Gamble Company West Chester, OH.	49 CFR 172.301(a)(2)	To modify the special permit to add cargo vessel as an additional mode of transportation.
13292–M		Seaquist Perfect Dispensing Cary, IL.	49 CFR 173.306(h)	To modify the special permit to authorize an increase in volume and to increase the lot size.
14453–M		FIBA Technologies, Inc. Millbury, MA.	49 CFR 180.209	To modify the special permit to authorize an additional Division 2.1 hazardous material and to increase maximum acceptance flaw size used on UE requalification.
14728–M		International Isotopes Inc. Idaho Falls, ID.	49 CFR 173.416(c)	To modify the special permit to authorize an increase in the number of times the packaging can be used and extending the expiration date.
14790–M		Cargill, Incorporated and its affiliated companies Minneapolis, MN.	49 CFR 49 CFR Parts 171–180.	To modify the special permit to and its authorize ID affiliated number markings instead of placards and change from emergency to permanent.

[FR Doc. E9–8222 Filed 4–10–09; 8:45 am]

BILLING CODE 4909–60–M

DEPARTMENT OF TRANSPORTATION

Maritime Administration

Assistance to Small Shipyards Grant Program

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Clarification of application submission date.

Catalog of Federal Domestic Assistance Number: 20.814.

FOR FURTHER INFORMATION CONTACT: Jean E. McKeever, Associate Administrator for Business and Workforce Development, Maritime Administration, 1200 New Jersey Ave., SE., Washington, DC 20590; phone: (202) 366–5737; fax: (202) 366–6988; or e-mail: *jean.mckeever@dot.gov*.

Key Dates: A notice published on April 2, 2009 (74 FR 15049) advised that the period for submitting grant applications for funds under the Omnibus Appropriations Act, 2009, will terminate on May 10, 2009. Inasmuch as May 10, 2009 is a Sunday, such grant applications may be submitted on the following business day, May 11, 2009, by 5 p.m. EDT. Applications received later than this time will not be considered. The Maritime Administrator intends to award such grants no later than July 9, 2009.

Background: Under the Omnibus Appropriations Act, 2009, there is currently $17,500,000 (less two percent for program administration) available for the Small Shipyard Grant program. Separately, the American Recovery and Reinvestment Act of 2009 (ARRA) provided $100 million (less two percent for program administration) for the Small Shipyard Grant program. The availability of this source of funding was announced in the **Federal Register** on March 4, 2009 (74 FR 9474). Applications for grants under the ARRA must be submitted by April 20, 2009. Applications for grants under the ARRA will also be considered for funding under the Omnibus Appropriations Act, 2009, without any additional action required by the applicant. Applications for funding received by the Maritime Administration after 5 p.m. EDT on April 20, 2009 and prior to 5 p.m. EDT on May 11, 2009, will be considered for funding only under the Omnibus Appropriations Act, 2009.

Authority: 46 U.S.C. 54101; 49 CFR 1.66.

Dated: April 7, 2009.

By Order of the Acting Deputy Maritime Administrator.

Leonard Sutter,

Secretary, Maritime Administration.

[FR Doc. E9–8269 Filed 4–10–09; 8:45 am]

BILLING CODE

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Buy America Waiver Notification

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice.

SUMMARY: This notice provides information regarding the FHWA's finding that a Buy America waiver is appropriate for stainless steel clad reinforcing bars used for experimental purposes in a Federal-aid Bridge construction project; SR2 Kirkwood Highway over Pike Creek in Delaware.

DATES: The effective date of the waiver is April 14, 2009.

FOR FURTHER INFORMATION CONTACT: For questions about this notice, please contact Mr. Gerald Yakowenko, FHWA Office of Program Administration, (202) 366–1562, or via e-mail at *gerald.yakowenko@dot.gov*. For legal questions, please contact Mr. Michael Harkins, FHWA Office of the Chief

Counsel, (202) 366–4928, or via e-mail at *michael.harkins@dot.gov.* Office hours for the FHWA are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded from the **Federal Register's** home page at: *http://www.archives.gov* and the Government Printing Office's database at: *http://www.access.gpo.gov/nara.*

Background

The FHWA's Buy America policy in 23 CFR 635.410 requires a domestic manufacturing process for any steel or iron products (including protective coatings) that are permanently incorporated in a Federal-aid construction project. The regulation also provides for a waiver of the Buy America requirements when the application of such requirements would be inconsistent with the public interest or when satisfactory quality domestic steel and iron products are not sufficiently available. This notice provides information regarding the FHWA's finding that a Buy America waiver is appropriate for stainless steel clad reinforcing bars used for experimental purposes in a Federal-aid Bridge construction project administered by the Delaware Department of Transportation (DelDOT).

