

by Alameda Belt Line (ABL)<sup>1</sup> between milepost 0.00 near Clement Avenue and milepost 1.80 near Sherman Street in the City of Alameda, Alameda County, CA (City).<sup>2</sup> The line traverses United States Postal Service Zip Code 94501.

UP has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service on the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance of service shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 8, 2010, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA for continued rail service under 49 CFR 1152.27(c)(2)<sup>3</sup> must be filed by April 19, 2010.<sup>4</sup> Petitions to reopen must be filed by April 28, 2010, with: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001.

A copy of any petition filed with the Board should be sent to UP's representative: Mack H. Shumate, Jr.,

101 North Wacker Drive, Room 1920, Chicago, IL 60606.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: April 2, 2010.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2010–7854 Filed 4–7–10; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

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

**ACTION:** Notice of Availability regarding a Finding of No Significant Impact (FONSI): U.S. 421 Milton-Madison Bridge replacement.

**SUMMARY:** The FHWA, in coordination with the Kentucky Transportation Cabinet (KYTC) and Indiana Department of Transportation (INDOT), is issuing a Finding of No Significant Impact (FONSI) for improvement to the U.S. 421 Ohio River Bridge between Milton, KY and Madison, IN. The project is needed to improve the functionally obsolete/structurally deficient bridge; to maintain cross-river mobility and community connectivity between Milton and Madison; and to improve safety.

#### FOR FURTHER INFORMATION CONTACT:

Federal Highway Administration, Kentucky Division: Mr. Greg Rawlings, Transportation Specialist, 330 West Broadway, Frankfort, KY 40601–1981. Greg may be contacted by phone at 502–223–6728, or by e-mail at [Gregory.Rawlings@dot.gov](mailto:Gregory.Rawlings@dot.gov).

The FHWA, in coordination with the Kentucky Transportation Cabinet, has determined that the preferred alternative, replacement of the historic truss superstructure with a new 40-foot wide superstructure that mimics the historic profile, will have no significant impact on the human environment. The new cross-section includes 8-foot shoulders, bike lanes, and a cantilever sidewalk. Improvements will require the bridge be closed to traffic for an estimated 12 months. During this time, a free ferry service will maintain connectivity between the two communities. Extensive Section 106 coordination resulted in a Section 106 Memorandum of Agreement. The

project results in Section 4(f) impacts to the historic bridge, the public boat ramp in Milton (net benefit use), and Madison's city campground (net benefit use). A public park at the foot of the bridge in Milton will require a de minimis use if used for a construction staging area. This Finding of No Significant Impact (FONSI) is based on the Environmental Assessment (EA) which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an EIS is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the EA, FONSI, and other supporting documents.

**Electronic Access:** An electronic copy of the EA and FONSI may be downloaded from the project Web site at <http://www.miltonmadisonbridge.com/project-documents.aspx>.

**Authority:** 23 U.S.C. 315; 49 CFR 1.48.

Issued on March 29, 2010.

**Jose Sepulveda,**  
Division Administrator.

[FR Doc. 2010–7653 Filed 4–7–10; 8:45 am]

**BILLING CODE 4910–22–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Membership in the National Parks Overflights Advisory Group Aviation Rulemaking Committee

**ACTION:** Notice.

**SUMMARY:** By **Federal Register** notice (See 75 FR 1834–1835; January 13, 2010) the National Park Service (NPS) and the Federal Aviation Administration (FAA) invited interested persons to apply to fill a vacant position on the National Parks Overflights Advisory Group (NPOAG) Aviation Rulemaking Committee (ARC). That previous notice invited interested persons to apply to fill the vacancy representing commercial air tour concerns due to the incumbent member's completion of a three-year term appointment on May 19, 2010.

This notice informs the public of the person selected to fill the vacancy on the NPOAG ARC.

**FOR FURTHER INFORMATION CONTACT:** Barry Brayer, Special Programs Staff, Federal Aviation Administration, Western-Pacific Region Headquarters, P.O. Box 92007, Los Angeles, CA

<sup>1</sup> ABL is jointly owned by UP and Burlington Northern and Santa Fe Railway Company (BNSF). UP acquired the trackage rights in *Union Pacific Railroad Company—Trackage Rights Exemption—Alameda Belt Line*, STB Finance Docket No. 33682 (STB served Nov. 24, 1998). Once the exemption became effective, UP handled rail cars as the operating agent for BNSF.

<sup>2</sup> UP states that the City has negotiated a purchase agreement with it and BNSF to purchase the line and, as a condition to closing the agreement, the City desires that UP and BNSF discontinue service over the line.

<sup>3</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,500. See 49 CFR 1002.2(f)(25).

<sup>4</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historical documentation is required here under 49 CFR 1105.6(c) and 1105.8(b), respectively.

