

are 8 a.m. to 5 p.m. (Central time) Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the following highway project in the State of Texas: Grand Parkway (State Highway 99) Segment F-1 from U.S. 290 to S.H. 249 in Harris County; FHWA Project Reference Number: FHWA-TX-EIS-03-01-F. The project will be a 19.3 km (12.0 mi) long, four-lane controlled access toll road with intermittent frontage roads, grade-separated intersections with exit and entrance ramps at four intersecting roadways, and elevated directional interchanges at State Highway 99 and U.S. 290 and State Highway 99 and U.S. 249. It will begin in northwestern Harris County at U.S. 290. It will then proceed north then west through Harris County and end at U.S. 249. The purpose of the project is to efficiently link the suburban communities and major roadways, enhance mobility and safety, and respond to economic growth. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, approved on April 18, 2008, in the FHWA Record of Decision (ROD) issued on November 20, 2008, the FHWA Revised ROD issued on June 12, 2009, and in other documents in the FHWA administrative record. The FEIS, ROD, Revised ROD, and other documents in the FHWA administrative record file are available by contacting the FHWA or the Texas Department of Transportation at the addresses provided above. The FHWA FEIS and ROD can be viewed and downloaded from the Grand Parkway Association Web site at <http://www.grandpky.com/segments/f-1/>.

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

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4335]; Federal-Aid Highway Act [23 U.S.C. 109].
2. Air: Clean Air Act, 42 U.S.C. 7401–7671(q).
3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].
4. Wildlife: Endangered Species Act [16 U.S.C. 1531–1544] Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)], Migratory Bird Treaty Act [16 U.S.C. 703–712].
5. Historic and Cultural Resources: Section 106 of the National Historic

Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–(11)]; Archeological and Historic Preservation Act [16 U.S.C. 469–469(c)].

6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

7. Wetlands and Water Resources: Clean Water Act, 33 U.S.C. 1251–1342; Land and Water Conservation Fund (LWCF), 16 U.S.C. 4601–4604.

8. 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. 11514 Protection and Enhancement of Environmental Quality.

(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. 139(l)(1).

Issued on: July 21, 2009.

**Gregory S. Punske,**

*District Engineer, Austin.*

[FR Doc. E9–17777 Filed 7–24–09; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Privacy Act of 1974; System of Records Notice

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Notice to establish a system of records.

**SUMMARY:** NHTSA intends to establish a system of records under the Privacy Act of 1974 as part of its Consumer Assistance to Recycle and Save program (CARS program), which implements the Consumer Assistance to Recycle and Save Act of 2009 (CARS Act). The system of records will contain personally identifiable information (PII) about individual car purchasers/lessees and may contain PII about a limited number of sole proprietor automobile salvage auctions and disposal facilities participating in the CARS Program, which is a temporary program covering eligible automobile purchases/leases occurring between July 1, 2009 and November 1, 2009. The system of

records is more thoroughly detailed below and in the Privacy Impact Assessment (PIA) that NHTSA will include in the docket for the CARS final rule at <http://www.regulations.gov>, being published in the **Federal Register** on or about July 24, 2009 and on the DOT Privacy Web site at <http://www.dot.gov/privacy>.

**DATES:** Effective July 24, 2009. The CARS Act requires the Secretary of Transportation, acting through NHTSA, to issue final regulations within 30 days after enactment (*i.e.*, by July 24, 2009), “notwithstanding” the notice and comment requirements of the Administrative Procedure Act (5 U.S.C. 553). NHTSA established a Web site to convey information about the program and a hotline to answer questions about the program. On July 2, 2009, NHTSA published a document in the **Federal Register** (74 FR 31812) providing additional useful information, in advance of issuance of its final rule. NHTSA could not finalize its System of Records Notice (SORN) prior to completion of the CARS final rule, so this SORN is being published today, concurrent with the final rule. Due to the extremely short time afforded by the CARS Act to develop and complete the CARS rulemaking and implement this 4-month program, NHTSA was precluded from publishing its rule for notice and comment. It found for good cause that providing notice and comment on the final rule would be impracticable and contrary to the public interest. For the same reason, NHTSA must begin operating the CARS program system of records on or about July 24, 2009, prior to completion of a 30-day public notice and comment period under this SORN. NHTSA nonetheless seeks and will accept public comment on this SORN for a 30-day period. Because our ability to consider comments received may be limited, we encourage the earliest possible submission of comments. If feasible, we may publish an amended SORN in light of any comments received.

**ADDRESSES:** Send comments to Dee Smith, NHTSA Privacy Officer, NHTSA Office of the CIO, NPO–420, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590 or [dee.smith@dot.gov](mailto:dee.smith@dot.gov).

