

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. Keefer,**

*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).<sup>1</sup>

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

<sup>1</sup> 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]

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## 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