

Frallic, Airport Executive Director at the following address: Gulfport-Biloxi Regional Airport Authority, 14035-L Airport Road, Gulfport, MS 39503.

**FOR FURTHER INFORMATION CONTACT:** William Schuller, Program Manager, Jackson Airports District Office, 100 West Cross Street, Suite B, Jackson, MS 39208-2307, (601) 664-9883. The land release request may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA is reviewing a request by the Gulfport Biloxi Regional Airport Authority to release 0.84 acres of surplus property at the Gulfport-Biloxi International Airport. The property will be purchased by the City of Gulfport, which is a municipality. The property fronts Airport Boulevard and will be used for widening an intersection on Airport Boulevard. The net proceeds from the sale of this property will be used for airport purposes.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION**

**CONTACT.** In addition, any person may, upon request, inspect the request, notice and other documents germane to the request in person at the office of the Gulfport-Biloxi Regional Airport Authority.

Issued in Jackson, Mississippi, on February 23, 2009.

**Rans D. Black,**

*Manager, Jackson Airports District Office, Southern Region.*

[FR Doc. E9-4345 Filed 3-2-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Chautauqua County, NY

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Revised notice of intent.

**SUMMARY:** The FHWA is issuing this revised notice to advise the public that FHWA will not be preparing an Environmental Impact Statement (EIS) for the proposed Millennium Parkway project in Chautauqua County, New York. A Notice of Intent to prepare an EIS was published in the **Federal Register** on December 27, 2007.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey W. Kolb, Division Administrator, Federal Highway Administration, New York Division, Leo W. O'Brien Federal Building, 9th Floor, Clinton Avenue and North Pearl Street, Albany, New York 12207, Telephone: (518) 431-4127.

Or

Alan E. Taylor, Regional Director, NYSDOT Region 5; 100 Seneca Street, Buffalo NY 14203, Telephone: 716-847-3238.

Or

George P. Spanos, P.E., Director, CCDPF, 454 North Work Street, Falconer, New York 14733, Telephone: (716) 661-8400.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the New York State Department of Transportation (NYSDOT), and Chautauqua County Department of Public Facilities (CCDPF) will not prepare an EIS as previously intended on a proposal to progress the construction of the Millennium Parkway in Chautauqua County, New York. The purpose of the Millennium Parkway Project is to improve tractor-trailer truck traffic access to the industrial corridor, including the Chadwick Bay Industrial Park, from New York (NY) Route 60 (Bennett Road). Based upon further review of the project and related impacts it was determined that the scope of the project would be reduced to use an alignment that would be comprised of a combination of reconstruction of the existing portion of Talcott Street between NY Route 60 and CR 81, and the construction of a roadway on a new alignment, approximately 1000 meters through a previously disturbed, vacant area between CR 81 and CR 82. The improvements being considered will not have a significant impact on the environment. In light of the minimal environmental impacts a Categorical Exclusion with Documentation is being prepared to progress the project.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 315; 23 CFR 771.123.

Issued on: February 24, 2009.

**Jeffrey W. Kolb,**

*Division Administrator, Federal Highway Administration, Albany, New York.*

[FR Doc. E9-4431 Filed 3-2-09; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2008-0204]

#### Notice of Delay in Processing the Applications by American Trucking Associations, Inc. and the Massachusetts Department of Highways for a Preemption Determination Concerning the City of Boston's Hazardous Materials Routing Restrictions

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

**ACTION:** Notice.

**SUMMARY:** In accordance with statutory requirements, FMCSA is publishing a notice of delay in processing the American Trucking Associations, Inc.'s (ATA) and the Massachusetts Department of Highways' applications for a preemption determination concerning the City of Boston's restrictions regarding highway routing of certain hazardous materials. FMCSA is conducting fact-finding and legal analysis in response to the consolidated requests, and is delaying issuance of its determination in order to allow time for appropriate consideration of the issues raised by the applications.

**FOR FURTHER INFORMATION CONTACT:** James Simmons, Chief, Hazardous Materials Division (MC-ECH), (202) 493-0496; Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590, or at [james.simmons@dot.gov](mailto:james.simmons@dot.gov).

**SUPPLEMENTARY INFORMATION:** ATA and the Massachusetts Department of Highways applied for an administrative determination concerning whether Federal hazardous material transportation law, 49 U.S.C. 5101 *et seq.*, and FMCSA regulations, 49 CFR part 397, preempt certain hazardous material routing requirements that have been established or modified by the City of Boston. FMCSA published notice of ATA's application in the **Federal Register** on August 8, 2008. 73 FR 46349. FMCSA published notice of Massachusetts Department of Highways' application in the **Federal Register** on September 2, 2008 (73 FR 51335), at which time both applications were consolidated into one docket.

Title 49 U.S.C. 5125(d) requires FMCSA to issue a decision on the preemption applications "within 180 days after the date of the publication of the notice of having received such application, or the Secretary shall publish a statement in the **Federal**