

9. *Statement for Determining Continuing Eligibility, Supplemental Security Income Payment(s)—20 CFR Subpart B, 416.204—0960—0416.* SSA uses the information collected on form SSA-8203-BK for high-error-profile (HEP) redeterminations of disability to

determine whether SSI recipients have met and continue to meet all statutory and regulatory requirements for SSI eligibility and whether they have been, and are still receiving, the correct payment amount. The information is normally completed in field offices by

personal contact (face-to-face or telephone interview) using the automated Modernized SSI Claim System (MSSIGS). The respondents are recipients of Title XVI benefits.  
*Type of Request:* Revision of an OMB-approved information collection.

Collection method	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated annual burden hours
MISSIGS .....	109,012	1	20	36,337
MISSIGS/Signature Proxy .....	36,338	1	19	11,507
Paper .....	25,650	1	20	8,550
Totals .....	171,000	.....	.....	56,394

Dated: July 26, 2006.  
**Elizabeth A. Davidson,**  
*Reports Clearance Officer, Social Security Administration.*  
 [FR Doc. E6-12255 Filed 7-28-06; 8:45 am]  
**BILLING CODE 4191-02-P**

**DEPARTMENT OF TRANSPORTATION  
 FEDERAL AVIATION  
 ADMINISTRATION**

**Notice of Availability of Draft Advisory Circulars, Other Policy Documents and Proposed Technical Standard Orders**

**AGENCY:** Federal Aviation Administration (FAA), DOT.  
**ACTION:** This is a recurring Notice of Availability, and request for comments, on the draft advisory circulars (ACs), other policy documents, and proposed technical standard orders (TSOs) currently offered by the Aircraft Certification Service.

**SUMMARY:** The FAA's Aircraft Certification Service publishes proposed non-regulatory documents that are available for public comment on the Internet at [http://www.faa.gov/aircraft/draft\\_docs/](http://www.faa.gov/aircraft/draft_docs/).

**DATES:** We must receive comments on or before the due date for each document as specified on the Web site.

**ADDRESSES:** Send comments on proposed documents to the Federal Aviation Administration at the address specified on the Web site for the document being commented on, to the attention of the individual and office identified as point of contact for the document.

**FOR FURTHER INFORMATION CONTACT:** See the individual or FAA office identified on the Web site for the specified document.

**SUPPLEMENTARY INFORMATION:  
 Comments Invited**

When commenting on draft ACs, other policy documents or proposed TSOs, you should identify the document by its number. The Director, Aircraft Certification Service, will consider all comments received on or before the closing date before issuing a final document. You can obtain a paper copy of the draft document or Proposed TSO by contacting the individual or FAA office responsible for the document as identified on the Web site. You will find the draft ACs, other policy documents and proposed TSOs on the "Aircraft Certification Draft Documents Open for Comment" Web site at [http://www.faa.gov/aircraft/draft\\_docs/](http://www.faa.gov/aircraft/draft_docs/). For Internet retrieval assistance, contact the AIR Internet Content Program Manager at 202-267-8361.

**Background**

We do not publish an individual **Federal Register** Notice for each document we make available for public comment. Persons wishing to comment on our draft ACs, other policy documents and proposed TSOs can find them by using the FAA's Internet address listed above. This notice of availability and request for comments on documents produced by the Aircraft Certification Service will appear again in 30 days.

Issued in Washington, DC on July 25, 2006.

**Terry Allen,**  
*Acting Manager, Production and Airworthiness Division Aircraft Certification Service.*  
 [FR Doc. 06-6566 Filed 7-28-06; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION  
 Federal Highway Administration**