**FOR FURTHER INFORMATION CONTACT:** For privacy issues please contact: Dee Smith, NHTSA Privacy Officer, NHTSA Office of the CIO, NPO–420, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590 or [dee.smith@dot.gov](mailto:dee.smith@dot.gov).

**SUPPLEMENTARY INFORMATION:**

## I. CARS Program

On June 24, 2009, the President signed into law the Consumer Assistance to Recycle and Save Act of 2009 (the CARS Act) (Pub. L. 111–32). The Act establishes, within DOT's National Highway Traffic Safety Administration (NHTSA), a temporary program under which an owner of a motor vehicle meeting statutorily specified criteria may trade in the vehicle and receive a monetary credit from the dealer toward the purchase or lease of a new motor vehicle meeting statutorily specified criteria (the CARS Program or Program).

The Program covers qualifying transactions that occur between July 1, 2009 and November 1, 2009. If all of the conditions of eligibility are met and the dealer provides NHTSA with sufficient documentation relating to the transaction, NHTSA will make an electronic payment to the dealer equal to the amount of the credit extended by the dealer to the consumer, not exceeding the statutorily authorized amount. The dealer must agree to transfer the trade-in vehicle to a salvage auction or disposal facility that will crush or shred it so that it will never be returned to the road, although parts of the vehicle other than the engine block may be sold prior to disposal.

Under the Program, NHTSA must collect a variety of information from individuals and entities about qualifying transactions. Vehicle manufacturers must provide data about vehicles and authorized dealers. Dealers must provide information about their business operations and individual financial transactions. Salvage auctions and disposal facilities may be required to provide comparable data about their business operations and information confirming the sale or destruction of trade-in vehicles. This information is required to ensure compliance with the terms of the CARS Act—specifically, to verify that purchasing consumers, new and trade-in vehicles, dealers, salvage auctions and disposal facilities are eligible to participate in the Program; to identify, prevent and penalize fraud; and to confirm appropriate disposal of the trade-in vehicles. Participating car buyers also will be asked to complete a survey about the Program for use in reporting to Congress on the efficacy of the Program, as mandated by the CARS statute. Surveys will be voluntary and anonymous. Additionally, under the Act, NHTSA is required to coordinate with the U.S. Department of Justice (DOJ) to ensure that the National Motor Vehicle Title Information System (NMVTIS) (which is administrated by

the American Association of Motor Vehicle Administrators (AAMVA)) is updated appropriately to reflect the disposal of vehicles traded in under the CARS Program.

## II. CARS Database System

In order to support the CARS program, NHTSA will utilize one or more secure databases (*i.e.*, the CARS Database System) to collect, process and store information about eligible transactions and about car purchasers/lessees, dealers, salvage auctions and disposal facilities participating in the CARS program. This information will include Personally Identifiable Information (PII), including financial transaction information of individual car purchasers/lessees, and may include PII about a limited number of salvage auctions and disposal facilities participating in the program, which in some States may be operated by individuals (sole proprietors).

## III. The Privacy Act

The Privacy Act (5 U.S.C. 552a) governs the means by which the United States Government collects, maintains, and uses PII in a system of records. A “system of records” is a group of any records under the control of a Federal agency from which information about individuals is retrieved by name or other personal identifier.

The Privacy Act requires each agency to publish in the **Federal Register** a notice (SORN) identifying and describing each system of records the agency maintains, including the purposes for which the agency uses PII in the system, the routine uses for which the agency discloses such information outside the agency, and how individuals record subject can exercise their rights under the Privacy Act (*e.g.*, to determine if the system contains information about them).

## IV. Privacy Impact Assessment

NHTSA is publishing a Privacy Impact Assessment (PIA) to coincide with this SORN.

In accordance with 5 U.S.C. 552a(r), a report on the establishment of this new system of records has been sent to Congress and to the Office of Management and Budget.

**SYSTEM NUMBER:**  
**DOT/NHTSA 464**

**SYSTEM NAME:**

CARS Database System.

**SECURITY CLASSIFICATION:**

Sensitive, unclassified.

**SYSTEM LOCATION:**

**Servers:** The Servers hosting the CARS Database System are housed in a contractor-owned facility at Oracle On Demand in Austin, Texas.

**Portals:** This system is accessed via portals located at:

- Registered, participating new car dealers via the Internet at <http://www.cars.gov>.
- NHTSA Headquarters, located at 1200 New Jersey Avenue, and in various of NHTSA's regional offices and at other off-site locations used in connection with CARS Program.
- The off-site facilities of NHTSA and DOT Contractors.

