

themselves should write to the Director, Office of Information Programs and Services (address above).

**RECORD SOURCE CATEGORIES:**

These records contain information obtained primarily from the individual who is the subject of these records.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE PRIVACY ACT:**

None.

[FR Doc. E9-29451 Filed 12-9-09; 8:45 am]

**BILLING CODE 4710-24-P**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[STB Finance Docket No. 35312]

**Massachusetts Department of Transportation—Acquisition Exemption—Certain Assets of CSX Transportation, Inc.**

Massachusetts Department of Transportation (MassDOT), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from CSX Transportation, Inc. (CSXT) certain physical assets of railroad lines and associated rights-of-way in Massachusetts, including: (1) Portions of the Grand Junction Branch, extending 4.87 miles between milepost QBG 0.00 and milepost QBG 2.70, and between milepost QBG 5.70 and milepost QBG 7.87; (2) a portion of the Boston Terminal Running Track, extending 1.10 miles between milepost QBB 0.00 and milepost QBB 1.10; (3) the New Bedford Secondary, extending 18.48 miles between milepost QN 13.40 (at Cotley Junction) and milepost QN 31.80 (at New Bedford), including CSXT's property interests in the right-of-way and track assets of the North Dartmouth Industrial Track (also known as the Watuppa Branch) between milepost QND 0.0 and milepost QND 0.08 and CSXT's property interests in the right-of-way but not the track assets between milepost QND 0.08 and milepost QND 6.0;<sup>1</sup> (4) the Fall River Secondary,

<sup>1</sup> CSXT previously sold the track and material, and leased the underlying real estate, on the Watuppa Branch between mileposts QND 0.08 and QND 6.0 to the Bay Colony Railroad Corporation (BCLR). See *Bay Colony Railroad Corporation—Acquisition and Operation Exemption—CSX Transportation, Inc., as Operator for New York Central Lines, LLC*, STB Finance Docket No. 34446 (STB served Jan. 16, 2004). CSXT states that, in this transaction, it will convey the full scope of its ownership interest in the Watuppa Branch to MassDOT, subject to BCLR's rights and interests and CSXT's retained easement over the first 0.08 miles of the branch. Pursuant to an agreement between CSXT and MassDOT, BCLR will continue to provide common carrier service over the 5.92

extending 14.20 miles between milepost QNF 0.00 (at Myricks) and milepost QNF 14.2 (at Fall River, Massachusetts—Rhode Island state line); (5) the Framingham to Worcester segment of the Boston Main Line (the BML-West), extending approximately 22.92 miles between milepost QB 21.38 (at Framingham) and milepost QB 44.30 (at Worcester); and (6) the track assets, but not the underlying real estate, constituting the 9.71-mile rail line between milepost QB 1.12 (at CP Cove) and milepost QB 10.83 (at Newton/Riverside) (the BML-East). These properties, which include approximately 71.28 miles of rail line, will be referred to collectively as “the Railroad Assets.”<sup>2</sup>

The transaction is scheduled to take place in two stages, pursuant to two separate closings later than the December 24, 2009 effective date of the exemption. One closing is scheduled to take place on May 14, 2010,<sup>3</sup> and the second is scheduled to take place after the first closing but on or before September 15, 2012.<sup>4</sup>

If the notice contains false or misleading information, the exemption is void *ab initio*.<sup>5</sup> Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to

miles of the Watuppa Branch west of milepost QND 0.08, and MassDOT will acquire only the real estate underlying this section of the branch. Because of BCLR's interest in 5.92 miles of the Watuppa Branch, those 5.92 miles have been excluded here from the mileage total for the New Bedford Secondary.

<sup>2</sup> In the transaction, CSXT states that it will not transfer to MassDOT the right or obligation to conduct common carrier freight operations. According to CSXT, pursuant to its retained easements, it will have the exclusive right and ability to provide rail freight service on the Railroad Assets.

