

the Indiana bat and was not likely to adversely modify the bat's designated Critical Habitat. In addition, the USFWS issued an Incidental Take Statement subject to specified terms and conditions. The biological opinions and other project records relating to the USFWS actions, taken pursuant to the Endangered Species Act, 16 U.S.C. 1531–1544, are available by contacting the FHWA, INDOT, or USFWS at the addresses provided above. The Tier 2, Section 2, Biological Opinion can be viewed and downloaded from the project Web site at [http://www.deis.i69indyevn.org/FEIS\\_Sec2/2F\\_Appendix\\_Y2.pdf](http://www.deis.i69indyevn.org/FEIS_Sec2/2F_Appendix_Y2.pdf).

2. *Project:* Section 3 of the I–69 highway project from Evansville to Indianapolis. Location: U.S. 50 east of the city of Washington, Indiana to U.S. 231 near the Crane NSWC, Daviess and Greene Counties. Notice is hereby given that the FHWA has approved four Reevaluations of the Tier 2, Section 3 Record of Decision issued on January 28, 2010. Section 3 of the I–69 project extends from U.S. 50 east of the city of Washington, Indiana to U.S. 231 near the Crane NSWC. Section 3 is a new alignment, fully access-controlled highway. As approved in the Tier 1 ROD, the corridor is generally 2000-foot wide. The corridor width varies at two locations within Section 3. It narrows to 1200-foot wide near First Creek and expands to 6400-foot wide near the Thousand Acre Woods. The ROD selected Refined Preferred Alternative 1 for Section 3, as described in the *I–69 Evansville to Indianapolis, Indiana, Tier 2 Final Environmental Impact Statement, Washington to Crane NSWC, Indiana* (FEIS), available at [http://www.i69indyevn.org/section3\\_FEIS.html](http://www.i69indyevn.org/section3_FEIS.html). The ROD also approved the locations of the interchanges, grade separations, and access roads (which include new roads, road relocations, and realignments). A Notice of Limitation on Claims for Judicial Review of Actions by FHWA and United States Fish and Wildlife Service (USFWS), DOI, was published in the **Federal Register** on February 25, 2010 (75 FR 8786–01). A claim seeking judicial review of the Tier 2, Section 3 decisions must be filed by August 24, 2010, to avoid being barred under 23 U.S.C. 139(l). The four Reevaluations of the Tier 2, Section 3 ROD include: (1) The June 15, 2010 Reevaluation, which was prepared to evaluate the impacts of additional right-of-way areas made necessary as a result of final design of Section 3 that were not analyzed in the Tier 2 Section 3 ROD or FEIS; (2) the April 18, 2010 Reevaluation, which was

prepared to analyze the impacts of additional right-of-way areas made necessary based on final design Section 3 that were not analyzed in the Tier 2 Section 3 ROD or FEIS (approved April 18, 2010); (3) the February 18, 2010 Reevaluation, which was prepared to evaluate the impacts of additional right-of-way to accommodate grade separation, drive construction and building removal, made necessary based on final design of several bridges; and (4) the May 6, 2010 Reevaluation, which was prepared to evaluate the impacts of minor bridge design changes and acquisition of additional permanent flood easements made necessary based on final design that were not analyzed in the Tier 2 Section 3 ROD or FEIS. The analysis in each of the four reevaluations completed supports the FHWA's conclusions that none of the changes examined will have impacts sufficient to require preparation of a Supplemental Environmental Impact Statement (SEIS) or an additional Draft Environmental Impact Statement (DEIS) for Section 3. The detailed analysis of the reevaluation documents along with the Federal decision of minimal impact can be found on the project Web site at <http://www.i69indyevn.org/reevaluation.html>.

In addition, the United States Army Corps of Engineers (USACE) has taken final agency action by issuing a permit and approval for the Section 3, 25.73 mile I–69 project in Daviess and Greene Counties. On January 7, 2010, INDOT filed an application with the USACE for authorization under Section 404 of the Clean Water Act, 33 U.S.C. 1344, to construct the 25.73 mile Section 3 of I–69. As part of the Section 3 project, which begins at the terminus of the Section 2 project, there are six crossings of water resources requiring individual permits from the USACE, including streams, open water and emergent, scrub-shrub and forested wetlands. Subject to the permit conditions, INDOT is permitted to discharge fill material below the Ordinary Highway Water mark of 8,925 linear feet of Doan's Creek and intermittent and ephemeral tributaries of Eagan Ditch and Doan's Creek, and to discharge fill material into 4.64 acres of open water and emergent, scrub-shrub and forested wetlands adjacent to First Creek and Doan's Creek in constructing these crossings. The action taken by the USACE, related final actions by other Federal agencies, and the laws under which such actions were taken are described in the USACE decision and its administrative record for the Projects, referenced as Section 404 Water Quality Permit Number LRL–

2010–39–djd, issued on July 14, 2010. In addition, in two letters dated January 20, 2010 and May 4, 2010, the USACE has authorized impacts at 32 other sites under their jurisdiction within Section 3 of the I–69 project in Daviess and Greene Counties via the Regional General Permit No. 1 issued jointly by the Louisville and Chicago Districts on December 15, 2009. All of this information is available on the project Web site at <http://www.i69indyevn.org/404permits.html>, or by contacting the USACE at the address provided above.

