

**DATES:** Effective January 1, 2009 through December 31, 2009.

**FOR FURTHER INFORMATION CONTACT:**

Stanley Kastanas, Director, Office of Substance Abuse Policy, Investigations and Compliance, PHMSA, U.S. Department of Transportation, telephone 202-550-0629 or e-mail [stanley.kastanas@dot.gov](mailto:stanley.kastanas@dot.gov).

**SUPPLEMENTARY INFORMATION:** Operators of gas, hazardous liquid, and carbon dioxide pipelines and operators of liquefied natural gas facilities must select and test a percentage of covered employees for random drug testing. Pursuant to 49 CFR 199.105(c)(2), (3), and (4), the PHMSA Administrator's decision on whether to change the minimum annual random drug testing rate is based on the reported random drug test positive rate for the pipeline industry. The data considered by the Administrator comes from operators' annual submissions of Management Information System (MIS) reports required by 49 CFR 199.119(a). If the reported random drug test positive rate is less than one percent, the Administrator may continue the minimum random drug testing rate at 25 percent. In 2007, the random drug test positive rate was less than one percent. Therefore, the minimum random drug testing rate will remain at 25 percent for calendar year 2009.

In reference to the notice published in 70 FR 20800, PHMSA intends to publish an Advisory Bulletin specifying the methodology for reporting MIS contractor data to PHMSA. Therefore, operators must ensure records on contract employees continue to be maintained.

**Authority:** 49 U.S.C. 5103, 60102, 60104, 60108, 60117, and 60118; 49 CFR 1.53.

Issued in Washington, DC on February 23, 2009.

**Alan Mayberry,**

*Director, Engineering and Emergency Support.*

[FR Doc. E9-4485 Filed 3-2-09; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-364 (Sub-No. 15X)]

#### Mid-Michigan Railroad, Inc.— Discontinuance of Service Exemption—in Kent and Ottawa Counties, MI

On February 11, 2009, Mid-Michigan Railroad, Inc. (MMRR) filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49

U.S.C. 10903 to discontinue service over a 6.94-mile line of railroad between milepost 159.5 at Grand Rapids (Walker) and milepost 166.44 at Marne, in Kent and Ottawa Counties, MI.<sup>1</sup> The line traverses United States Postal Service Zip Codes 49404, 49435, and 49544, and includes the stations of Grand Rapids and Marne.

MMRR states that the line does not contain federally granted rights-of-way. Any documentation in MMRR's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by June 1, 2009.

Any offer of financial assistance (OFA) for subsidy under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,500 filing fee. See 49 CFR 1002.2(f)(25).<sup>2</sup>

All filings in response to this notice must refer to STB Docket No. AB-364 (Sub-No. 15X) and must be sent to: (1) Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001; and (2) Louis E. Gitomer, 600 Baltimore Ave., Suite 301, Towson, MD 21204. Replies to the petition are due on or before March 23, 2009.

Persons seeking further information concerning discontinuance procedures may contact the Board's Office of Public Assistance, Governmental Affairs and Compliance at (202) 245-0238 or refer to the full abandonment and discontinuance regulations at 49 CFR part 1152. Questions concerning

<sup>1</sup> As part of a corporate family transaction, Grand Rapids Eastern Railroad, Inc. (GRE) was merged into MMRR in 1999. See *RailTex, Inc., Mid-Michigan Railroad, Inc., Michigan Shore Railroad, Inc., and Grand Rapids Eastern Railroad, Inc.—Corporate Family Transaction*, STB Finance Docket No. 33693 (STB served Jan. 20, 1999). GRE had leased the line from the Coopersville and Marne Railway Company Line (C&M) in 1997. See *Grand Rapids Eastern Railroad, Inc.—Lease and Operation Exemption—Coopersville and Marne Railway Company Line*, STB Finance Docket No. 33344 (STB served Feb. 10, 1997). C&M had acquired the line from the Central Michigan Railway Company in 1996. See *Coopersville & Marne Railway Company—Acquisition and Operation Exemption—Central Michigan Railway Company*, STB Finance Docket No. 32942 (STB served May 21, 1996).