<sup>3</sup> The first closing will encompass the sale of the Grand Junction Branch, the Boston Terminal Running Track Assets, the New Bedford Secondary (including CSXT's interests in the Watuppa Branch), and the Fall River Secondary. At the time that MassDOT and CSXT close on the sale of the New Bedford Secondary (including CSXT's interests in the Watuppa Branch) and the Fall River Secondary (collectively, the South Coast Assets), CSXT simultaneously will convey its retained permanent freight easement rights over the South Coast Assets (excluding the 5.92 miles of the Watuppa Branch, over which CSXT does not now possess such rights) to the Massachusetts Coastal Railroad, LLC (Mass Coastal), a Class III rail carrier, pursuant to a separate proceeding, STB Finance Docket No. 35314, *Massachusetts Coastal Railroad, LLC—Acquisition—CSX Transportation, Inc.* Upon consummation of the easement sale at issue in that proceeding, if approved, Mass Coastal will assume freight service operations on the South Coast Assets.

<sup>4</sup> The second closing will encompass the sale of the BML-West and BML-East assets.

<sup>5</sup> A motion to dismiss has been filed in this proceeding. The motion will be addressed in a subsequent Board decision.

revoke will not automatically stay the transaction. Petitions for stay must be filed no later than December 17, 1009 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35312, 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 Keith G. O'Brien, Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW., Suite 300, Washington, DC 20037.

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

Decided: December 7, 2009.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. E9-29441 Filed 12-9-09; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION**

**Maritime Administration**

[Docket No. MARAD 2009 0146]

**Information Collection Available for Public Comments and Recommendations**

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Maritime Administration's (MARAD's) intention to request extension of approval for three years of a currently approved information collection.

**DATES:** Comments should be submitted on or before February 8, 2010.

**FOR FURTHER INFORMATION CONTACT:** Michael Yarrington, Maritime Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-366-1915 or e-mail: [Michael.yarrington@dot.gov](mailto:Michael.yarrington@dot.gov).

Copies of this collection also can be obtained from that office.

**SUPPLEMENTARY INFORMATION:**

*Title of Collection:* Procedures for Determining Vessel Services Categories for Purposes of the Cargo Preference Act.

*Type of Request:* Extension of currently approved information collection.

*OMB Control Number:* 2133-0540.  
*Form Numbers:* None.

*Expiration Date of Approval:* Three years from date of approval.

*Summary of Collection of Information:* The purpose is to provide information to be used in the designation of service categories of individual vessels for purposes of compliance with the Cargo Preference Act under a Memorandum of Understanding entered into by the U.S. Department of Agriculture, U.S. Agency for International Development, and the Maritime Administration.

*Need and Use of the Information:* The Maritime Administration will use the data submitted by vessel operators to create a list of Vessel Self-Designations and determine whether the Agency agrees or disagrees with a vessel owner's designation of a vessel.

*Description of Respondents:* Owners or operators of U.S.-registered vessels and foreign-registered vessels.

*Annual Responses:* 100 responses.

*Annual Burden:* 800 hours.

*Comments:* Comments should refer to the docket number that appears at the top of this document. Written comments may be submitted to the Docket Clerk, U.S. DOT Dockets, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. Comments also may be submitted by electronic means via the Internet at <http://www.regulations.gov/search/index.jsp>. Specifically address whether this information collection is necessary for proper performance of the functions of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance the quality, utility, and clarity of the information to be collected. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m. EDT (or EST), Monday through Friday, except Federal holidays. An electronic version of this document is available on the World Wide Web at <http://www.regulations.gov/search/index.jsp>.

*Privacy Act:* Anyone is able to search the electronic form of all 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) or you may visit <http://www.regulations.gov/search/index.jsp>.

**Authority:** 49 CFR 1.66.

By Order of the Maritime Administrator.

Dated: December 3, 2009.