**Notice of Final Federal Agency Actions on Proposed Highways in Texas**

**AGENCY:** Federal Highway Administration (FHWA), DOT.  
**ACTION:** Notice of Limitation on claims for judicial review of actions by FHWA and other Federal agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(1)(1). The actions relate to various proposed highway projects in the State of Texas. Those actions grant licenses, permits, and approvals for the projects.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(1)(1). A claim seeking judicial review of the Federal agency actions on any of the listed highway projects will be barred unless the claim is filed on or before January 29, 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:** Salvador Deocampo, District Engineer, Texas Division, Federal Highway Administration, 826 Federal Building Room 826 300 E. 8th Street Austin, Texas 78701, 8 a.m. to 5 p.m. Monday through Friday, 512-536-5950, [salvador.deocampo@fhwa.dot.gov](mailto:salvador.deocampo@fhwa.dot.gov). Ms. Dianna Noble, P.E., Director Environmental Affairs Division, Texas Department of Transportation, 118 E. Riverside, Austin, Texas, 78704; 512-416-2734; e-mail: [dnoble@dot.state.tx.us](mailto:dnoble@dot.state.tx.us). Texas Department of Transportation normal

business hours are 8 a.m. to 5 p.m. (central time) Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the highway projects in the State of Texas that are listed below. The actions by the Federal agencies on the projects, and the laws under which such actions were taken, are described in the documented environmental assessments (EAs), issued in connection with the projects, and in other documents in the FHWA project record for the project. The EA and other documents from the FHWA project record files for the listed projects are available by contacting the FHWA or TxDOT at the addresses provided above.

This notice applies to all Federal agency decisions on the listed projects as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

I. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act (FAHA) [23 U.S.C. 109].

II. Air: Clean Air Act (CAA), 42 U.S.C. 7401–7671(q).

III. Land: Section 4(f) of the Department of Transportation Act of 1966 (4f) [49 U.S.C. 303].

IV. Wildlife Endangered Species Act (ESA) [16 U.S.C. 1531–1544 and Section 1536], Migratory Bird Treaty Act (MBTA) [16 U.S.C. 703–712].

V. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended (106)[16 U.S.C. 470(f) *et seq.*]; Archeological Resources Protection Act of 1977 (ARPA) [16 U.S.C. 470(aa)–11]; Archeological and Historic Preservation Act (AHPA) [16 U.S.C. 469–469(c)].

VI. Social and Economic: Civil Rights Act of 1964 (Civil Rights) [42 U.S.C. 2000(d)–2000(d)(1)].

VII. Wetlands and Water Resources: Clean Water Act, 33 U.S.C. 1251–1337 (Section 404, Section 401, Section 319); Rivers and Harbors Act of 1899 (RHA), 33 U.S.C. 401–406.

VIII. Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 11514 Protection and Enhancement of Environmental Quality.

The projects subject to this notice are:

1. *Project Location:* City of Dallas, Dallas County, Interstate Highway (IH)–30 and IH–35East (IH–35E). Project Reference Number: Texas Department of Transportation (TxDOT) CSJ: 0009–11–181, etc. Project Type: Widen and Reconstruct Roadway near downtown Dallas with a 2-Lane Reversible High

Occupancy Vehicle/Managed (HOV/M), 12 freeway lanes (6 in each direction), and frontage roads: 2 or 3 lanes in each direction. Project Length:

Approximately 11 miles. General Purpose: To improve safety and traffic operations and to reduce congestion along IH–30, IH–35E and the interchange of IH–30 and IH–35E near downtown Dallas. Final agency actions taken under: NEPA, FAHA, CAA, Section 4(f), Section 106, ESA, MBTA, ARPA, AHPA, Civil Rights Act, RHA, Section 401, E.O. 11990, and E.O. 11514. NEPA Document: Environmental Assessment (EA) & Section 4(f) evaluation/Finding Of No Significant Impact (FONSI) issued July 28, 2005. Document available at: <http://www.projectpegasus.org/>.

2. *Project Location:* City of Dallas, Dallas County, Spur 366 (Woodall Rogers) from IH–35E to Beckley Avenue/Singleton Boulevard. Project Reference Number: TxDOT CSJ: 0196–07–018. Project Type: Extension of existing roadway near the northern boundary of The City of Dallas's central business district. Project Length: Approximately one (1) mile. General Purpose: To reduce traffic congestion, improve mobility, improve design deficiencies, and improve system linkage. Final agency actions taken under: NEPA, FAHA, CAA, ESA, MBTA, ARPA, AHPA, Civil Rights Act, Section 404 [United States Army Corps of Engineers (USACE) Nationwide Permit Number (NWP)14], RHA, Section 401, E.O. 11990, and E.O. 11514. NEPA document: EA/FONSI issued July 20, 2005. Document available at: <http://www.projectpegasus.org/wre.htm>.

