

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed permanent export license for the export of defense articles and technical data related to firearms in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles and technical data related to sale of 394 Colt Infantry Automatic Rifles for use by the Mexican Navy.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,  
Assistant Secretary Legislative Affairs.

Dated: September 16, 2009.

**Robert S. Kovac,**  
Managing Director, Directorate of Defense Trade Controls, Department of State.  
[FR Doc. E9-23585 Filed 9-29-09; 8:45 am]

**BILLING CODE 4710-25-P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2009-0001-N-24]

#### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Federal Railroad Administration, DOT.

**ACTION:** Notice and Request for Comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requirement (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection of information was published on July 24, 2009 (74 FR 36807).

**DATES:** Comments must be submitted on or before October 30, 2009.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New

Jersey Ave., SE., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292), or Ms. Nakia Jackson, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6470). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Public Law No. 104-13, § 2,109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On July 24, 2009, FRA published a 60-day notice in the **Federal Register** soliciting comment on the ICR that the agency was seeking OMB approval. 74 FR 36807. FRA received no comments in response to this notice.

Before OMB decides whether to re-approve this proposed collection of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507(b)-(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30-day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

The summary below describes the nature of the information collection requirement (ICR) and the expected burden. The ICR is being submitted for clearance by OMB as required by the PRA.

*Title:* State Safety Participation Regulations and Remedial Actions.

*OMB Control Number:* 2130-0509.

*Type of Request:* Extension of a currently approved collection.

*Affected Public:* Businesses.

*Form(s):* FRA F 6180.33; FRA F 6180.61; FRA F 6180.67; FRA F 6180.96/96A; FRA F 6180.109; FRA F 6180.110; FRA F 6180.111; FRA F 6180.112.

*Abstract:* The collection of information is set forth under 49 CFR

Part 212, and requires qualified state inspectors to provide various reports to FRA for monitoring and enforcement purposes concerning state investigative, inspection, and surveillance activities regarding railroad compliance with Federal railroad safety laws and regulations. Additionally, railroads are to report to FRA actions taken to remedy certain alleged violations of law.

*Annual Estimated Burden Hours:* 10,748.

*Addresses:* Send comments regarding these information collections to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, NW., Washington, DC, 20503; Attention: FRA Desk Officer. Comments may also be sent via e-mail to OMB at the following address:

*oira\_submissions@omb.eop.gov.*

*Comments are invited on the following:* Whether the proposed collections of information are necessary for the proper performance of the functions of FRA, including whether the information will have practical utility; the accuracy of FRA's estimates of the burden of the proposed information collections; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collections of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the **Federal Register**.

**Authority:** 44 U.S.C. 3501-3520.

Issued in Washington, DC on September 24, 2009.

**Kimberly Orben,**

Director, Office of Financial Management, Federal Railroad Administration.

[FR Doc. E9-23541 Filed 9-29-09; 8:45 am]

**BILLING CODE 4910-06-P**

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 27590 (Sub-No. 3)]

#### TTX Company, et al.—Application for Approval of Pooling of Car Service With Respect to Flatcars

**AGENCY:** Surface Transportation Board.

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

**SUMMARY:** In its decision in this proceeding served on August 31, 2004 (August 2004 decision), the Surface Transportation Board provided for the

monitoring of TTX Company (TTX) and the preparation of a monitoring report at the end of year 5 of the 10-year term authorized by the Board for TTX's pooling agreement. To facilitate preparation of the report and preparation of comments by interested parties, the Board is directing TTX and its members to provide certain operational information and then is seeking comments from interested parties on whether any of TTX's activities require any action or particular oversight by the Board at this time.

**DATES:** The information being sought from TTX and its members is due by November 16, 2009. Comments from interested parties are due by December 31, 2009.

