

in the documented Environmental Assessments (EAs), issued in connection with the projects, and in other documents project records. The EAs, Findings of No Significant Impacts (FONSI), and other project records for the listed projects are available by contacting the FHWA or the Texas Department of Transportation at the addresses provided above and can be viewed and downloaded from each project's Web site found below.

This notice applies to all Federal agency decisions on the listed project as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

I. *General*: National Environmental Policy Act (NEPA) (42 U.S.C. 4321–4351); Federal-Aid Highway Act (FAHA) (23 U.S.C. Section 109), Federal Aviation Administration . 49 USC Section 47107(a)(16).

II. *Air*: Clean Air Act (CAA), [42 U.S.C. 7401–7671(q)].

III. *Land*: Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. Section 303).

IV. *Wildlife*: Endangered Species Act (ESA) of 1973 (16 U.S.C. Sections 1531–1544 and Section 1536), Migratory Bird Treaty Act (MBTA) (16 U.S.C. Sections 703–712).

V. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. Section 470 (f) et seq.]; Archeological Resources Protection Act of 1977 (ARPA) [16 U.S.C. Sections 470(aa)-11]; Archeological and Historic Preservation Act (AHPA) [16 U.S.C. Sections 469–469(c)].

VI. *Social and Economic*: Civil Rights Act of 1964 (Civil Rights) [42 U.S.C. Section 2000(d)-2000(d)(1)].

VII. *Wetlands and Water Resources*: Clean Water Act, 33 U.S.C. Sections 1251–1377 (Section 404, Section 401, Section 402, Section 319); Rivers and Harbors Act of 1899 (RHA), 33 U.S.C. Sections 401–406.

VIII. *Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13175 Consultation and Coordination with Indian Tribal Government; E.O. 11514 Protection and Enhancement of Environmental Quality.

The projects subject to this notice are:

1. *Project Location*: Interstate Highway (IH) 820 from IH 35W to State Highway (SH) SH 121/SH 183/SH 26 in the cities of Fort Worth, Haltom City and North Richland Hills in Tarrant

County, Texas. Project Reference Number: TxDOT CSJ: 0008–14–058, 0008–14–059 and 0014–16–194.

Project Web site: [http://www.txdot.gov/project\\_information/projects/fort\\_worth/north\\_tarrant\\_express/default.htm](http://www.txdot.gov/project_information/projects/fort_worth/north_tarrant_express/default.htm)

*Project Type*: The project will include total reconstruction of the facility from a 4 lane freeway with discontinuous frontage roads and auxiliary lanes to a 10 lane (6 general purpose (free) lanes and 4 managed (toll) lanes) facility with discontinuous frontage roads and auxiliary lanes. Project Length: Approximately 6 miles. General Purpose: The project will improve mobility throughout the corridor to relieve existing traffic congestion, improve local traffic circulation and accommodate future travel demand. Final agency actions have been taken under: NEPA, FAHA, CAA, ESA, MBTA, Section 4(f), Civil Rights Act, Section 106, ARPA, AHPA, Section 404, Section 401, E.O.'s 11990, 11988, 12898, 11593, 13175 and 11514. NEPA document: EA with a FONSI issued December 08, 2008.

2. *Project Location*: DFW Connector—SH 121 from Business 114L (Northwest Highway) to International Parkway AND SH 121 from SH 360 to Farm-to-Market (FM) 2499 primarily within the cities of Grapevine and Southlake in Tarrant County and Dallas County, Texas. Project Reference Number: TxDOT CSJ: 0353–03–059, 0353–03–079, 0364–01–072, 0364–01–112, 0364–01–113 and 0364–01–115.

Project Web site: [http://www.txdot.gov/project\\_information/projects/fort\\_worth/dfw\\_connector/default.htm](http://www.txdot.gov/project_information/projects/fort_worth/dfw_connector/default.htm)

*Project Type*: The project will include six main lanes eastbound and seven main lanes westbound and the addition of two managed express lanes in each direction along approximately 4.5 miles of the corridor with improvements to SH 114 and SH 121 to tie to existing lanes on each end. Project Length: Approximately 14.4 miles. General Purpose: The project will improve mobility throughout the corridor to relieve existing traffic congestion, improve local and regional traffic circulation and accommodate future travel demand, improve access and safety and improve operational deficiencies. Final agency actions taken under: NEPA, FAHA, FAA, CAA, ESA, MBTA, Civil Rights Act., Section 106, ARPA, AHPA, Section 404, Section 401, E.O.'s 11990, 11988, 12898, 11593, 13175 and 11514. NEPA document: EA with a FONSI issued April 23, 2009. (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 USC 139(l)(1)

Issued on: May 27, 2009.

