

*Paper Comments*

• Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NASDAQ-2010-111. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NASDAQ-2010-111 and should be submitted on or before October 12, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>11</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. 2010-23386 Filed 9-17-10; 8:45 am]

BILLING CODE 8010-01-P

---

**DEPARTMENT OF STATE**

[Public Notice 7160]

**Request for Comments and Suggestions for Environmental Cooperation Pursuant to the United States-Oman Memorandum of Understanding on Environmental Cooperation**

**ACTION:** Notice of preparation of the 2011-2014 U.S.-Oman Environmental

Cooperation Plan of Action and request for comments.

**SUMMARY:** The Department of State invites the public, including NGOs, educational institutions, private sector enterprises and other interested persons, to submit written comments or suggestions regarding items for inclusion in a new Plan of Action for implementing the United States-Oman Memorandum of Understanding on Environmental Cooperation (MOU) signed on February 20, 2006. We encourage submitters to refer to: (1) The U.S.-Oman MOU, (2) the U.S.-Oman 2006-2008 Environmental Cooperation Work Program, (3) the Environment Chapter (17) of the U.S.-Oman Free Trade Agreement, and (4) the Environmental Review of the U.S.-Oman Free Trade Agreement.

*(Documents are available at: <http://www.state.gov/g/oes/env/trade/oman/index.htm>).*

**DATES:** To be assured of timely consideration, all written comments or suggestions are requested no later than October 20, 2010.

**ADDRESSES:** Written comments or suggestions should be e-mailed ([LindsayA@state.gov](mailto:LindsayA@state.gov)) or faxed to Abby Lindsay at (202) 647-5947, Office of Environmental Policy, Bureau of Oceans and International Environmental and Scientific Affairs, U.S. Department of State, with the subject line "U.S.-Oman Environmental Cooperation 2011-2014 Plan of Action." If you have access to the Internet and wish to view and make comment on this Public Notice, you may do so by going to: <http://www.regulations.gov/search/Regs/home.html#home>.

**FOR FURTHER INFORMATION, CONTACT:** Abby Lindsay, telephone (202) 647-8772. Office of Environmental Policy, Bureau of Oceans and International Environmental and Scientific Affairs, U.S. Department of State.

**SUPPLEMENTARY INFORMATION:** In the U.S.-Oman Memorandum of Understanding on Environmental Cooperation, the Governments (1) recognize "the importance of strengthening capacity to protect the environment while promoting sustainable development in concert with the expanded bilateral trade relationship that will accompany the United States-Oman Free Trade Agreement (FTA)" and (2) indicate their intent "to cooperate in the field of environmental and natural resource protection and sustainable development." In the Environment Chapter of the U.S.-Oman Free Trade Agreement (Chapter 17), the

Governments likewise "recognize the importance of strengthening their capacity to protect the environment and to promote sustainable development in concert with strengthening bilateral trade and investment relations." The Governments commit to "undertaking cooperative environmental activities pursuant to" the MOU.

In Section 2 of the MOU, the Governments set forth plans to establish the Joint Forum on Environmental Cooperation (JFEC) to coordinate and review environmental cooperation activities. As envisioned in the MOU, the JFEC will "develop a Plan of Action; review and assess cooperative environmental activities undertaken pursuant to the Plan of Action; recommend ways to improve cooperation; and undertake such other activities as the Governments may deem to be appropriate." The Plan of Action is a tool to identify and establish goals, objectives and areas for cooperation, including short-, medium- and long-term bilateral and/or regional projects and activities. Through this notice, the United States seeks to "solicit, and take into account as appropriate, the views of its public with respect to the Plan of Action."

In March 2007, the Governments agreed to the 2006-2008 U.S.-Oman Work Program on environmental cooperation. The main areas of cooperation under the 2006-2008 Work Program were: (1) Environmental Laws and Regulations; (2) Environmental Impact Assessments; (3) Environmental Incentives; (4) Public Participation in Environmental Protection; (5) Integrated Water Resources Management and Protection; (6) Coastal Protection and Preservation of Marine Resources; (7) Protected Area Management and Conservation of Flora and Fauna; (8) Improved Environmental Performance in the Productive Sector; and (9) Chemical and Hazardous Waste Management and Disposal.

The United States anticipates building upon the cooperative work initiated in the 2006-2008 Work Program. We are requesting ideas and suggestions that may be considered for inclusion in the next Plan of Action.

*For additional information: <http://www.state.gov/g/oes/env/trade/oman/index.htm>.*

*Disclaimer:* This Public Notice is a request for comments and suggestions and is not a request for applications. No granting or money is directly associated with this request for suggestions for the Plan of Action. There is no expectation of resources or funding associated with any comments or suggestions provided for the 2011-2014 Plan of Action.

<sup>11</sup> 17 CFR 200.30-3(a)(12).

Dated: September 14, 2010.

