

carriers at EWR during peak operating hours. The order took effect June 20, 2008, and in the absence of an extension, it will expire on October 24, 2009.

The FAA established the order's October 2009 expiration date to permit time to promulgate a final rule that would control congestion at EWR, and the FAA adopted a final rule to manage congestion at EWR that would have continued operational limits at the airport beyond October 2009. 73 FR 60544 (Oct. 10, 2008). However, the rule was stayed by the U.S. Court of Appeals for the District of Columbia Circuit prior to the rule's December 9, 2008 effective date. The FAA is currently soliciting comments on a proposal to rescind the final rule. 74 FR 22714 (May 14, 2009). As a result of the FAA's reconsideration of the rule, the court is holding in abeyance the briefing schedule in the rule's associated litigation.

In light of the events that have transpired since the May 2008 order took effect, it is now unlikely that the FAA will have an effective final rule on the May 2008 order's original expiration date. In the absence of the FAA's extension of the order, the FAA anticipates a return of the congestion-related delays that precipitated the voluntary schedule reductions and adjustments reflected in the May 2008 order. The hourly capacity at EWR has not increased significantly since the order took effect late last spring. Because the demand for operations at New York-area airports remains high, the FAA has determined that an extension of the May 2008 order appears to be appropriate while the FAA identifies the appropriate long-term solution to congestion at EWR.

#### *Order To Show Cause:*

To prevent a recurrence of overscheduling at EWR during the interim between the expiration of the May 2008 order on October 24, 2009, and the effective date of a rule, the FAA tentatively intends to extend the May 2008 order. The limit on scheduled operations that is embodied in the order reflects the FAA's agreements with U.S. and foreign air carriers. As a result, maintaining the order for an additional, finite period constitutes a reasonable approach to preventing unacceptable congestion and delays at EWR until a longer term measure is implemented. The May 2008 order, as extended, would expire on October 30, 2010.

Accordingly, the FAA directs all interested persons to show cause why the FAA should not make final its tentative findings and tentative decision to extend the May 2008 order through October 30, 2010, by filing their written

views in Docket FAA-2008-0221. The FAA does not intend this request for the views of interested persons to address any issues related to the existing final rule or any future congestion management rule. Therefore, any submission to the current docket should be limited to the proposed extension of the May 2008 order.

Issued in Washington, DC, on May 29, 2009.

**Rebecca MacPherson,**

*Assistant Chief Counsel for Regulations.*

[FR Doc. E9-13190 Filed 6-4-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance from certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### **BNSF Railway**

[Docket Number FRA-2008-0032]

The BNSF Railway (BNSF) seeks a waiver of compliance from certain provisions of 49 CFR Part 232, *Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment*. Specifically, they are requesting a waiver from the requirements for performing the single car air brake test as prescribed in 49 CFR 232.305(b)(2), "A railroad shall perform a single car air brake test on a car when \* \* \* a car is on a shop or repair track, as defined in 232.303(a), for any reason and has not received a single car air brake test within the previous 12-month period."

BNSF requests that the single car air brake tests be waived for the replacement of wheels, as this would allow for the efficient systemwide removal and replacement of damaged wheels to include high-impact wheels. BNSF would like to perform these repairs in-train on cars in yards across their system without having to perform a single car air brake test on such cars. BNSF contends this practice would be consistent with the regulatory exception provided in 49 CFR 232.303(a)(2), which states that wheel change-outs on intermodal loading ramps are not

defined as "major repairs," and therefore excepts such intermodal ramps from the definition of a shop or repair track, which excepts such wheel change-outs from single car air brake tests.

BNSF further contends that the removal and replacement of wheels does not affect the brake system and believes that subjecting these cars to single car air brake requirements is unnecessary. BNSF states that by granting this request, they will be able to process more wheel change-outs, thereby increasing the ability to make these safety improvements. BNSF does not believe that granting this waiver will have an adverse effect on the safety of railroad operations.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2008-0032) and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

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

comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78).

Issued in Washington, DC, on June 1, 2009.

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

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. E9-13202 Filed 6-4-09; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket ID PHMSA-2009-0157]

#### Pipeline Safety: Government/Industry Pipeline Research and Development Forum

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of forum.