<sup>2</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Similarly, no environmental or historic documentation is required under 49 CFR 1105.6(c)(2) and 1105.8.

environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 245-0305. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

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

Decided: February 20, 2009.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. E9-4034 Filed 3-2-09; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### Proposed Collection; Comment Request

**ACTION:** Notice and request for comments.

**SUMMARY:** The U.S. Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Community Development Financial Institutions Fund (the "Fund"), an office within the Department of the Treasury, is soliciting comments concerning the CDFI Program Application.

**DATES:** Written comments should be received on or before May 4, 2009 to be assured of consideration.

**ADDRESSES:** Direct all comments to Ruth Jaure, CDFI Program Manager, at the Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, by e-mail to [cdfihelp@cdfi.treas.gov](mailto:cdfihelp@cdfi.treas.gov) or by facsimile to (202) 622-7754. Please note this is not a toll free number.

**FOR FURTHER INFORMATION CONTACT:** The CDFI Program Application may be obtained from the CDFI Program page of the Fund's Web site at <http://www.cdfifund.gov>. Requests for additional information should be directed to Ruth Jaure, CDFI Program Manager, Community Development Financial Institutions Fund, U.S.

Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, or call (202) 622-9156. Please note this is not a toll free number.

**SUPPLEMENTARY INFORMATION:**

*Title:* CDFI Program Application.

*OMB Number:* 1559-0021.

*Abstract:* The Community Development Financial Institutions (CDFI) Program was established by the Riegle Community Development and Regulatory Improvement Act of 1994 to use Federal resources to invest in and build the capacity of CDFIs to serve low-income people and communities lacking adequate access to affordable financial products and services. Through the CDFI Program, the CDFI Fund provides: (1) Financial Assistance (FA) awards to CDFIs that have Comprehensive Business Plans for creating demonstrable community development impact through the deployment of credit, capital, and financial services within their respective Target Markets or the expansion into new Investment Areas, Low-Income Targeted Populations, or Other Targeted Populations, and (ii) Technical Assistance (TA) grants to CDFIs and entities proposing to become CDFIs in order to build their capacity to better address the community development and capital access needs of their existing or proposed Target Markets and/or to become certified CDFIs. The regulations governing the CDFI Program are found at 12 CFR part 1805 and provide guidance on evaluation criteria and other requirements of the CDFI Program. The questions that the application contains, and the information generated thereby, will

enable the Fund to evaluate applicants' activities and determine the extent of applicants' eligibility for a CDFI Program award. Failure to collect this information could result in improper uses of Federal funds.

*Current Actions:* Extension of a currently approved collection.

*Type of Review:* Regular review.

*Affected Public:* Certified CDFIs and entities seeking CDFI Certification.

*Estimated Number of Respondents:* 200.

*Estimated Annual Time per Respondent:* 100 hours.

*Estimated Total Annual Burden Hours:* 20,000 hours.

*Requests for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval. All comments will become a matter of public record and may be published on the Fund Web site at <http://www.cdfifund.gov>. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the Fund, including whether the information shall have practical utility; (b) the accuracy of the Fund's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

The Fund specifically requests comments concerning the following: (1)

Whether offering separate applications for the FA and TA components would reduce the burden on applicants; (2) whether the distinct business models followed by different types of CDFIs (such as banks, credit unions, and venture capital funds) merit individualized applications; (3) if an applicant eligibility screen should be applied before the application deadline, allowing applicants to determine beforehand if they would be qualified to receive an award; (4) if detailed Matching Funds documentation should be collected later in the application review process, and a reasonable amount of time to expect an applicant to provide this data; (5) the merit of further reducing the narrative page limits in the application; (6) the potential burden of requiring specific documents to support proposed uses of TA funds, namely Statements of Work for professional services, and résumés and/or position descriptions for personnel; and (7) the potential burden of requiring additional documentation to support the application, namely tax returns (Form 990), Certificates of Good Standing, operating budgets, lists of sources of capital, rate sheets for products and services, and borrower characteristic profiles.

**Authority:** 12 U.S.C. 1834a, 4703, 4703 note, 4713, 4717; 31 U.S.C 321; 12 CFR part 1806.

Dated: February 25, 2009.

**Donna J. Gambrell,**

*Director, Community Development Financial Institutions Fund.*

[FR Doc. E9-4520 Filed 3-2-09; 8:45 am]

**BILLING CODE 4810-70-P**