In accordance with Division K, section 130 of the ''Consolidated Appropriations Act, 2008'' (Pub. L. 110–161), the FHWA published a notice of intent to issue a waiver on its Web site for experimental use of stainless steel clad reinforcing bars for a Federal-aid Bridge project in Delaware (*http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=29*) on February 19. The FHWA evaluated several comments received in response to the notice. Some commenters suggested that solid stainless rebar should be used and that stainless clad rebar may be more expensive than solid stainless rebar. Other commenters disagreed with this position and stated that additional experimental review is not required. The Delaware DOT's waiver request is to evaluate the stainless clad reinforcing bars, which have not previously been used in the State, along with two other types of corrosion resistant reinforcing steels under an experimental project. The use of this product in DelDOT's bridge project will enable the State to conduct its own evaluation of this product. Thus, the FHWA agrees with the Delaware DOT that it is in the public interest to waive the Buy America requirements for this experimental project; therefore, the FHWA concludes that a Buy America waiver is appropriate as provided by 23 CFR 635.410(c)(1).

In accordance with the provisions of section 117 of the SAFETEA–LU Technical Corrections Act of 2008 (Pub. L. 110–244, 122 Stat. 1572), the FHWA is providing this notice as its finding that a waiver of Buy America requirements is appropriate. The FHWA invites public comment on this finding for an additional 15 days following the effective date of the finding. Comments may be submitted to the FHWA's Web site via the link provided to the Delaware waiver page noted above.

(Authority: 23 U.S.C. 313; Pub. L. 110–161, 23 CFR 635.410)

Issued on April 7, 2009.

King W. Gee,

Associate Administrator for Infrastructure, Federal Highway Administration.

[FR Doc. E9–8334 Filed 4–10–09; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Erie County, NY

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed bridge replacement project (PIN 5758.17) located in Erie County, New York.

FOR FURTHER INFORMATION CONTACT: Jeffrey W. Kolb, P.E., Division Administrator, Federal Highway Administration, New York Division, Leo W. O'Brien Federal Building, 7th Floor Room 719, Clinton Avenue and North Pearl Street, Albany, New York 12207, Telephone: (518) 431–4127; or Alan E. Taylor, P.E., Regional Director, NYSDOT Region 5; 100 Seneca Street, Buffalo NY 14203, Telephone: (716) 847–3238; or Steven P. Ranalli, P.E., Senior Project Manager, Erie Canal Harbor Development Corporation (ECHDC), 95 Perry Street, 5th Floor, Buffalo, NY 14203, Telephone: (716) 846–8241.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the New York State Department of Transportation (NYSDOT) and the Erie Canal Harbor Development Corporation (ECHDC), a subsidiary of the New York State Urban Development Corporation d/b/a/Empire State Development Corporation (ESDC), will prepare an environmental impact statement (EIS) in accordance with the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA–LU) Section 6002 for a National Environmental Policy Act (NEPA) ''Class I'' action on a proposal to replace the former South Michigan Avenue Bridge in the City of Buffalo, Erie County.

A transportation facility is needed that provides a direct link from the inner harbor area to the outer harbor area and providing local access between the two areas while maintaining adequate waterway access for commercial and recreational craft. The facility would be located in one of several locations within a 1.5 mile corridor extending from a northern terminus at the mouth of the Buffalo River (in the vicinity of the Erie Basin Marina) to a southern terminus near the southern navigation limit of the City Ship Canal (west of the existing Ohio Street Bridge) in the inner and outer harbor areas of the City of Buffalo (containing various local streets that end short of the Buffalo River or the City Ship Canal). The range of alternatives will include no action and give consideration to locations derived from previous studies that investigated reconnecting the harbor. Alternatives under consideration include: (1) Taking no action; (2) replacing the South Michigan Avenue Bridge on existing alignment; and (3) constructing a new bridge on new alignment across the Buffalo River and/or City Ship Canal. Additional input from Participating and Cooperating Agencies, and from the public, will be necessary before a final decision will be made regarding the full range of alternatives to be studied.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations, citizens and other project stakeholders. A series of public information meetings, including a formal NEPA scoping meeting, will be held in the City of Buffalo between May 2009 and August 2011. In addition, a formal NEPA scoping meeting and a public hearing will be held. Public notice will be given of the time and place of the meetings and hearings. The draft EIS will be available for review and comment by the public and agencies.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties.