

4203(d)(4) within the 60-month period referred to above, the bond will be canceled or the escrow refunded, and the employer will have no further liability with respect to the cessation.

As stated above, each cessation must be considered within the context of other cessations under the same plan in determining its effect on the plan's contribution base. Thus, the treatment afforded one employer's cessation of the obligation to contribute may affect the treatment given a cessation by another employer. Accordingly, not only the plan and employer involved in a particular case, but other present and former contributing employers, and participants and beneficiaries, may have an interest in the outcome of a request for a determination of substantial damage or no substantial damage.

The Request

The Freight Drivers and Helpers Local Union No. 557 Pension Fund (the "Fund") has requested a determination that the cessation of the obligation to contribute by USF Red Star, Inc. ("Red Star"), together with cessations by other employers, has resulted in substantial damage to the Fund's contribution base. In the request, the Fund represents that:

1. The Fund is a trucking industry plan within the meaning of section 4203(d)(2), with over 85 percent of its contributing employers engaged in the trucking industry and over 85 percent of its contributions coming from those employers. Red Star was a trucking industry employer that operated for approximately 25 years in the Baltimore, Maryland area.

2. On May 23, 2004, Red Star ceased the trucking operations for which it was obligated to contribute to the Fund. The Fund assessed withdrawal liability against Red Star in the amount of \$11,756,604.

3. In May 2005, Red Star became part of the Yellow-Roadway control group, and its parent is YRC Regional Transportation. YRC Regional Transportation established a letter of credit with Bank of America on February 16, 2007, in the amount of \$3,840,154.74. (The Fund represents that, in a decision dated February 27, 2009, an arbitrator ruled that Red Star did not fail to timely post security and that it may do so now.)

4. The Fund represents that the cumulative effect of Red Star's ceasing to have an obligation to contribute to the Fund caused substantial damage based on the following particulars:

A. Decline in active population—The reported active population on the Fund's 2007 Form 5500, Schedule B, was 567. The number of active

participants shows a 45 percent drop from 1997 to 2004, as the active participant count fell from 1,217 in 1997 to 671 in 2004, while the retiree and deferred participant population remained stable, going from 2,357 participants in 1997 to 2,348 participants in 2004 (it was at 2,311 participants in 2006).

B. Decline in hours of contributions—The number of hours for which contributions are required to be made (i.e., the contribution base units) have fallen 48 percent since 2000. For the plan year ending December 21, 2000, there were 2,091,015 hours of contributions; in 2004, the year of withdrawal, contributions fell to 1,207,486 hours; and in 2006 the drop was to 1,083,042 hours.

C. Decline in the number of contribution employers—In 1985, the Fund had 56 employers. In 1990, there were 33 employers. By 2000, there were 19 employers, and, in 2005, there were only 13 employers.

D. Decline in contribution base—Red Star was approximately 21 percent of the contribution base in the years leading up to its 2004 withdrawal, with an individual five-year contribution base of \$6,619,040. The contribution base was \$31,047,940 for all employers in the same period. Further, for all employers, the five-year contribution base as of the end of 2001 was \$35,102,710, and, as of the end of 2006, was \$23,830,654.

E. Investment losses—In 2000, the Fund had \$174,305,491 in assets. In 2002 the amount was \$139,746,646. As of 2006, the assets were \$164,573,989. The latest asset figure, which was used in the certification of critical status that the Fund's actuary made on March 31, 2009, was a projection of \$119,256,121, as of January 1, 2009.

F. Unfunded vested benefits—The Fund was fully funded from 1995 to 2000. In 2001 The Fund's unfunded vested benefits for withdrawal liability purposes were \$22,428,786. The corresponding amount for 2004 was \$69,511,407, and for the end of 2006 was \$61,167,323. For its 2009 certification of critical status, the Fund reported \$119,256,121, in assets, and a present value of benefits equaling \$50,833,707, for active participants, and \$166,256,970, for non-active participants. That certification projects an accumulated funding deficiency under section 431 of the Internal Revenue Code of \$9.2 million for the 2012 plan year. The net funding charges for that year are about \$20 million; projected contributions are \$5.5 million and the projected credit balance at the beginning of the year is \$4.5 million.

Thus, contributions for the 2012 plan year would have to triple in order to avoid a funding deficiency.

Comments

All interested persons are invited to submit written comments on the pending request to the PBGC to: Suite 930, *Attn:* Multiemployer Coordinator, at the above address. All comments will be made part of the record. Comments received, as well as the relevant information submitted in support of the request, will be available for public inspection in Suite 1100 at the above address.

Issued at Washington, DC, on this 21st day of April 2009.

