

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

No written comments were solicited or received with respect to the proposed rule change.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act<sup>11</sup> and Rule 19b-4(f)(6) thereunder.<sup>12</sup> Because the proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>13</sup> and Rule 19b-4(f)(6)(iii) thereunder.<sup>14</sup>

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NYSEArca-2009-19 on the subject line.

<sup>11</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

<sup>12</sup> 17 CFR 240.19b-4(f)(6).

<sup>13</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>14</sup> 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires the Exchange to give the Commission written notice of the Exchange's intent to file the proposed rule change along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied the pre-filing requirement.

*Paper Comments*

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSEArca-2009-19. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSEArca-2009-19 and should be submitted on or before April 17, 2009.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>15</sup>

**Florence E. Harmon,**  
*Deputy Secretary.*

[FR Doc. E9-6831 Filed 3-26-09; 8:45 am]

**BILLING CODE 8010-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration # 11677 and # 11678]**

**Oregon Disaster Number OR-00029**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 2.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for

<sup>15</sup> 17 CFR 200.30-3(a)(12).

the State of Oregon (FEMA-1824-DR), dated 03/02/2009.

*Incident:* Severe Winter Storm, Record and Near Record Snow, Landslides, and Mudslides.

*Incident Period:* 12/20/2008 through 12/26/2008.

*Effective Date:* 03/18/2009.

*Physical Loan Application Deadline Date:* 05/01/2009.

*Economic Injury (EIDL) Loan Application Deadline Date:* 12/02/2009.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of OREGON, dated 03/02/2009, is hereby amended to include the following areas as adversely affected by the disaster.

*Primary Counties:* Tillamook.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Roger B. Garland,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. E9-6849 Filed 3-26-09; 8:45 am]

**BILLING CODE 8025-01-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**[Summary Notice No. PE-2009-13]**

**Petition for Exemption; Summary of Petition Received**

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

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of a special condition. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number

involved and must be received on or before April 16, 2009.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2009-0041 using any of the following methods:

- *Government-Wide Rulemaking Web Site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy:* We post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

*Docket:* To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mark Forseth, Transport Airplane Directorate, ANM-113, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98057-3356, fax 425-227-1320, telephone 425-227-2796.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on March 24, 2009.

**Pamela Hamilton-Powell,**  
*Director, Office of Rulemaking.*

#### **Petition for Exemption**

*Docket No.:* FAA-2009-0041.  
*Petitioner:* International Steeplechase Finance Corporation (ILFC).  
*Description of Relief Sought:* ILFC requests relief from the requirements of

Special Conditions No. 25-367-SC, for seat installations on two Boeing Model 777 Series airplanes. Due to seat-weight constraints, the seats contain composite handrails that may not comply with the heat-release and smoke-emission testing requirements.

[FR Doc. E9-6893 Filed 3-26-09; 8:45 am]

**BILLING CODE 4910-13-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

#### **Safety Advisory 2009-01**

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

**ACTION:** Notice of safety advisory; side sill failure of ACF Center Flow® Covered Hopper Cars.

**SUMMARY:** FRA is recommending inspection and, when necessary, repair of American Car and Foundry (ACF) Center Flow® Covered Hopper Cars, when appropriate. These cars have a history of side sill failure. On April 16, 2008, FRA was notified that car CSXT 254526, an ACF Center Flow® Covered Hopper Car, experienced a catastrophic side sill failure. Both sides of the side sill, the side sheet, and the roof fractured. As a result, the A-end of the car was pulled away from the rest of the car body.

**FOR FURTHER INFORMATION CONTACT:** Tom Blankenship, Mechanical Engineer, MP&E Division (RRS-14); FRA Office of Safety Assurance and Compliance, 1200 New Jersey Avenue, SE., Washington, DC 20590, telephone: (202) 493-6446.

**SUPPLEMENTARY INFORMATION:** ACF Center Flow® Covered Hopper Cars have a history of side sill failures. Records from 1999 indicate ACF has constructed approximately 120,000 center flow cars since 1978 using this side sill design. On May 14, 1979, the Association of American Railroads (AAR) issued Circular Letterc-5162 notifying railroads that a number of ACF Center Flow® Covered Hopper Cars were discovered with side sill cracks, and recommended that the cars be inspected. ACF issued Procedure Number P064, "Maintenance of Side Sills-Body Bolster Area," in 1989, providing detailed instructions for inspection and repair of all ACF Center Flow® Covered Hopper Cars. On February 19, 1999, AAR issued Maintenance Advisory MA-53, (c-8991), advising the industry of additional side sill failures on ACF Center Flow® Covered Hopper Cars.

As a result of the above-referenced incident that occurred on April 16,

2008, CSX Transportation, Inc., (CSXT) has recently taken additional action by issuing inspection and repair instructions for its cars (CSXT Car Maintenance Instruction 13-1004, dated April 28, 2008). The instructions provide guidance on how to properly inspect and handle the ACF Center Flow® Covered Hopper Cars.

*Recommended Action:* Recognizing the need to ensure safety, FRA recommends that railroads and car owners that operate the ACF Center Flow® Covered Hopper Cars inspect, and when necessary, repair and reinforce the side sills (at four locations) using ACF Procedure Number P064 (dated January 31, 1994). This ACF Procedure Number P063 may be obtained by contacting Mr. Roger Dalske, Manager-Product Engineering, American Railcar Industries, at (636) 940-6185; e-mail: [rdalske@americanrailcar.com](mailto:rdalske@americanrailcar.com).

FRA may modify this Safety Advisory (2009-01), issue additional safety advisories, or take other appropriate action it deems necessary to ensure the highest level of safety on the Nation's railroads.

Issued in Washington, DC, on March 24, 2009.

**Grady C. Cothen, Jr.,**

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

[FR Doc. E9-6919 Filed 3-26-09; 8:45 am]

**BILLING CODE 4910-06-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Transit Administration**

#### **Intent To Prepare an Environmental Impact Statement for Transit Improvements in the Westside Extension Transit Corridor, Los Angeles, CA**

**AGENCY:** Federal Transit Administration, DOT.

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

**SUMMARY:** The Federal Transit Administration (FTA) and the Los Angeles County Metropolitan Transportation Authority (LACMTA) intend to prepare an Environmental Impact Statement (EIS) for the proposed transit improvements in the Westside Extension Transit Corridor in Los Angeles County, California. The proposed project would provide for transit improvements within the Westside Extension Transit Corridor.

The EIS will be prepared in accordance with the requirements of the National Environmental Policy Act