(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).

**Robert F. Tally Jr.,**  
Division Administrator, Indianapolis,  
Indiana.

[FR Doc. 2010–19979 Filed 8–12–10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35397]

#### 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, Mass.<sup>1</sup> The line is currently operated by the Massachusetts Central Railroad Corporation.<sup>2</sup>

ABC & D states that it has been engaged in handling construction and demolition debris, having obtained all required state and local permits, and intends to continue handling these materials. ABC & D further states its understanding that, if it wishes to handle solid waste as defined in the Clean Railroads Act of 2008, Public Law 110–432, div. A, title VI, 122 Stat. 4900, it must: (1) Obtain all state and local

<sup>1</sup> ABC & D earlier filed a verified notice of exemption concerning lease and operation of this trackage in FD 35356, *ABC & D Recycling, Inc.—Lease and Operation Exemption—a Line of Railroad in Ware, Massachusetts* (STB served Mar. 12, 2010), which ABC & D later withdrew. See *id.* (STB served Apr. 1, 2010) (dismissing ABC & D's notice of exemption without prejudice).

<sup>2</sup> According to ABC & D, an agreement has been reached with O'Riley to lease and operate the railroad trackage owned by O'Riley.

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 August 27, 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 automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than August 20, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35397, 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: August 9, 2010.

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

**Kulunie L. Cannon,**  
Clearance Clerk.

[FR Doc. 2010-19990 Filed 8-12-10; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Innovative Technology Administration

#### Notice of Meeting

**AGENCY:** Research and Innovative Technology Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of Transportation is providing notice that it intends to hold a Distracted Driving Summit (The Summit) to exchange information and ideas on the best possible methods to reduce the number of crashes and deaths due to distracted driving.

*Meeting Date:* September 21, 2010.

**ADDRESSES:** The Summit will be held at Renaissance Hotel in Washington, DC. The Department welcomes comments or questions prior to and during the Summit. If you would like to submit a comment or question prior to the Summit, you may submit comments/questions identified by DOT Docket ID Number RITA 2010-0003 by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.
- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- *Fax:* 202-493-2251

**Instructions:** Identify docket number, RITA 2010-0003, at the beginning of your comments. To receive confirmation that DOT received your comments, include a self-addressed stamped postcard. Internet users may access all comments received by DOT at <http://www.regulations.gov>. All comments/questions will be posted electronically without charge or edits, including any personal information provided.

**Privacy Act:** Anyone is able to search the electronic form of all comments/questions filed in our dockets by the name of the individual submitting the comment or question (or signing the comment, if submitted on behalf of an association, corporation, business entity, 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) or you may visit <http://DocketInfo.dot.gov>.

**Docket:** For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. or the street address listed above. Follow the online instructions for accessing the dockets.

**FOR FURTHER INFORMATION CONTACT:** Thomas Bolle, Office of Governmental, International and Public Affairs, RTG-20, Research and Innovative Technology Administration, Telephone Number (202) 366-0665, Fax Number (202) 366-1134 EMAIL—[distracteddriving@dot.gov](mailto:distracteddriving@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The Summit will build on the momentum from last year's summit

bringing together senior transportation officials, elected officials, safety advocates, law enforcement representatives, private sector representatives and academics to address a range of issues related to reducing accidents through enforcement, public awareness and education. Authoritative speakers from around the nation will lead interactive panel discussions on a number of key topics including the extent and impact of distracted driving, current research, regulations and best practices.

The U.S. Department of Transportation is committed to providing equal access to this Summit. Based on limited seating and to accommodate the strong interest outside the Washington area, the Summit will be available live by Webcast and members of the public will be given the opportunity to submit questions or comments online for each individual panel discussion. The Department has also created a Web site to provide information and updates on the Summit as details become available: <http://www.distracted.gov/2010summit/>. If you need alternative formats or services because of a disability, please contact Thomas Bolle with your specific request by September 13, 2010.

Exhibit Space for this year's Summit will be handled separately by the National Organizations for Youth Safety. Thus, anyone who wishes to request exhibit space for the Summit should contact the National Organizations for Youth Safety directly. Questions pertaining to exhibit space should be directed to Nicole Graziosi by phone at 571-377-0903 or by e-mail at [ngraziosi@noys.org](mailto:ngraziosi@noys.org).

Issued in Washington, DC, on August 6, 2010.

**Peter H. Appel,**  
Administrator.

[FR Doc. 2010-19988 Filed 8-12-10; 8:45 am]

BILLING CODE 4910-HY-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Fifth Meeting: RTCA Special Committee 219: Attitude and Heading Reference System (AHRS)

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

**ACTION:** Notice of RTCA Special Committee 219: Attitude and Heading Reference System (AHRS).

**SUMMARY:** The FAA is issuing this notice to advise the public of a meeting of