**Salvador Deocampo**,

*District Engineer*,

Austin Texas.

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**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket Number PHMSA–2009–0139 (Notice No. 09–3)]

### Hazardous Materials: Request for Comments on Issues or Problems Concerning International Atomic Energy Agency Regulations for the Safe Transport of Radioactive Materials

**AGENCY**: Pipeline and Hazardous Materials Safety Administration (PHMSA).

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

**SUMMARY**: PHMSA and the U.S. Nuclear Regulatory Commission (NRC) are jointly seeking comments on issues or problems concerning requirements in the International Atomic Energy Agency (IAEA) Regulations for the Safe Transport of Radioactive Material (referred to as TS–R–1). The IAEA is considering revisions to the TS–R–1 regulations as part of its periodic two-year review cycle for a 2013 Edition.

**DATES**: Submit comments by June 15, 2009. Comments received after this date will be considered if it is practical to do so; however, we are only able to assure consideration for proposals received on or before this date.

**ADDRESSES**: You may submit comments identified by the docket number (PHMSA–2009–0139) by any of the following methods:

- *Federal eRulemaking Portal*: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax*: 1–202–493–2251.

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

- *Hand Delivery*: To Docket Operations, Room W12–140 on the ground floor of the West Building, 1200

New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**Instructions:** All submissions must include the agency name and docket number for this notice at the beginning of the comment. Note that all comments received will be posted without change to the docket management system, including any personal information provided.

**Docket:** For access to the dockets to read background documents or comments received, go to <http://www.regulations.gov>, or DOT's Docket Operations Office (see **ADDRESSES**).

**FOR FURTHER INFORMATION CONTACT:** Mr. Rick Boyle, Office of Hazardous Materials Technology, (202) 366-4545, Pipeline and Hazardous Materials Safety Administration.

**Privacy Act:** 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 document (or signing the document, 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 (65 FR 19477) or you may visit <http://www.regulations.gov>.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The IAEA works with its Member States and multiple partners worldwide to promote safe, secure and peaceful nuclear technologies. The IAEA established and maintains an international standard, Regulations for the Safe Transport of Radioactive Material (TS-R-1), to promote the safe and secure transportation of radioactive material. The IAEA periodically reviews, and as deemed appropriate revises, its Regulations for the Safe Transport of Radioactive Material to reflect new information and accumulated experience. The DOT is the U.S. competent authority before the IAEA for radioactive material transportation matters. The NRC provides technical support to the DOT in this regard, particularly with regard to Type B and fissile transportation packages.

The IAEA recently initiated a review cycle for its regulations. To assure opportunity for public participation in the international regulatory development process, the DOT and the NRC are soliciting comments and information concerning issues or problems with the IAEA Regulations.

The focus of this solicitation is to identify issues or problems with the 2009 of TS-R-1. Although IAEA has not yet published the 2009 Edition of TS-R-1, a draft version suitable for this review process is available on <http://www.regulations.gov> (use the search tool to locate the docket number for this notice). The IAEA has already identified a number of issues with that draft; a table showing draft proposed changes to the 2009 Edition is also available through this docket at <http://www.regulations.gov>.

It would be helpful to recommend potential changes or solutions to resolve any identified issues or problems. This information will assist the DOT and the NRC to consider the full range of views and alternatives as the agencies develop the proposed issues the United States will submit to the IAEA.

##### II. Public Participation

Proposals must be submitted in writing (electronic file in Microsoft Word format preferred).

The DOT and the NRC will review the proposed issues and identified problems. Proposed issues and identified problems from all Member States and International Organizations will be initially considered at an IAEA Transport Safety Standards Committee (TRANSSC) Meeting to be convened by IAEA on October 5-9, 2009, in Vienna, Austria. Prior to that meeting, the DOT and the NRC will consider convening a public meeting to discuss the U.S. proposals submitted to the IAEA.

Issued in Washington, DC, on May 28, 2009.

**Theodore L. Willke,**

*Associate Administrator for Hazardous Materials Safety.*

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#### DEPARTMENT OF TRANSPORTATION

##### Federal Motor Carrier Safety Administration

[Docket ID. FMCSA-2009-0121]

##### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of applications for exemptions; request for comments.

**SUMMARY:** FMCSA announces receipt of applications from 23 individuals for exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. If granted, the exemptions would enable these individuals to

qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce without meeting the Federal vision standard.

**DATES:** Comments must be received on or before July 2, 2009.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA-2009-0121 using any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

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

- **Hand Delivery:** West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Fax:** 1-202-493-2251.

Each submission must include the Agency name and the docket ID for this Notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

**Docket:** For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19476). This information is also available at <http://Docketsinfo.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Director, Medical Programs, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, Department of Transportation, 1200