

the exhibition: "Gifts from the Ancestors: Ancient Ivories of Bering Strait," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at Princeton University Art Museum, Princeton, NJ, from on or about October 3, 2009, until on or about January 10, 2010, and at possible additional exhibitions or venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6467). The address is U.S. Department of State, L/PD, SA-5, 2200 C Street, NW., Suite 5H03, Washington, DC 20522-0505.

Dated: August 27, 2009.

Maura M. Pally,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. E9-21310 Filed 9-2-09; 8:45 am]

BILLING CODE 4710-05-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35288]

Energy Solutions, LLC, d.b.a. Heritage Railroad Corporation—Acquisition and Operation Exemption—Heritage Railroad Corporation

Energy Solutions, LLC, d.b.a. Heritage Railroad Corporation (ES), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from the United States Department of Energy (DOE), and to operate a rail line approximately 7 miles long between milepost 0.0, at a point of connection with a rail line of Norfolk Southern Railway Company, at Blair, TN, and the end of the line at milepost 7.0, at or near

Oak Ridge, TN.¹ This line also includes approximately 3 miles of spur tracks.²

The transaction is expected to be consummated on or after September 17, 2009 (30 days after the exemption was filed).

ES certifies that its projected annual revenues as a result of this transaction will not result in ES becoming a Class II or Class I rail carrier. ES further certifies that its projected annual revenues upon becoming a Class III carrier will not exceed \$5 million.

Pursuant to the Consolidated Appropriations Act, 2008, Public Law 110-161, section 193, 121 Stat. 1844 (2007), nothing in this decision authorizes the following activities at any solid waste rail transfer facility: Collecting, storing, or transferring solid waste outside of its original shipping container; or separating or processing solid waste (including baling, crushing, compacting, and shredding). The term "solid waste" is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than September 10, 2009 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35288, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1890, Chicago, IL 60604-1112.

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

Decided: August 28, 2009.

¹ Heritage Railroad Corporation, a wholly owned subsidiary of Community Reuse Organization of East Tennessee, currently operates the line pursuant to a perpetual easement for a railroad right-of-way granted by the DOE. See *Heritage Railroad Corporation—Lease and Operation Exemption—Rail Line of United States Department of Energy*, STB Finance Docket No. 34372 (STB served July 23, 2003).

² On August 21, 2009, ES filed a corrected verified notice of exemption stating that there are approximately 3 miles of spur tracks more or less, rather than 7.5 miles as erroneously stated.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Kulunie L. Cannon,
Clearance Clerk.

[FR Doc. E9-21267 Filed 9-2-09; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2001-9258; FMCSA-2001-9561; FMCSA-2003-15268; FMCSA-2007-27333]

Qualification of Drivers; Exemption Renewals; Vision

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA previously announced its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 20 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemptions will provide a level of safety that will be equivalent to, or greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

FOR FURTHER INFORMATION CONTACT: Dr. Mary D. Gunnels, Director, Medical Programs, (202) 366-4001, fmcsamedical@dot.gov, FMCSA, Department of Transportation, 1200 New Jersey Avenue, SE., Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m. Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at <http://www.regulations.gov>

Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for a 2-year period if it finds "such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption." The statute also allows the Agency to renew exemptions at the end of the 2-year period. The comment period ended on August 17, 2009.

Discussion of Comments

FMCSA received no comments in this proceeding.

Conclusion

The Agency has not received any adverse evidence on any of these drivers that indicates that safety is being compromised. Based upon its evaluation of the 20 renewal applications, FMCSA renews the Federal vision exemptions for Morris R. Beebe, II, James A. Busbin, Jr., Domenic J. Carassai, Fred W. Duran, Bruce E. Hemmer, Steven P. Holden, Russell R. Inlow, Christopher G. Jarvela, Donald L. Jensen, Darrell D. Kropf, Brad L. Mathna, Vincent P. Miller, Warren J. Nyland, Dennis M. Prevas, Greg L. Riles, Robert N. Taylor, Calvin D. Tomlinson, Wesley E. Turner, Mona J. VanKrieken, and Paul S. Yocum.

In accordance with 49 U.S.C. 31136(e) and 31315, each renewal exemption will be valid for 2 years unless revoked earlier by FMCSA. The exemption will be revoked if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136 and 31315.

Issued on: August 27, 2009.

Larry W. Minor,

Associate Administrator for Policy and Program Development.