Authorized users at NHTSA Headquarters access their records in the CARS Database System via the DOT Intranet. Authorized users at the NHTSA portal locations and at the contractor portal locations access their records in the CARS Database System via the Internet at <http://www.cars.gov>.

Some system software is maintained by Oracle On Demand in Austin, Texas. The CARS Database System interfaces with participating new car dealers, and with other DOT systems used to pay the dealers, through that system software, as well as other software maintained by the Federal Aviation Administration's Enterprise Services Center (ESC) at the Mike Monroney Aeronautical Center, Oklahoma City, OK.

Any hard-copy files containing CARS-related records will be maintained at the pertinent NHTSA, DOT or Contractor portal locations.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

The system covers the following individuals:

- Individual buyers/lessees of new cars participating in the CARS program.
- Sole proprietors of salvage auctions and automobile disposal facilities participating in the CARS program.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

- Records about individual car buyers/lessees participating in the CARS Program consist of transaction records containing the following PII data elements: name and address of the purchaser/lessee; the purchaser/lessee's State driver's license number or other State identification number; the State driver's license number or other State identification number of the co-purchaser/lessee (if any), as listed in the title; and the Vehicle Identification Number (VIN) of the trade-in vehicle and the VIN of the new vehicle. Depending on the State and content of the sales contract, PII also may be found on the following documents required to

be scanned by dealers and entered into the system: Document of title of trade-in vehicle (or, in certain States, documentation of paper-less title), proof of insurance for trade-in vehicle (cards or letter from insurer), trade-in registration, sales summary sheet, and salvage certificate.

- Records about any sole proprietors of salvage auctions and disposal facilities participating in the CARS Program consist of business operation records that may include the following PII elements: Name, home address, telephone number and e-mail address, to the extent that such individuals operate their businesses out of their homes.

#### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Public Law 111–32, 123 Stat. 1859.

#### **PURPOSE(S):**

The purpose for collecting records in the CARS Database System is to implement the CARS Program and ensure compliance with the terms of the CARS Act. Specifically:

- NHTSA personnel and contractors use the information that each car dealer enters into the CARS database to verify that purchasing/leasing consumers, new and trade-in vehicles, dealers, salvage auctions and disposal facilities are eligible to participate in the Program.

- NHTSA personnel and contractors use information entered into the system to determine if individual transactions satisfy CARS program requirements.

- NHTSA personnel and contractors use the system to send information about eligible transaction to a DOT financial management system to process vouchers and cause dealers to be paid by DOT/NHTSA for eligible transactions.

- Both to establish eligibility and for audit purposes, NHTSA compares dealer-entered information in the CARS Database System to purchaser/lessee and transactional information already within the system.

- NHTSA personnel and contractors and the DOT Inspector General may use information about individual transactions, purchasers/lessees, dealers, salvage auctions and disposal facilities participating in the CARS Program to prevent, identify and investigate program violations and fraud.

- NHTSA personnel and contractors will use survey data provided by purchasers/lessees to report to Congress on the efficacy of the Program.

#### **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

The CARS Database System shares PII about individual purchasers/leasees and their new and trade-in vehicles, and about any sole proprietors of salvage auctions and automobile disposal facilities, as follows:

- NHTSA personnel and contractors will use VINs from the system to update DOJ's NMVTIS database, as required by the CARS Act.

- NHTSA personnel and contractors, as well as the DOT Inspector General, may provide to the U.S. Department of Justice information about certain transactions, including PII about individual purchasers/lessees and any sole proprietors of salvage auctions and disposal facilities participating in the CARS Program, for purposes of investigating and prosecuting criminal violations, including fraud.

- NHTSA personnel and contractors will provide to States lists of VINs of trade-in vehicles for which they issued car titles, for purposes of cancelling the car titles.

- Salvage auctions and disposal facilities receive the VIN and voucher transaction code for each trade-in car sent to them for sale or destruction. They include the VIN and code on a certificate that they return to DOT/NHTSA.

Other possible routine uses of the information, applicable to all DOT systems, are published in the **Federal Register** at 65 FR 19476 (April 11, 2000), under "Prefatory Statement of General Routine Uses" (available at <http://www.dot.gov/privacy/privacyactnotices/>).

#### **DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

None.

#### **POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

##### **STORAGE:**

Records are stored in databases, on magnetic tape, on magnetic disk and in secure file folders at DOT, NHTSA and contractor portal locations, as required. The databases are on servers; the data is typically stored on a Storage Area Network (SAN) and backed-up on tape stored in Oklahoma City, Oklahoma, Kansas City, Kansas and Austin, Texas. Magnetic tape and disk records are maintained at the central maintenance site in Oklahoma City, at the disaster recovery site in Kansas City, and at the remote hosting site in Austin. Storage of file folders is at the geographic location of the pertinent portal location.

