

## DEPARTMENT OF STATE

[Public Notice 6534]

**Culturally Significant Objects Imported for Exhibition Determinations: "The Birth of Christianity: A Jewish Story"**

AGENCY: Department of State.

ACTION: Notice; correction.

**SUMMARY:** On November 25, 2008, notice was published on page 71714 of the *Federal Register* (volume 73, number 228) of determinations made by the Department of State pertaining to the exhibition "The Birth of Christianity: A Jewish Story." The referenced notice is corrected as to an additional object to be included in the exhibition. Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the additional object in the exhibition: "The Birth of Christianity: A Jewish Story," imported from abroad for temporary exhibition within the United States, is of cultural significance. The object is imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the additional exhibit object at the Houston Museum of Natural Science, Houston, TX, from on or about March 1, 2009, until on or about April 12, 2009, 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 object, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-453-8050). The address is U.S. Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

Dated: February 20, 2009.

**C. Miller Crouch,***Acting Assistant Secretary for Educational and Cultural Affairs, Department of State.*

[FR Doc. E9-4250 Filed 2-26-09; 8:45 am]

BILLING CODE 4710-05-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) has 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.

**Maryland Department of Transportation**

[Waiver Petition Docket Number FRA-2009-0010]

The Maryland Department of Transportation (MTA) seeks a permanent waiver of compliance from 49 CFR 213.245 *Vehicle Qualification Testing*, as part of its recent purchase of new model MP36PH-3C locomotives for operation by its MARC train service on the National Passenger Railroad Corporation's (Amtrak) Northeast Corridor (NEC) at 100 miles per hour (mph) and three inches cant deficiency.

MTA would like the FRA to allow qualification of these locomotives to occur without using the instrumented wheel-sets (IWS) test specified in § 213.245. MTA has stated that this test is costly and not economically justified, given the long service history of the same truck that is currently in operation with similar locomotives. MTA further explains that the truck used on the MP36PH-3C locomotive has an extensive history of service on the Amtrak NEC with MARC GP39 and GP40 locomotives, and have been successfully tested to 110 mph.

MP36PH-3C's are used by Caltrain, MRCOG, UTA, and SCRRRA, although not at FRA Class 6 speeds. MTA argues that the MP36PH-3C locomotive has similar carbody, weight, truck assemblies, and wheel profile as the GO Transit (Toronto) MP40PH-3C locomotive, which has been successfully tested at the Transportation Technology Center, Inc (TTCI) for safe operation up to 103 mph. The MP40PH-3C was approved by Transport Canada and Canadian National Railroad (CN). An important factor here is that in lieu of IWS, TTCI measured wheel/rail forces estimated by NUCARS simulations modeling software and by using wayside measuring systems such as strain gauges on instrumented rails.

MTA proposes to qualify these locomotives on the Amtrak NEC at speeds up to 112 mph by monitoring truck frame lateral accelerations at positions above each of the four axles; and both vertical and lateral accelerations of the carbody on the cab floor and on the floor at the rear end of the locomotive. These will be evaluated against the 49 CFR 213.333 *Vehicle Track Interaction Limits*. MTA will have NUCARS simulations performed by TTCI for the specific parameters to evaluate wheel-rail forces for speeds and track geometry of the MARC route over the Amtrak NEC.

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-2009-0010) 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 February 23, 2009.

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

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

[FR Doc. E9–4207 Filed 2–26–09; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD–2009–0010]

#### Requested Administrative Waiver of the Coastwise Trade Laws

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel WINDSONG.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-built requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below. The complete application is given in DOT docket MARAD–2009–0010 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388 (68 FR 23084; April 30, 2003), that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

**DATES:** Submit comments on or before March 30, 2009.

**ADDRESSES:** Comments should refer to docket number MARAD–2009–0010. Written comments may be submitted by hand or by mail to the Docket Clerk,

U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue, SE., Room W21–203, Washington, DC 20590. Telephone 202–366–5979.

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel WINDSONG is:

*Intended Use:* “Sailing instruction and pleasure charter.”

*Geographic Region:* “MA, CT, NY, NJ, DE, MD, VA, NC, SC, GA, FL”

#### 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).

Dated: February 19, 2009.

By Order of the Maritime Administrator.

**Leonard Sutter,**

*Secretary, Maritime Administration.*

[FR Doc. E9–4154 Filed 2–26–09; 8:45 am]

**BILLING CODE 4910–81–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35191]

#### Wisconsin & Southern Railroad Co.—Trackage Rights Exemption—Union Pacific Railroad Company

Pursuant to a written trackage rights agreement, Union Pacific Railroad Company (UP) has agreed to grant overhead trackage rights to Wisconsin & Southern Railroad Co. (WSOR) over a line of railroad extending between UP milepost 4.0 in Kohler, WI, and UP

milepost 1.2 at Kohler Junction near Sheboygan, WI, a distance of approximately 2.8 miles.<sup>1</sup>

This transaction is related to a concurrently filed petition for exemption for the acquisition and operation of certain other rail lines in *Wisconsin & Southern Railroad Co.—Acquisition and Operation Exemption—Union Pacific Railroad Company*, STB Finance Docket No. 35144. In that proceeding, WSOR seeks an exemption under 49 U.S.C. 10502 to acquire and operate a permanent exclusive freight operating easement over 10.95 miles of railroad known as the Kohler Industrial Lead that is currently owned by UP. WSOR states that the State of Wisconsin Department of Transportation (WisDot) has executed an agreement to purchase the right-of-way and railroad assets comprising the line from UP, with WSOR to acquire the freight easement and associated common carrier obligation directly from UP. WSOR also seeks to acquire and operate approximately 1,000 feet of UP spur track. WSOR has requested expedited action in this proceeding.

This transaction is also related to a concurrently filed petition for declaratory order in *Wisconsin Department of Transportation—Petition for Declaratory Order—Rail Line in Sheboygan County, WI*, STB Finance Docket No. 35195. In that proceeding, WisDot seeks a finding that its acquisition of the right-of-way and railroad assets will not render it a rail common carrier.

WSOR states that it proposes to consummate this transaction on or about April 15, 2009.

The trackage rights agreement will allow WSOR to provide rail service to the facilities of the Cargill Malt Plant in Kohler and to interchange with UP in Sheboygan.

Pursuant to the Consolidated Appropriations Act, 2008, Public Law No. 110–161, § 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

<sup>1</sup> A redacted version of the proposed trackage rights agreement between UP and WSOR was filed with the notice of exemption. The full version of the draft agreement was concurrently filed under seal along with a motion for protective. The motion is being addressed in a separate decision. As required by 49 CFR 1180.6(a)(7)(ii), the parties must file a copy of the executed agreement within 10 days of the date the agreement is executed.