3. *Project Location:* Denton County, FM 2499, from FM 407 to FM 2181 (Swisher Road). Project Reference Number: TxDOT CSJ: 2681–01–009. Project Type: Construct a four lane divided urban arterial on new location. Project Length: Approximately four and seven tenths (4.7) miles. General Purpose: To reduce traffic congestion, increase people and goods-carrying capacity within the project area, and improve system linkage. Final agency actions taken under: NEPA, FAHA, CAA, Section 4(f), Section 106, ESA, MBTA, ARPA, AHPA, Civil Rights Act, Section 404 (USACE NWP14), Section 401, E.O. 11990, and E.O. 11514. NEPA Document: EA & Section 4(f) evaluation/FONSI issued June 6, 2005.

4. *Project Location:* City of Dallas, Dallas County, Loop 12, from W. Lawther Drive to east of Goforth Drive. Project Reference Number: TxDOT CSJ: 0353–05–084. Project Type: Raise existing three lanes in each direction roadway and bridges out of the 100 year

floodplain. Project Length: Approximately two and seven tenths miles (2.7). General Purpose: To improve bridge and roadway deficiencies. Final agency actions taken under: NEPA, FAHA, CAA, ESA, MBTA, ARPA, AHPA, Civil Rights Act, Section 404 (USACE NWP 3 and 25), Section 401, and E.O. 11514. NEPA Document: EA/FONSI issued November 29, 2005.

5. *Project Location:* State Highway (SH) 121 from 0.23 miles West of Business SH 121 to East of MacArthur Boulevard in the Counties of Dallas and Denton. Project Reference Number: TxDOT CSJ: 3547–01–001, etc. Project Type: The project will be for tolling of approximately two (2) miles of a 6 lane (3 in each direction) controlled access road with three lane frontage roads in each direction. The project will be constructed within existing right-of-way. Project Length: Approximately two (2) miles. General Purpose: The project will improve system linkage and mobility in the area in response to current and future traffic demand needs and development along SH 121. Final agency actions taken under: NEPA, FAHA, CAA, ESA, MBTA, ARPA, AHPA, Civil Rights Act, Section 401, E.O. 11990, and E.O. 11514. NEPA Document: EA/FONSI issued April 14, 2006. Document available at: <http://www.keepitmovingdallas.com>.

6. *Project Location:* State Highway (SH) 121 from east of MacArthur Boulevard to the Dallas North Tollway in the Counties of Denton and Collin. Project Reference Number: TxDOT CSJ: 0364–03–065, etc. Project Type: The project will be for tolling of 11 miles of a 6 lane (3 in each direction) controlled access road with 3 lanes of frontage roads in each direction. Project Length: Approximately 11 miles. General Purpose: The project will improve system linkage and mobility in the area in response to current and future traffic demand needs and development along SH 121. Final agency actions taken under: NEPA, FAHA, CAA, Section 106, ESA, MBTA, ARPA, AHPA, Civil Rights Act, Section 404 (USACE NWP14), Section 401, E.O. 11990, and E.O. 11514. NEPA Documents: Project was originally three NEPA documents done for sections of SH 121 with logical termini and were found to still be valid on on April 14, 2006. Actual EA/FONSIs were determined on April 13, 1990 (section from east of MacArthur Blvd. East to just east of IH 35E), November 11, 1991 (section from East of IH35E to FM 423) and on September 9, 2005 (section from FNM 243 to DNT). Document available at: <http://www.keepitmovingdallas.com>.

(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: July 21, 2006.

**Salvador Deocampo,**

*District Engineer.*

[FR Doc. 06-6578 Filed 7-28-06; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2005-22936]

#### Hours of Service of Drivers; Application for Exemption; Landstar System, Inc.

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of application for exemption; request for comments.