**SUMMARY:** PHMSA executes a collaborative, coordinated, competitive and co-funded research and development (R&D) program with the pipeline industry and other Federal and State regulators. PHMSA periodically holds a Pipeline R&D Forum to generate recommendations on the future R&D required in addressing mutual challenges. Specifically, this forum will bring government and industry pipeline stakeholders together for the following purposes:

- (1) Develop recommendations to address the technical gaps & challenges for future R&D;
- (2) Identify both short and long term research objectives for liquid/gas transmission and gas distribution pipelines;
- (3) Quantify technical details on identified technical gaps so solicited research is addressing the need effectively; and
- (4) Provide details on the ultimate research goals so appropriate end users are factored into project scopes.

**DATES:** The forum will be held starting on June 24, 2009, at 8 a.m. and concluding on June 25, 2009, at 4 p.m. Pre-Registration is available now and until June 19, 2009, to obtain a name tag to this free public event. Onsite registration will be available for the public on the morning of June 24, 2009. Please note that a Web cast will not be available for the forum. However, presentations will be available on the

R&D Program Web site (<http://primis.phmsa.dot.gov/rd/workshops.htm>) shortly after the forum.

Please visit <http://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=59> for more information on the agenda and reservations.

**ADDRESSES:** The workshop will be held at the Marriott Crystal City, 1999 Jefferson Davis Highway, Arlington, VA 22202, Phone: 1-800-228-9290, or Phone: 1-703-413-5500. The Marriott Web page for this hotel is found at: <http://www.marriott.com/hotels/travel/wascc-crystal-city-marriott-at-reagan-national-airport/> or <http://www.marriott.com/default.mi> and by typing DCA into the City or Airport Code Search.

Hotel reservations must be made on or before June 9, 2009, to receive a rate of \$209 for the nights of Tuesday, June 23 and Wednesday, June 24. Mention "USDOT R&D Forum" when you make your reservations to receive this rate. Please call the Marriott for more information on the Americans with Disabilities Act amenities at this location.

**FOR FURTHER INFORMATION CONTACT:** Robert Smith at (202) 366-3814, or by e-mail at [robert.w.smith@dot.gov](mailto:robert.w.smith@dot.gov).

**SUPPLEMENTARY INFORMATION:**

*Registration:* Members of the public may attend this free forum. To help assure that adequate space is provided, all attendees are encouraged to pre-register for the forum at <http://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=59>. Hotel reservations must be made by contacting the hotel directly.

*Information on Services for Individuals with Disabilities:* For information on facilities or services for individuals with disabilities, or to request special assistance at the meeting, please contact Robert Smith or the Marriott by June 23, 2009.

Issued in Washington, DC, on May 29, 2009.

**Jeffrey D. Wiese,**

*Associate Administrator for Pipeline Safety.*

[FR Doc. E9-13180 Filed 6-4-09; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF THE TREASURY

### Bureau of the Public Debt

#### Proposed Collection: Comment Request

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

**SUMMARY:** The 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 Bureau of the Public Debt within the Department of the Treasury is soliciting comments concerning the Request by owner or person entitled to payment or reissue of United States Savings Bonds/Notes deposited in safekeeping when original custody receipts are not available.

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

**ADDRESSES:** Direct all written comments to Bureau of the Public Debt, Judi Owens, 200 Third Street, A4-A, Parkersburg, WV 26106-1328, or [judi.owens@bpd.treas.gov](mailto:judi.owens@bpd.treas.gov).

**FOR FURTHER INFORMATION CONTACT:**

Requests for additional information or copies of the form and instructions should be directed to Judi Owens, Bureau of the Public Debt, A4-A, 200 Third Street, Parkersburg, WV 26106-1328, (304) 480-8150.

**SUPPLEMENTARY INFORMATION:** *Title:* Request By Owner Or Person Entitled To Payment Or Reissue Of United States Savings Bonds/Notes Deposited In Safekeeping When Original Custody Receipts Are Not Available.

*OMB Number:* 1535-0063.

*Form Number:* PD F 4239.

*Abstract:* The information is requested to establish ownership and request reissue or payment when original custody receipts are not available.

*Current Actions:* None.

*Type of Review:* Extension.

*Affected Public:* Individuals.

*Estimated Number of Respondents:* 200.

*Estimated Time per Respondent:* 10 minutes.

*Estimated Total Annual Burden Hours:* 34.

*Request For Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of