

Consequently, the final rule is currently in effect (*Advocates for Highway and Auto Safety v. Federal Motor Carrier Safety Administration*, 429 F. 3d1136 (D.C.Cir. 2005)).

*Title:* Training Certification for Entry-Level Commercial Motor Vehicle Operators

*OMB Control Number:* 2126-0028.

*Type of Request:* Extension of an IC.

*Respondents:* Entry-level CDL drivers.

*Estimated Number of Respondents:* 45,611.

*Estimated Time per Response:* 10 minutes.

*Expiration Date:* September 30, 2009.

*Frequency of Response:* On occasion.

*Estimated Total Annual Burden:* 7,602 hours. FMCSA estimates that an entry-level driver requires approximately 10 minutes to complete the tasks necessary to comply with the regulation. Those tasks are: Photocopying the training certificate, giving the photocopy to the motor carrier employer, and placing the original of the certificate in a personal file. Therefore, the annual burden for all entry-level drivers is 7,602 hours [45,611 respondents  $\times$  10 minutes/60 minutes to complete a response = 7,601.8 hours (rounded to 7,602 hours)].

*Definitions:* "Commercial Motor Vehicle (CMV)": A motor vehicle operated in commerce and having a gross vehicle weight rating of 26,001 pounds or more, regardless of actual weight, or designed to transport 16 or more passengers, or used to transport placardable and dangerous hazardous materials (49 CFR 383.5). The term "CMV" is limited to this definition in this document; the term "CDL driver" is used because the operators of these CMVs are required to have a valid commercial driver's license (CDL). This rule currently applies solely to "entry-level" CDL drivers, i.e., those who have less than one year of experience operating a CMV (49 CFR 380.502(b)).

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FMCSA's performance of functions; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The Agency will summarize or include your comments in the request for OMB's clearance of this information collection.

Issued on: May 20, 2009.

**David T. Anewalt,**

*Acting Associate Administrator, Research and Information Technology.*

[FR Doc. E9-12326 Filed 5-27-09; 8:45 am]

**BILLING CODE 4910-EX-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.

#### Terminal Railroad Association of Saint Louis

(*Waiver Petition Docket Number FRA-2009-0026*)

The Terminal Railroad Association of Saint Louis (TRRA) seeks a permanent waiver of compliance with the *Locomotive Safety Standards*, 49 CFR 229.21(a), as it pertains to the record keeping requirement for locomotive daily inspection reports. If their request is granted, TRRA will file the required report electronically in a secure centralized database that would be set up to track and store the daily inspection records for the required 92 days. The railroad states that each employee performing the inspections would be provided a unique electronic identification which will be utilized in place of the signature. All requirements, date, time location, person conducting inspection, and any non-complying conditions will be reported electronically. TRRA utilizes an onboard record of daily inspection and will continue to do so if their request is granted.

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-2009-0026) 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 May 20, 2009.

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

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

[FR Doc. E9-12327 Filed 5-27-09; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[Project Number STP-0022-01 (059)]

#### Environmental Impact Statement: Harrison, Jackson, Stone, Perry, George, and Greene Counties, MS

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

**ACTION:** Revision to the Original Notice of Intent.

**SUMMARY:** The Federal Highway Administration is issuing this revised

Notice of Intent to advise the public of changes to the logical termini for the Environmental Impact Statement that will be prepared to study improvements to State Route 15/State Route 57 to provide a four-lane facility beginning in the vicinity of the State Route 67/I-110 Interchange in Harrison County, Mississippi and terminating on State Route 15 north of Beaumont, Mississippi, a distance of approximately 61 miles. The original Notice of Intent for this project appeared in the July 17, 2008 **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dickie Walters, Environmental Protection Specialist, Federal Highway Administration, 666 North Street, Suite 105, Jackson, MS 39202-3199, Telephone: (601) 965-4217. Contacts at the State and local level, respectively are: Mr. Claiborne Barnwell, Environmental/Location Division Engineer, Mississippi Department of Transportation, P.O. Box 1850, Jackson, MS 39215-1850, telephone: (601) 359-7920; and Mr. Steven Twedt, District 6 Engineer, Mississippi Department of Transportation, 6356 Highway 49 North, Hattiesburg, MS 39403-0551, telephone (601) 544-6511.