**ADDRESSES:** Comments may be submitted either via the Board's e-filing format or in traditional paper format. Any person using e-filing should attach a document and otherwise comply with the instructions at the E-FILING link on the Board's Web site at <http://www.stb.dot.gov>. Any person submitting a filing in the traditional paper format should send an original and 10 copies referring to STB Finance Docket No. 27590 (Sub-No. 3) to: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION CONTACT:** Larry C. Herzig, (202) 245-0282. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** TTX owns and manages for the benefit of its participating Class I and Class II railroads an extensive fleet of specialized flatcars that are used in rail transportation of containers, truck trailers, automobiles, lumber, extra-dimensional loads, and other commodities. TTX was authorized to own and to manage these cars pursuant to a pooling agreement established under 49 U.S.C. 11322. Under 49 U.S.C. 11321, such authorization exempts TTX and the railroad participants in their pooling agreement from "the antitrust laws and from all other law" as necessary to allow the agreement to be carried out. In its August 2004 decision approving a 10-year extension of TTX's pooling authority,<sup>1</sup> the Board authorized TTX's to extend its pooling agreement for an additional 10-year term and clarified the authorized scope of TTX's

agreement. For further details, see the Board's August 2004 decision.

The Board's August 2004 decision also required what was then the agency's Office of Compliance and Enforcement, now the Office of Public Assistance, Governmental Affairs, and Compliance (OPAGAC), to monitor TTX's operations and to prepare a monitoring report at the end of year 5 of the 10-year term that began on October 1, 2004. To carry out the monitoring process required in the August 2004 decision, we are first asking TTX and its members provide certain operational information described in the Board's full decision in this matter being served today. TTX's submission will be posted on the Board's web site.

Thereafter, shippers or other interested parties may comment on TTX's submission and whether any of TTX's activities require any action or particular oversight by this agency at this time. Any commenter wishing to express a concern about any of TTX's activities should fully describe the activity, the concern, and the type of Board action that the commenter believes is appropriate. The information filed by TTX and its members and any public comments will be reviewed as part of the monitoring process, and the agency will determine whether any further action is appropriate.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

*It is ordered:*

1. The Board is commencing the monitoring report process discussed in its August 2004 Decision.
2. TTX and its members must provide the requested information by November 16, 2009.
3. Shippers and other interested parties may file comments with the Board on whether any of TTX's activities pursuant to the Board-approved pooling agreement require any action or particular oversight by the Board at this time. Comments are due by December 31, 2009.
4. This notice will be published in the **Federal Register**.
5. This notice and the accompanying decision will be served on all parties appearing on the service list in STB Finance Docket No. 27590 (Sub-No. 3).
6. This decision is effective on September 25, 2009.

By the Board, Chairman Elliott, Vice Chairman Nottingham, and Commissioner Mulvey.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. E9-23511 Filed 9-29-09; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Rail Grade Separation Project in Orange County, CA

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA, pursuant to 23 U.S.C. 327.

**SUMMARY:** The FHWA is issuing this notice to announce actions taken by FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. Section 139(l)(1). The actions relate to the proposed Orange County Gateway rail grade separation project in the Cities of Placentia (local project proponent) and Anaheim, Orange County, California.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. Section 139(l)(1). A claim seeking judicial review of the Federal agency actions on the rail crossing will be barred unless the claim is filed on or before March 29, 2010. If the Federal law that authorizes 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: Scott K. McHenry, Senior Transportation Engineer, 650 Capital Mall, Suite 4-100, Sacramento, California 95814; phone: (916) 498-5854; fax (916) 498-5008; e-mail [Scott.mchenry@dot.gov](mailto:Scott.mchenry@dot.gov); regular office hours 8 a.m. to 5 p.m. For the City of Placentia, Michael McConaha, Senior Administrative Analyst, City of Placentia, 401 East Chapman Avenue, Placentia, California 92870; phone: (714) 993-8245; fax: (714) 961-0283; e-mail [mmcconaha@placentia.org](mailto:mmcconaha@placentia.org); regular office hours 8 a.m. to 5 p.m.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the Federal Highway Administration (FHWA) has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following rail grade separation project in the State of California. The purpose of the Orange County Gateway (OCG) project is to

<sup>1</sup> See *TTX Company, et al.—Application for Approval of Pooling of Car Service with Respect to Flat Cars*, STB Finance Docket No. 27590 (Sub-No. 3) (STB served Aug. 31, 2004).