90009–2007, telephone: (310) 725–3800, e-mail: [Barry.Brayer@faa.gov](mailto:Barry.Brayer@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The National Parks Air Tour Management Act of 2000 (the Act) was enacted on April 5, 2000, as Public Law 106–181. The Act required the establishment of the advisory group within 1 year after its enactment. The NPOAG was established in March 2001. The advisory group is comprised of a balanced group of representatives of general aviation, commercial air tour operations, environmental concerns, and Native American tribes. The Administrator of the FAA and the Director of NPS (or their designees) serve as ex officio members of the group. Representatives of the Administrator and Director serve alternating 1-year terms as chairman of the advisory group.

*In accordance with the Act, the advisory group provides “advice, information, and recommendations to the Administrator and the Director—*

(1) On the implementation of this title [the Act] and the amendments made by this title; (2) On commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given air tour management plan; (3) On other measures that might be taken to accommodate the interests of visitors to national parks; and (4) At the request of the Administrator and the Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands.”

##### Membership

The current NPOAG ARC is made up of one member representing general aviation, three members representing the commercial air tour industry, four members representing environmental concerns, and two members representing Native American interests. Current members of the NPOAG ARC are as follows:

Heidi Williams representing general aviation; Alan Stephen, Elling Halvorson, and Matthew Zuccaro representing commercial air tour concerns; Chip Dennerlein, Greg Miller, Kristen Brengel, and Bryan Faehner representing environmental interests; and Rory Majenty and Ray Russell representing Native American tribes.

##### Selection

Selected to fill this vacancy, for an additional term, is returning member Elling Halvorson. Mr. Halvorson’s term

begins on May 20, 2010. The term of service for NPOAG ARC members is 3 years.

Issued in Hawthorne, CA, on March 30, 2010.

**Barry Brayer,**

*Manager Special Programs Staff, Western-Pacific Region.*

[FR Doc. 2010–7645 Filed 4–7–10; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### **Credit for Renewable Electricity Production, Refined Coal Production, and Indian Coal Production, and Publication of Inflation Adjustment Factors and Reference Prices for Calendar Year 2010; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to publication of inflation adjustment factors and reference prices for calendar year 2010.

**SUMMARY:** This document contains a correction to publication of inflation adjustment factors and reference prices for calendar year 2010 that was published in the **Federal Register** on Thursday, April 1, 2010 at 75 FR 16576 determining the availability of the credit for renewable electricity production, refined coal production, and Indian coal production under section 45.

**FOR FURTHER INFORMATION CONTACT:** Philip Tiegerman, (202) 622–3110 (not a toll-free call).

#### SUPPLEMENTARY INFORMATION:

##### Background

The publication of inflation adjustment factors and reference prices for calendar year 2010 that is the subject of this correction is required by section 45(e)(2)(a) of the Internal Revenue Code (26 U.S.C. 45(e)(2)(A)), section 45(e)(8)(C) (26 U.S.C. 45(e)(8)(C)), and section 45(e)(10)(C) (26 U.S.C. 45(e)(10)(C)).

##### Need for Correction

As published, the publication of inflation adjustment factors and reference prices for calendar year 2010 contains an error that may prove to be misleading and is in need of clarification.

##### Correction of Publication

Accordingly, the publication of inflation adjustment factors and reference prices for calendar year 2010, which was the subject of FR Doc. 2010–7263, is corrected as follows:

On page 16576, column 3, under the paragraph heading “*Credit Amount by Qualified Energy Resource and Facility, Refined Coal, and Indian Coal.*”, Line 26, the language “is 2.15 cents per kilowatt hour on the” is corrected to read “is 2.2 cents per kilowatt hour on the”.

**LaNita Van Dyke,**

*Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).*

[FR Doc. 2010–7931 Filed 4–7–10; 8:45 am]

**BILLING CODE 4830–01–P**

## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control

#### **Designation of Two Individuals Pursuant to Executive Order 13224**

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The Treasury Department’s Office of Foreign Assets Control (“OFAC”) is publishing the names of two newly designated individuals whose property and interests in property are blocked pursuant to Executive Order 13224 of September 23, 2001, “Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism.”

**DATES:** The designation by the Director of OFAC of the two individuals identified in this notice, pursuant to Executive Order 13224, is effective on April 1, 2010.

**FOR FURTHER INFORMATION CONTACT:** Assistant Director, Compliance Outreach & Implementation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, tel.: 202/622–2490.

#### SUPPLEMENTARY INFORMATION:

##### Electronic and Facsimile Availability

This document and additional information concerning OFAC are available from OFAC’s Web site (<http://www.treas.gov/ofac>) or via facsimile through a 24-hour fax-on-demand service, tel.: 202/622–0077.

##### Background

On September 23, 2001, the President issued Executive Order 13224 (the “Order”) pursuant to the International Emergency Economic Powers Act, 50 U.S.C. 1701–1706, and the United Nations Participation Act of 1945, 22 U.S.C. 287c. In the Order, the President declared a national emergency to address grave acts of terrorism and threats of terrorism committed by