**SUPPLEMENTARY INFORMATION:** The FHWA, Mississippi Division Office will serve as the lead Federal agency for this project while the Mississippi Department of Transportation (MDOT) will serve as joint lead agency. The FHWA, in cooperation with MDOT, will prepare an Environmental Impact Statement (EIS) to study potential improvements to State Route 15/State Route 57 (SR 15/SR 57) in order to provide a four-lane facility. This approximately 61-mile long corridor has logical termini near the State Route 67/I-110 interchange in Harrison County and on State Route 15 north of Beaumont, MS in Perry County. The termini on the southern end of the project is a change from the original southern termini which began in the vicinity of Ramsey Springs, MS and was identified in the original Notice of Intent for this project which appeared in the July 17, 2008 **Federal Register**. The purpose of the EIS is to address the transportation, environmental, and safety issues of such a transportation corridor. The transportation facility will greatly enhance hurricane evacuation from the Mississippi Gulf, provide a new four-lane facility, and meet legislative intent. Alternatives under consideration include (1) taking no action and (2) build alternatives. The FHWA and MDOT are seeking input as a part of the scoping process to assist in determining and clarifying issues

relative to this project. Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, Native American tribes, private organizations and citizens who have previously expressed or are known to have interest in this proposal. Another formal scoping meeting with Federal, State, and local agencies, and other interested parties will be held in the near future. Public involvement meetings will be held during the EIS process. The draft EIS will be available for public and agency review and comment prior to the official public hearing. To ensure that the full range of issues related to this proposed action is addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

Dated: May 21, 2009.

**Donald E. Davis,**

*Federal Highway Administration, Assistant Division Administrator, Mississippi Division, Jackson, Mississippi.*

[FR Doc. E9-12387 Filed 5-27-09; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Action on Proposed Highway in Washington

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

**ACTION:** Notice of limitation of claims for judicial review of actions by FHWA.

**SUMMARY:** This notice announces action taken by the FHWA that is final within the meaning of 23 U.S.C. 139(l)(1). This notice announces the availability of a Record of Decision (ROD) by FHWA pursuant to the requirements of the National Environmental Protection Policy Act of 1969 (NEPA), 42 U.S.C. 4321, as amended and the Council on Environmental Quality Regulations (40 CFR Parts 1500-1508). This action relates to a proposed project in King County Washington, the SE Issaquah Bypass Project.

**DATES:** By this notice, the FHWA is advising the public of a final agency action subject to 23 U.S.C. 771 and 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal Agency actions on the highway project will be barred unless the claim is filed on or before November 24, 2009. If the Federal law that authorizes that judicial review

of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For FHWA: Ms. Sharon P. Love, Environmental Program Manager, Federal Highway Administration Washington Division, 711 S. Capitol Way Suite 501, Olympia, WA 98501; phone: (360) 753-9558; fax: (360) 753-9889; and e-mail: [Sharon.Love@dot.gov](mailto:Sharon.Love@dot.gov). For the City of Issaquah: Mr. Bob Brock, PO Box 1307, Issaquah, WA 98027-1307; phone: (425) 837-3405; and e-mail: [bobb@ci.issaquah.wa.us](mailto:bobb@ci.issaquah.wa.us).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA has taken final agency action subject to 23 U.S.C. 139(l)(1) by issuing a Record of Decision (ROD) for the following highway project in the State of Washington: SE Issaquah Bypass, City of Issaquah, and King County. The Selected alternative is the no-build alternative.

The final environmental impact statement (FEIS) for the project was released January 4, 2008. At the time the FEIS was published, the Federal Highway Administration (FHWA), the Washington State Department of Transportation (WSDOT), and the city of Issaquah identified selected Modified Alternative 5 as the preferred course of action for building a new 1.9-kilometer (1.1-mile) four-lane principal arterial between Interstate 90 (I-90) and Front Street South in Issaquah, Washington. The proposed new arterial is commonly referred to as the Southeast Issaquah Bypass.

The Issaquah City Council passed a motion on February 4, 2008, Agenda Bill 5562, stating the "Issaquah City Council recommends that the Southeast Issaquah Bypass Alternative 7, the No-Action Alternative, be selected for the Record of Decision."

Out of seven alternatives considered in the final EIS (including the no-action alternative), Modified Alternative 5 was determined to be the most desirable in terms of balancing social and economic impacts, impacts on the natural environment, transportation system performance, and cost. While FHWA supported the preferred alternative identified in the FEIS, it selected the No-Build alternative in the ROD due to the City Council's decision.

The actions by FHWA, and the laws under which the action was taken, are described in the Final Environmental Impact Statement for the project approved on January 4, 2008, in the FHWA Record of Decision (ROD) issued on January 26, 2009, and in other project records. The FEIS, ROD, and other documents in the FHWA project