**SUMMARY:** FMCSA announces that it has received an application from Landstar System, Inc. (Landstar) for an exemption from the commercial motor vehicle (CMV) drivers' hours-of-service regulations for its drivers when transporting high-security cargo that requires constant attendance. The HOS regulation requires that CMV drivers using the sleeper-berth exception remain in the sleeper berth for at least 8 consecutive hours during one of the 2 rest periods used to accumulate the equivalent of 10 hours off duty. Landstar states that, for team-driver operations, this prevents the driver in the sleeper berth from attending to the cargo while the other driver takes a restroom break, and conflicts with requirements for all persons to exit the vehicle for a security inspection when entering certain military installations. FMCSA requests public comment on the Landstar application for exemption.

**DATES:** Comments must be received on or before August 30, 2006.

**ADDRESSES:** You may submit comments identified by Docket Number FMCSA-2005-22936 by any of the following methods:

- **Web site:** <http://dmses.dot.gov/submit/>. Follow the instructions for submitting comments to the DOT Docket Management System (DMS) Web site.
- **Fax:** 1-202-493-2251.
- **Mail:** Docket Management Facility; U.S. Department of Transportation, 400

Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- **Hand Delivery:** Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

**Instructions:** All submissions must include the Agency name and docket number for this notice. Note that all comments received will be posted without change to <http://dms.dot.gov> including any personal information provided. Please see the Privacy Act heading for further information.

**Docket:** To read background documents or comments received, go to <http://dms.dot.gov> at any time or Room PL-401 on the Plaza Level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The DMS is available 24 hours each day, 365 days each year. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, or other entity). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477, Apr. 11, 2000). This statement is also available at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Yager, Chief, Driver and Carrier Operations Division, Office of Bus and Truck Standards and Operations, MC-PSD, Federal Motor Carrier Safety Administration, 400 Seventh Street, SW., Washington, DC 20590-0001. Telephone: 202-366-4009. E-mail: [MCPSD@fmcsa.dot.gov](mailto:MCPSD@fmcsa.dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4007 of the Transportation Equity Act for the 21st Century (Pub. L. 105-178, 112 Stat. 107, June 9, 1998; 49 U.S.C. 31315 and 31136(e)) provides authority to grant exemptions from motor carrier safety regulations. On December 8, 1998, the FMCSA's

predecessor published an interim final rule implementing sec. 4007 (63 FR 67600). On August 20, 2004, FMCSA published a final rule (69 FR 51589) that requires the Agency to publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity for public comment on the request and to inspect information relevant to the application, including any safety analyses that have been conducted.

The Agency reviews the safety analyses and the public comments, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If the Agency denies the request, it must state the reason for doing so. If the Agency grants the exemption, the notice must specify the person or class of persons receiving the exemption, and the regulatory provision or provisions from which exemption is being granted. The notice must also specify the effective period of the exemption (up to 2 years), and explain the terms and conditions of the exemption. The exemption may also be renewed (49 CFR 381.300(b)).

#### Request for Exemption

The hours-of-service (HOS) regulations for commercial motor vehicle (CMV) drivers in 49 CFR part 395 apply to motor carriers and drivers operating CMVs in interstate commerce, as defined in 49 CFR 390.5. Landstar transports sensitive cargo for the U.S. Department of Defense (DOD). Landstar states this high-risk cargo must be attended at all times as required by the Federal Motor Carrier Safety Regulations (49 CFR 397.5) and DOD regulations.

Landstar states that, during team-driver operations, the sleeper-berth requirements for at least 8 consecutive hours sleeper-berth use (49 CFR 395.1(g)(ii)(A)(1)) would not allow the first operator (driving) to stop for a comfort break because the second operator (in the sleeper) would not be allowed to attend the vehicle without interrupting his or her 8 consecutive hours in the sleeper berth.

Landstar also states that security procedures at military installations require both drivers to exit the vehicle for a security inspection when the vehicle enters the installation. For team drivers using the sleeper-berth HOS exception, the second operator would have to interrupt his or her 8 hours of