

*Title:* Over-the-Road Bus (OTRB) Accessibility Program.

*Abstract:* The OTRB Accessibility Program is authorized under Section 3038 of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-85, as amended by the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users SAFETEA-LU), Public Law 109-059, August 10, 2005. OTRBs are used in intercity fixed-route service as well as other services, such as commuter, charter and tour bus services. These services are an important element of the U.S. transportation system. TEA-21 authorized FTA's OTRB Accessibility Program to assist OTRB operators in complying with the Department's OTRB Accessibility regulation, "Transportation for Individuals with Disabilities" (49 CFR part 37, Subpart H). The legislative intent of this grant program is to increase the number of wheelchair accessible OTRBs available to persons with disabilities throughout the country.

*Estimated Total Annual Burden:* 4,800 hours.

**ADDRESSES:** All written comments must refer to the docket number that appears at the top of this document and be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, *Attention:* FTA Desk Officer.

*Comments Are Invited On:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued on: September 10, 2009.

**Ann M. Linnertz,**

*Associate Administrator for Administration.*

[FR Doc. E9-22321 Filed 9-15-09; 8:45 am]

**BILLING CODE 4910-57-P**

## FEDERAL MARITIME COMMISSION

### Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments on the agreements to the Secretary,

Federal Maritime Commission, Washington, DC 20573, within ten days of the date this notice appears in the **Federal Register**. Copies of the agreements are available through the Commission's Web site (<http://www.fmc.gov>) or by contacting the Office of Agreements at (202)-523-5793 or [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov).

*Agreement No.:* 011961-008.

*Title:* Maritime Credit Agreement.

*Parties:* Alianca Navegacao e Logistica Ltda. & Cia.; China Shipping Container Lines Co., Ltd.; CMA CGM S.A.; Companhia Libra de Navegacao; Companhia Libra de Navegacion Uruguay S.A.; Compania Sud Americana de Vapores, S.A.; COSCO Container Lines Company Limited; Dole Ocean Cargo Express; Hamburg-Süd; Hoegh Autoliner A/S; Independent Container Line Ltd.; Kawasaki Kisen Kaisha, Ltd.; Nippon Yusen Kaisha; Norasia Container Lines Limited; Safmarine Container Lines N.V.; Tropical Shipping & Construction Co., Ltd.; United Arab Shipping Company (S.A.G.); Wallenius Wilhelmsen Logistics AS; Yang Ming Marine Transport Corp.; Zim Integrated Shipping Services, Ltd.

*Filing Party:* Wayne R. Rohde, Esq.; Sher & Blackwell; 1850 M Street, NW.; Suite 900; Washington, DC 20036.

*Synopsis:* The amendment would add Hyundai Merchant Marine Co., Ltd. as party to the Agreement.

*Agreement No.:* 201162-004.

*Title:* NYSA-ILA Assessment Agreement.

*Parties:* International Longshoremen's Association and New York Shipping Association.

*Filing Parties:* Donato Caruso, Esq.; The Lambos Firm; 29 Broadway, 9th Floor; New York, NY 10006 and Andre Mazzola, Esq.; Marrinan & Mazzola Mardon, P.C.; 26 Broadway, 17th Floor; New York, NY 10004.

*Synopsis:* The amendment updates assessments on vehicles and other operable, self-propelled machinery or equipment weighing more than 15,000 pounds.

By Order of the Federal Maritime Commission.

Dated: September 11, 2009.

**Karen V. Gregory,**

*Secretary.*

[FR Doc. E9-22304 Filed 9-15-09; 8:45 am]

**BILLING CODE 6730-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-1042X]

#### R.J. Corman Railroad Company/ Tennessee Terminal, LLC— Discontinuance of Service Exemption—in Shelby County, TN

R.J. Corman Railroad Company/Tennessee Terminal, LLC (RJCK) has filed a verified notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over 2,084 feet of rail line owned by BNSF Railway Company (BNSF) and identified as Track A (1110) in the Airport Industrial Park tracks at Memphis, in Shelby County, TN. The line traverses United States Postal Service Zip Code 38118.<sup>1</sup>

RJCK has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic to be rerouted over other lines; —fnl;(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 over the line either is pending with the Surface Transportation 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.<sup>2</sup>

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 October 16, 2009, 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

<sup>1</sup> RJCK leased this line and began operations in January 2006. See *R.J. Corman Railroad Company/Tennessee Terminal, LLC—Lease and Operation Exemption—BNSF Railway Company*, STB Finance Docket No. 34772 (STB served Feb. 3, 2006).

<sup>2</sup> Because this is a discontinuance of service proceeding and not an abandonment, the proceeding is exempt from the requirements of 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), and 49 CFR 1105.11 (transmittal letter).

CFR 1152.27(c)(2)<sup>3</sup> must be filed by September 28, 2009.<sup>4</sup> Petitions to reopen must be filed by October 6, 2009, with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to RJCK's representative: Ronald A. Lane, Fletcher & Sippel LLC, 29 N. Wacker Dr., Suite 920, 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 <http://www.stb.dot.gov>.

