

the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 47506 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 47503 of the Act. The FAA has relied on the certification by the airport operator, under section 150.21 of FAR Part 150, that the statutorily required consultation has been accomplished. The FAA has formally received the noise compatibility program for Chicago Executive Airport, also effective on January 26, 2009. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before October 1, 2010. A public hearing was held on December 4, 2007 at the Chicago Executive Airport.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR Part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing non-compatible land uses and preventing the introduction of additional non-compatible land uses. Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations:

Federal Aviation Administration,
Chicago Airport District Office, 2300

East Devon Avenue, Des Plaines, IL 60018.

Chicago Executive Airport, 1020 South Plant Road, Wheeling, IL 60090.

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT**.

Issued in Des Plaines, IL on March 1, 2010.

James G. Keefe,

Manager, Chicago Airports District Office.

[FR Doc. 2010-5201 Filed 3-11-10; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35356]

ABC & D Recycling, Inc.—Lease and Operation Exemption—a Line of Railroad in Ware, MA

ABC & D Recycling, Inc. (ABC & D), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from O'Riley Family Trust (O'Riley), and to operate 773 feet of rail line, located at milepost 12.8, in Ware, MA. The line is currently operated by the Massachusetts Central Railroad Corporation (MCER).¹

ABC & D states that it has and intends to continue to handle construction and demolition debris, and that it obtained and continues to hold all state and local permits necessary in order to handle construction and demolition debris. ABC & D further states that if it wishes to handle solid waste, as defined in the Clean Railroads Act of 2008, it must: (1) Obtain all state and local permits necessary in order to handle such solid waste, or (2) obtain a land-use exemption from the Board for any permits that it is unable to obtain from the state or local government.

ABC & D certifies that its projected annual revenues as a result of the transaction will not exceed those that would qualify it as a Class III rail carrier, and further certifies that its projected annual revenues will not exceed \$5 million.

The transaction is expected to be consummated on March 26, 2010, the effective date of the exemption (30 days after the exemption was filed).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not

¹ According to ABC & D, an agreement has been reached with O'Riley to lease and operate the railroad trackage owned by O'Riley.

automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than March 19, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35356, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Leonard M. Singer, Office of Leonard M. Singer, 101 Arch Street, Ninth Floor, Boston, MA 02110.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: March 9, 2010.

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

Andrea Pope-Matheson,

Clearance Clerk.

[FR Doc. 2010-5445 Filed 3-11-10; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2010 0024]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel ISLAND STYLE.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below. The complete application is given in DOT docket MARAD-2010-0024 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388 (68 FR 23084; April 30, 2003), that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the

docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

DATES: Submit comments on or before April 12, 2010.

ADDRESSES: Comments should refer to docket number MARAD-2010-0024. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue, SE., Room W21-203, Washington, DC 20590. Telephone 202-366-5979.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel ISLAND STYLE is:

Intended Commercial Use of Vessel: "We are interested in operating the boat as a mother boat for environmental kayak tours."

Geographic Region: "Florida, Southwest FL".

Privacy Act

Anyone is able to search the electronic form of all 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).

Dated: March 4, 2010.

By Order of the Maritime Administrator.

Christine Gurland,
Secretary, Maritime Administration.

[FR Doc. 2010-5421 Filed 3-11-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2009-0111]

Notice of Scheduling of Public Hearing; Association of American Railroads

In a notice published January 4, 2010, the Federal Railroad Administration (FRA) announced that the Association of American Railroads (AAR) had petitioned FRA for a waiver of compliance from certain requirements of Title 49 of the Code of Federal Regulations (CFR) parts 234 and 236, and that a public hearing to discuss the issues presented by AAR's petition had been scheduled for February 10, 2010, in Washington, DC. Due to inclement weather in the Washington, DC area on the scheduled hearing date and the resulting temporary closure of Federal Government offices in the Washington, DC area for most of that week, FRA, by notice to all known interested parties, postponed the hearing until a later date.

This notice announces that the public hearing originally scheduled for February 10, 2010, is now rescheduled for Wednesday, April 7, 2010, beginning at 1 p.m. Accordingly, FRA invites all interested persons to participate in the public hearing to address issues presented by AAR's waiver request.

As explained in FRA's January 4, 2010, notice, AAR seeks a waiver, on behalf of its member railroads, from the monthly inspection and test requirements for signal systems set forth in 49 CFR 234.249, 234.251, 234.253, 234.255, 234.257, 234.261, 236.382, and 236.576. The docket number assigned to AAR's petition is Docket Number FRA-2009-0111. A copy of AAR's full petition is available for review online at <http://www.regulations.gov>.

Dates: (1) *Public hearing:* A public hearing will be held on April 7, 2010, beginning at 1 p.m. in Washington, DC.

(2) *Comments:* Interested parties may submit comments relevant to this waiver request and/or issues discussed at the hearing to the address noted below. Such written material should be submitted by May 7, 2010. Comments submitted after that date will be considered to the extent possible.

Addresses: (1) *Public Hearing:* The public hearing will be held at the Washington Marriott, 1221 22nd Street, NW., Washington, DC 20037.

(2) *Attendance:* Any persons wishing to make a statement at the hearing should notify FRA's Docket Clerk, Ms. Michelle Silva, by telephone, e-mail, or in writing, at least 5 business days before the date of the hearing. Ms.

Silva's contact information is as follows: FRA, Office of Chief Counsel, Mail Stop 10, 1200 New Jersey Avenue, SE., Washington, DC 20590; telephone 202-493-6030; e-mail michelle.silva@dot.gov. For information on facilities or services for persons with disabilities or to request special assistance at the meeting, please contact Ms. Silva by telephone or e-mail as soon as possible.

(3) *Comments:* Anyone wishing to file a comment related to this waiver petition or issues raised at the hearing should refer to Docket Number FRA-2009-0111. You may submit your comments and related material by any of the following methods:

- *Internet:* <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:* Docket Operations Facility, U.S. Department of Transportation, 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.

All written communications submitted in response to this notice will be available for examination at the above-facility during regular business hours (9 a.m. to 5 p.m.), Monday through Friday, except Federal Holidays. All documents in the public docket are also available for inspection and download 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 March 8, 2010.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 2010-5468 Filed 3-11-10; 8:45 am]

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