**Willem H. Brakel,**

*Director, Office of Environmental Policy,  
Department of State.*

[FR Doc. 2010-23425 Filed 9-17-10; 8:45 am]

**BILLING CODE 4710-09-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35407]

#### **GNP Rly, Inc.—Acquisition and Operation Exemption—Redmond Spur and Woodinville Subdivision**

**AGENCY:** Surface Transportation Board, DOT.

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

**SUMMARY:** On August 24, 2010, GNP Rly, Inc. (GNP), a Class III rail carrier, filed a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10902 to acquire and resume rail service over 2 segments of railbanked railroad right-of-way (ROW) totaling 9.1 miles, consisting of: (1) A ROW extending from milepost 0.0, at Woodinville, Wash., to approximately milepost 7.30 at Redmond, Wash. (Redmond Spur); and (2) a ROW extending from milepost 23.8 to milepost 22.0, at or near Woodinville (Woodinville Subdivision).<sup>1</sup> The petition for exemption was filed concurrently with GNP's petition to vacate in part the NITUs issued for the Redmond Spur and a longer segment of the Woodinville Subdivision (extending from milepost 23.8 to milepost 11.25). Those NITUs permitted railbanking/ interim trail use negotiations under the Trails Act, 16 U.S.C. 1247(d). The Board seeks comments from interested persons on GNP's request to resume rail service and partially vacate the NITUs.

**DATES:** Written comments must be filed with the Board by October 20, 2010. Replies must be filed by November 19, 2010.

**ADDRESSES:** Comments may be submitted either via the Board's e-filing format or in the 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 to: Surface Transportation Board, Attn: Docket No. FD 35407, 395 E Street, SW., Washington, DC 20423-0001.

In addition, send one copy of any comments to: (1) John Heffner, 1750 K Street, NW., Suite 200, Washington, DC 20006; (2) Charles A. Spitulnik, Kaplan Kirsch & Rockwell LLP, 1001 Connecticut Avenue, NW., Suite 800, Washington, DC 20036; (3) Craig Watson, Port of Seattle, Pier 69, P.O. Box 1209, Seattle, WA 98111; and (4) Kristy Clark, BNSF Railway Company, 2500 Lou Menk Drive, AOB-3, Fort Worth, TX 76131.

**FOR FURTHER INFORMATION CONTACT:** Julia Farr at 202-245-0359. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** On August 24, 2010, GNP filed a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10902 to acquire the "residual common carrier rights and obligations," including the right to reinstate rail service over the Redmond Spur and a portion of the Woodinville Subdivision. These segments are currently subject to an interim trail use agreement between BNSF Railway Company (BNSF) and King County, a political subdivision of the State of Washington. The Port of Seattle (Port) owns the real estate associated with the lines, which it acquired from BNSF.<sup>2</sup> In *King County, Wash.—Acquisition Exemption—BNSF Railway Company*, FD 35148 (STB served Sept. 18, 2009), the Board granted the request by King County for exemption from 49 U.S.C. 10901 to acquire BNSF's rights and obligations, including the right to reinstate rail service in the future.

GNP's petition presents this issue: Under what circumstances will the Board grant a carrier's request to vacate a NITU to permit reactivation of rail service, when the petitioning carrier does not own or have any other interest in the ROW? An interim trail use arrangement is subject to being cut off at any time by the reinstatement of service. Here, the abandoning railroad (BNSF) has transferred its rights and obligations, including the right to reinstate rail service, to King County (the trail sponsor), and a different carrier, GNP, seeks to reinstate service.

GNP states that 2 customers have requested service: Drywall Distributors, a supplier of drywall products, which

anticipates receiving 40 carloads per year; and Building Specialties, a distributor of building products, located in the industrial park formerly served by BNSF, which also anticipates receiving 40 carloads per year. GNP includes a statement in support of its petition from Wallace/Knutsen L.L.C., owner of the industrial park located on the Redmond Spur. In anticipation of reactivation of rail service on the Redmond Spur, Wallace/Knutsen L.L.C. has leased to GNP an unused rail spur that crosses the industrial park and connects to the Redmond Spur.

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by June 15, 2011.

Decided: September 14, 2010.

By the Board.

**Rachel D. Campbell,**

*Director, Office of Proceedings.*

**Kulunie L. Cannon,**

*Clearance Clerk.*

[FR Doc. 2010-23370 Filed 9-17-10; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### **Environmental Impact Statement; Pinal County, AZ**

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

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for a proposed transportation project in Pinal County, Arizona.

**FOR FURTHER INFORMATION CONTACT:** Kenneth H. Davis, Senior Engineering Manager for Operations, Federal Highway Administration, 4000 N. Central Avenue, Suite 1500, Phoenix, Arizona 85012-1906, Telephone (602) 382-8970, Fax (602) 382-8998, *e-mail:* [Ken.davis@dot.gov](mailto:Ken.davis@dot.gov); or Mary Frye, Environmental Coordinator, Federal Highway Administration, Arizona Division, 4000 N. Central Avenue, Suite 1500, Phoenix, Arizona 85012-1906, Telephone (602) 382-8979, Fax (602) 382-8998, *e-mail:* [Mary.Frye@dot.gov](mailto:Mary.Frye@dot.gov).

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Arizona Department of Transportation (ADOT), will prepare an environmental impact statement (EIS) on a proposed 40-mile-long project along a new route located between US 60 on the north and Interstate 10 (I-10) on the south. The

<sup>1</sup> These segments were the subjects of abandonment proceedings and notices of interim trail use (NITUs) in *BNSF Railway Company—Abandonment Exemption—in King County, Wash.*, AB 6 (Sub-No. 463X) and *BNSF Railway Company—Abandonment Exemption—in King County, Wash.*, AB 6 (Sub-No. 465X).

<sup>2</sup> *The Port of Seattle—Acquis. Exemption—Certain Assets of BNSF Ry.*, FD 35128 (STB served June 20, 2008).