Decided: September 10, 2009.

By the Board.

**Rachel D. Campbell,**

*Director, Office of Proceedings.*

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. E9-22263 Filed 9-15-09; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Intent To Prepare a Supplemental Draft Environmental Impact Statement for the Capitol Expressway Light Rail Project in the City of San Jose and County of Santa Clara, CA.

**AGENCY:** Federal Transit Administration (FTA), Department of Transportation (DOT).

**ACTION:** Notice of Intent to prepare a Supplemental Draft Environmental Impact Statement (EIS).

**SUMMARY:** The Federal Transit Administration and the Santa Clara Valley Transportation Authority (VTA) are planning to prepare a Supplemental Draft Environmental Impact Statement (EIS) for the proposed 2.3 mile extension of light rail along Capitol Expressway from the existing Alum Rock Station to Eastridge Transit Center in the City of San Jose. Pursuant to 23 C.F.R 771.129(a) and 771.130, the Supplemental Draft EIS will replace the Draft EIS that was made available for public review in April 2004. The Final EIS required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et. seq.*) (NEPA) was never completed for this project as a result of limited opportunities for securing

federal funds at that time. Due to dramatic declines in local and state funding sources as a result of the global economic recession, VTA is now preparing a Supplemental Draft EIS in order to be eligible for federal funds for this project. A Supplemental Draft EIS is needed to address major changes to the project since April 2004.

The Supplemental Draft EIS will be prepared in accordance with regulations set by the NEPA as well as the provisions of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. The purpose of this Notice of Intent is to alert interested parties about the plan to prepare the Supplemental Draft EIS, to invite public participation in the scoping process and to announce that a public scoping meeting will be conducted.

**DATES:** Written comments on the scope of the Supplemental Draft EIS should be sent to Tom Fitzwater, VTA Environmental Programs and Resources Management Manager, by *October 19, 2009*. A public scoping meeting will be held on *September 30, 2009* from 6 p.m. to 7:30 p.m. at the location indicated under **ADDRESSES** below.

**ADDRESSES:** Written comments on the scope of the Supplemental Draft EIS should be submitted via mail, e-mail, fax, or the project Web site, with attention to: Tom Fitzwater, Manager, VTA Environmental Programs and Resources Management, 3331 North First Street, Building B-2, San Jose, CA 95134-1927, *E-mail:*

*Tom.Fitzwater@vta.org*, *Fax:* (408) 321-5787, *Project Web site:* <http://www.vta.org>.

Comments may also be offered at the public scoping meeting. The address for the public scoping meeting is in the Community Room on the second floor of Eastridge Shopping Center located at 2200 Eastridge Loop Road in San Jose California (Old Navy/JC Penney's entrance). The meeting facility will be accessible to persons with disabilities. If special translation or signing services or other special accommodations are needed, please contact VTA Customer Service five days prior to the meeting at (408) 321-2300, or e-mail [community.outreach@vta.org](mailto:community.outreach@vta.org).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the proposed project, environmental review process, or to be placed on the project mailing list, contact Tom Fitzwater, VTA Environmental Programs and Resources Management, at VTA, 3331 North First Street, Building B-2, San Jose, CA 95134-2709, (408) 321-5789 or Eric Eidlin, Community Planner, at Federal Transit Administration, San

Francisco Regional Office, 201 Mission Street, Room 1650, San Francisco, CA 94105-1926, (415) 744-2502.

#### SUPPLEMENTARY INFORMATION:

##### I. Scoping

Scoping is the process of determining the scope, focus and content of an EIS. FTA and VTA invite all interested individuals and organizations, public agencies, and Native American Tribes to comment on the scope of the Supplemental Draft EIS, including the project's purpose and need, the alternatives to be studied, the impacts to be evaluated, and the evaluation methods to be used. Comments should focus on: alternatives that may be less costly or have less environmental or community impacts while achieving similar transportation objectives, and the identification of any significant social, economic, or environmental issues relating to the alternatives.

NEPA "scoping" has specific and fairly limited objectives, one of which is to identify the significant issues associated with alternatives that will be examined in detail in the document, while simultaneously limiting consideration and development of issues that are not truly significant. It is in the NEPA scoping process that potentially significant environmental impacts—those that give rise to the need to prepare an environmental impact statement—should be identified; impacts that are deemed not to be significant need not be developed extensively in the context of the impact statement, thereby keeping the statement focused on impacts of consequence. Transit projects may also generate environmental benefits; these should be highlighted as well—the impact statement process should draw attention to positive impacts, not just negative impacts.

Once the scope of the environmental study, including significant environmental issues to be addressed, is settled, an annotated outline of the document will be prepared and shared with interested agencies and the public. The outline serves at least three worthy purposes, including (1) documenting the results of the scoping process; (2) contributing to the transparency of the process; and (3) providing a clear roadmap for concise development of the environmental document.

##### II. Description of Project Study Areas and Need

*Purpose of the Supplemental Draft EIS:* The original Notice of Intent to prepare a Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) was issued on September 18,

<sup>3</sup> Each OFA must be accompanied by the filing fee, which is currently 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.