**Christine Gurland,**

*Secretary, Maritime Administration.*

[FR Doc. E9-29402 Filed 12-9-09; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Notice of Availability of a Final Environmental Assessment (Final EA) and a Finding of No Significant Impact (FONSI)/Record of Decision (ROD) for the Proposed Airport Traffic Control Tower With Associated Base Building and Airport Surveillance Radar, Model 9, Replacement/Relocation at Cleveland Hopkins International Airport, Cleveland, OH**

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

**ACTION:** Notice of Availability of a Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI)/Record of Decision (ROD) for a Proposed Airport Traffic Control Tower with Associated Base Building and an Airport Surveillance Radar, Model 9, Replacement/Relocation at Cleveland Hopkins International Airport, Cleveland, Ohio.

**SUMMARY:** The Federal Aviation Administration (FAA) is issuing this notice to advise the public that the FAA has prepared, and approved on November 18, 2009, a Finding of No Significant Impact (FONSI)/Record of Decision (ROD) based on the Final Environmental Assessment (Final EA) for a Proposed Airport Traffic Control Tower (ATCT) with Associated Base Building and an Airport Surveillance Radar, Model 9 (ASR-9), Replacement/Relocation at Cleveland Hopkins International Airport, (CLE) Cleveland, Ohio. The FAA prepared the Final EA in accordance with the National Environmental Policy Act and the FAA's regulations and guidelines for environmental documents. The Final EA was reviewed and evaluated by the FAA, and was accepted on October 22, 2009 as a Federal document by the FAA's Responsible Federal Official.

**FOR FURTHER INFORMATION CONTACT:** Ms. Virginia Marcks, Manager, Infrastructure Engineering Center, AJW-C14D, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018. Telephone number: (847) 294-7494.

**SUPPLEMENTARY INFORMATION:** The Final EA evaluated the construction and operation of a new ATCT and replacement and relocation of the ASR-

9 at CLE. The ATCT would be constructed in the southeast portion of CLE on Taxiway KI and have a maximum height of 325 feet above ground level (AGL). The facility would include a Base Building/Terminal Radar Approach Control (TRACON) Facility, employee parking, security fence and an access road across abandoned Taxiway Q from Postal Road. The facility components will consist of the ATCT cab, tower shaft, Base Building, personnel parking, and guardhouse. The new ATCT and Base Building/TRACON shall be designed to incorporate, as practicable, energy-efficient design, equipment, systems and other measures in their construction in order to reduce energy consumption and improve environmental performance of the new facilities. There will be a maximum of 150 parking spaces for ATCT controllers, the TRACON staff, technical operations staff, administrative personnel, visitors, and Systems Support Center personnel. There will also be a two-story Base Building/TRACON facility with approximately 45,000SF of space. The tower will have an 850 SF cab and a cab eye level elevation of 305 feet AGL. The total space will accommodate the needed staffing and new communications and surveillance equipment. The ATCT's water, sewer, and electrical feeds will be extended and connected to the existing utility lines on the airport. Drainage and runoff will be collected for conveyance via the airport's stormwater drainage system, which is reported by CLE to have excess capacity.

The project also includes replacing and relocating the ASR-9 surveillance radar equipment to a location that is adjacent to the future expansion area of the CLE's Riveredge employee parking lot. Relocation of the ASR-9 is needed because the preferred location for the ATCT lies within the 1,500-foot Clear Area of the airport's existing ASR-9, and the new ATCT shaft would block the radar antenna's coverage to the southeast of the airport. The ASR-9 will be relocated to the Riveredge site to provide unobstructed radar coverage of the ASR-9's 60-mile service area. The base of the ASR-9 tower will be four concrete pylons set on a 30-foot by 30-foot grid, with an equipment shelter, HVAC pads, and security fence. Utility feeds will be from adjacent services in the employee parking lot, as well as from the nearby Remote Transmitter/Receiver (RTR) facility. Access will be via a stub driveway from the existing Riveredge employee parking lot gate. The new ASR-9 will provide enhanced coverage prior to the old ASR-9 being