Vincent K. Snowbarger,

Acting Director, Pension Benefit Guaranty Corporation.

[FR Doc. E9-9515 Filed 4-24-09; 8:45 am]

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POSTAL SERVICE

Board of Governors; Sunshine Act Meeting

DATE AND TIME: Monday, May 4, 2009, at 6 p.m.; Tuesday, May 5, 2009, at 10 a.m.; Wednesday, May 6, 2009, at 8:30 a.m.

PLACE: Washington, DC, at U.S. Postal Service Headquarters, 475 L'Enfant Plaza, SW., in the Benjamin Franklin Room.

STATUS: May 4 at 6 p.m.—Closed; May 5 at 10 a.m.—Closed; May 6 at 8:30 a.m.—Open.

Matters To Be Considered

Monday, May 4 at 6 p.m. (Closed)

1. Financial Matters.
2. Strategic Issues.
3. Pricing.
4. Personnel Matters and Compensation Issues.
5. Governors' Executive Session—Discussion of prior agenda items and Board Governance.

Tuesday, May 5 at 10 a.m. (Closed)

1. Continuation of Monday's closed session agenda.

Wednesday, May 6 at 8:30 a.m. (Open)

1. Call to Order and Approval of Minutes of Previous Meetings.
2. Remarks of the Chairman of the Board.
3. Recognition of Former Board Chairman.
4. Remarks of the Postmaster General and CEO.
5. Committee Assignments and Committee Reports.

6. Quarterly Report on Service Performance.

7. Quarterly Report on Financial Performance.

8. Tentative Agenda for the June 22, 23 and 24, 2009, meeting in Washington, DC, and Adjourn.

CONTACT PERSON FOR MORE INFORMATION:

Julie S. Moore, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260-1000. Telephone (202) 268-4800.

Julie S. Moore,

Secretary.

[FR Doc. E9-9595 Filed 4-23-09; 4:15 pm]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-1030 (Sub-No. 1X)]

Huron & Eastern Railway Company, Inc.—Abandonment Exemption—in Shiawassee County, MI

On April 7, 2009, Huron & Eastern Railway Company, Inc. (HESR) filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a 2.5-mile rail line between milepost 0.0, at Owosso, and milepost 2.5, the end of the line, in Shiawassee County, MI. The line traverses United States Postal Service Zip Codes 48841 and 48867, and includes the station of Owosso Jct.

The line does not contain federally granted rights-of-way. Any documentation in HESR's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by July 24, 2009.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,500 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be

due no later than May 18, 2009. Each trail use request must be accompanied by a \$200 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-1030 (Sub-No. 1X), and must be sent to: (1) Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001; and (2) Melanie B. Yasbin, 600 Baltimore Ave., Suite 301, Towson, MD 21204. Replies to the petition are due on or before May 18, 2009.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 245-0305. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Board decisions and notices are available on our Web site at <http://WWW.STB.DOT.GOV>.

Decided: April 20, 2009.

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

Jeffrey Herzig,

Clearance Clerk.

[FR Doc. E9-9393 Filed 4-24-09; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[FTA Docket No. FTA-2009-0021]

Notice of Request for Extension of a Currently Approved Information Collection

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this

notice announces the intention of the Federal Transit Administration (FTA) to request the Office of Management and Budget (OMB) to approve the extension of the currently approved information collection:

Metropolitan and Statewide Transportation Planning.

DATES: Comments must be submitted before June 26, 2009.

ADDRESSES: To ensure that your comments are not entered more than once into the docket, submit comments identified by the docket number by only one of the following methods:

1. *Web site:* <http://www.regulations.gov>. Follow the instructions for submitting comments on the U.S. Government electronic docket site. (**Note:** The U.S. Department of Transportation's (DOT's) electronic docket is no longer accepting electronic comments.) All electronic submissions must be made to the U.S. Government electronic docket site at <http://www.regulations.gov>. Commenters should follow the directions below for mailed and hand-delivered comments.

2. *Fax:* 202-493-2251.

3. *Mail:* U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.

4. *Hand Delivery:* U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Instructions: You must include the agency name and docket number for this notice at the beginning of your comments. Submit two copies of your comments if you submit them by mail. For confirmation that FTA has received your comments, include a self-addressed stamped postcard. Note that all comments received, including any personal information, will be posted and will be available to Internet users, without change, to <http://www.regulations.gov>.

You may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000, (65 FR 19477), or you may visit <http://www.regulations.gov>.

Docket: For access to the docket to read background documents and comments received, go to <http://www.regulations.gov> at any time.

Background documents and comments received may also be viewed at the U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140,