#### **RETRIEVABILITY:**

Records related to individual purchasing/leasing consumers participating in the CARS program are retrieved by State identification number (ID). This will be either a State driver's license and/or another form of State ID (*i.e.*, driver's permit or standard ID).

Records related to any sole proprietors of automobile disposal facilities are retrieved through the use of a unique number given to the proprietors through the Environmental Protection Agency (EPA). The EPA number will be listed on the <http://www.cars.gov> Web site for disposal facilities that are authorized to receive CARS vehicles.

#### **SAFEGUARDS:**

Access to records in the CARS Database system will be limited to NHTSA personnel and contractors through password security, encryption, firewalls, and secured operating system, except for bank account information and a limited amount of eligible transaction information which will be encrypted and sent securely to DOT's financial management system for purposes of effecting payments to participating dealers for eligible transactions.

Registered dealers entering data into the system will be able to access only records relating to transactions initiated by the same dealer—and not records relating to other transactions entered into the system.

Any hard copies of CARS-related records containing PII at DOT, NHTSA and contractor portal locations will be kept in file folders locked in secure file cabinets during non-duty hours.

#### **RETENTION AND DISPOSAL:**

Under the CARS Final Rule, records created under the CARS program will be kept for 5 years. Records that are needed longer, such as to resolve claims and audit exceptions and prosecute fraud, will be retained until such matters are resolved.

The records may be moved at a future date to one or more different locations in response to the operational needs of DOT, NHTSA, the CARS Program or DOT/NHTSA contractors.

#### **SYSTEM MANAGER AND ADDRESS:**

The CARS Database System Manager (NPO–400), Office of the Chief Information Officer, NHTSA, 1200 New Jersey Avenue, SE., Washington, DC 20590.

#### **NOTIFICATION PROCEDURE:**

Individuals or business entities wishing to know if their records appear in this system should direct their

requests to the System Manager identified above.

#### RECORD ACCESS PROCEDURE:

Individuals seeking access to information about them in this system should follow the same procedure as indicated under "Notification Procedure."

#### CONTESTING RECORDS PROCEDURE:

Individuals seeking to contest the content of information about them in this system should follow the same procedure as indicated under "Notification Procedure."

#### RECORD SOURCE CATEGORIES:

Transaction information pertaining to individual purchasers/lessees is obtained by car dealers, on behalf of NHTSA, directly from the individuals, from source documents the individuals provide (some of which are scanned into the database by the dealer), and/or directly from their new and trade-in cars. Dealers scan and/or enter the information into the CARS database and manually compare the information to the source documents or systems to verify its accuracy. NHTSA personnel and contractors then review the records to ensure accuracy prior to assessing the eligibility of individual transactions.

Business operations information about any sole proprietor salvage auctions and disposal facilities is obtained directly from the proprietors.

#### EXEMPTIONS CLAIMED FOR THIS SYSTEM:

None.

Dated: July 21, 2009.

**Habib Azarsina,**

*Departmental Privacy Officer.*

[FR Doc. E9-17791 Filed 7-24-09; 8:45 am]

BILLING CODE 4910-9X-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2007-30]

#### Petition for Exemption; Summary of Petition Received

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or

omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number involved and must be received on or before August 17, 2009.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2009-0407 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

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

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Privacy:** We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for 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 19477-78).

**Docket:** To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Ralen Gao, Office of Rulemaking, 800 Independence Ave., SW., Room 810, Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on July 21, 2009.

**Pamela Hamilton-Powell,**  
*Director, Office of Rulemaking.*

#### Petition for Exemption

*Docket No.:* FAA-2009-0407.

*Petitioner:* Atlas Air and Polar Air Cargo.

*Section of 14 CFR Affected:* 14 CFR 25.1301(a), § 25.1415(b), § 91.9(a) and (b), § 121.153(a)(2), § 121.339(a)(2)

*Description of Relief Sought:* Atlas Air seeks to replace its pressure check visual inspection interval from before each takeoff to an "A" check interval, conducted every 650 flight hours, or approximately every 54 days.

[FR Doc. E9-17772 Filed 7-24-09; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2009-27]

#### Petition for Exemption; Summary of Petition Received

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number involved and must be received on or before August 17, 2009.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2009-0533 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Privacy:** We will post all comments we receive, without change, to <http://www.regulations.gov>.