[FR Doc. E9-21196 Filed 9-2-09; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Finance Docket No. 35283]

**The Indiana Rail Road Company—
Trackage Rights Exemption—CSX
Transportation, Inc.**

Pursuant to a written trackage rights agreement (Agreement),¹ CSX Transportation, Inc. (CSXT), has agreed to grant non-exclusive overhead trackage rights to The Indiana Rail Road Company (INRD) over CSXT's: (1) Indianapolis Belt Subdivision between the connection of INRD with CSXT at CSXT MP QIB 5.3 and the Hoosier Heritage Railroad in the vicinity of CSXT MP QIB 13.5, a distance of approximately 8.2 miles; (2) Hamilton Connection between CSXT MP QIB 9.0,

approximately, and the point of INRD's State Street Yard leased property in the vicinity of CSXT's Indianapolis Subdivision MP BD 122.0, a distance of approximately 0.5 miles; (3) Hamilton and Prospect Wye Tracks in the vicinity of CSXT MP QIB 9.0 for the purpose of entry into and exit from CSXT's Hawthorne Yard; (4) Indianapolis Subdivision between Hamilton Connection at CSXT MP BD 122.0 approximately, and CP IU at CSXT MP BD 126.5, a distance of approximately 4.5 miles; (5) Indianapolis Terminal Subdivision between CP IU at CSXT MP QI 283.7 and CP AN at the west end of CSXT's Avon Yard at CSXT MP QS 12.5, a distance of approximately 12.7 miles; (6) Louisville Secondary Subdivision between CSXT MP QSL 4.0 at the connection with Louisville & Indiana Railroad Co. (LIRC) and CSXT MP QSL 0.0, a distance of 4 miles, including use of wye tracks in the northeast and southeast quadrants at CP Dale, and wye tracks in the southeast and southwest quadrants at CP IU; (7) Crawfordsville Branch between CP IJ at CSXT MP QSC 0.7 and the connection to the Indianapolis Terminal Subdivision at CP South Hunt at CSXT MP QSC 8.6, a distance of approximately 7.9 miles; and (8) Shelbyville Secondary Subdivision between the connection with the Indianapolis Belt Subdivision at CSXT MP QSS 106.9 and CP IU at CSXT MP QSS 109.3, a distance of approximately 2.4 miles.

The transaction is scheduled to be consummated on September 18, 2009, or the effective date of the exemption (30 days after the amendment to the notice of exemption was filed), whichever is later. The purpose of the trackage rights agreement is (i) to grant INRD trackage rights which will permit INRD to deliver and retrieve carload haulage traffic to and from LIRC at CSXT's Avon Yard,² (ii) to grant INRD trackage rights which will permit it to deliver and retrieve unit train haulage traffic directly to and from LIRC, (iii) to confirm INRD's rights to serve customers in State Street Yard where it operates a plastics transloading facility on track leased from CSXT, and (iv) to revise the commercial terms of an existing trackage rights agreement.³ According to INRD, the trackage rights granted in the Agreement will permit several routings for INRD's traffic

moving to and from Avon Yard for delivery or retrieval of haulage traffic with LIRC, providing CSXT's dispatchers with the greatest flexibility in routing INRD traffic to and from Avon Yard through the congested Indianapolis Terminal area.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Stay petitions must be filed at least 7 days before the exemption becomes effective.

Pursuant to the Consolidated Appropriations Act, 2008, Public Law 110-161, section 193, 121 Stat. 1844 (2007), nothing in this decision authorizes the following activities at any solid waste rail transfer facility: collecting, storing, or transferring solid waste outside of its original shipping container; or separating or processing solid waste (including baling, crushing, compacting, and shredding). The term "solid waste" is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35283, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on John Broadley, John H. Broadley & Associates, P.C., 1054 31st Street, NW., Suite 200, Washington, DC 20007.

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

Decided: August 27, 2009.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Jeffrey Herzig,

Clearance Clerk.

[FR Doc. E9-21048 Filed 9-2-09; 8:45 am]

BILLING CODE 4915-01-P

¹ As required by 49 CFR 1180.6(a)(7)(ii), INRD states that it will submit a copy of the executed agreement within 10 days of the date the agreement is executed.

² INRD notes that it already interchanges traffic with CSXT at Avon Yard pursuant to an interchange agreement between the parties.

³ See *The Indiana Rail Road Company—Trackage Rights Exemption—Consolidated Rail Corporation*, STB Finance Docket No. 33380 (STB served Apr. 30, 1997).