

uses around the airport and preventing the introduction of additional non-compatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grants agreements, or intrude into areas preempted by the Federal Government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use of navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

The submitted program included eleven proposed actions for noise mitigation on and off the airport, as applicable. The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied.

On September 16, 2009, the FAA approved the General Wayne A. Downing Peoria International Airport noise compatibility program. All eleven of the recommendations of the program were approved.

Specific limitations with respect to FAA's approval of an airport noise compatibility program are delineated in FAR Part 150, section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, State, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Where Federal funding is sought, requests for project grants must be submitted to the FAA Chicago Airports District Office.

These determinations are set forth in detail in a Record of Approval signed by Deb Roth on September 16, 2009. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative offices of the General Wayne A. Downing Peoria International Airport.

**DATES:** *Effective Date:* The effective date of the FAA's approval of the General Wayne A. Downing Peoria International Airport noise compatibility program is September 16, 2009.

**FOR FURTHER INFORMATION CONTACT:** Ms. Amy Hanson, Environmental Protection Specialist, CHI-603, Federal Aviation Administration, Chicago Airport District Office, 2300 East Devon Avenue, Des Plaines, IL 60018. Telephone number: 847-294-7354. Documents reflecting this FAA action may also be reviewed at this same location.

Issued in Des Plaines, IL September 17, 2009.

**Jack Delaney,**

*Acting Manager, Chicago Airports District Office.*

[FR Doc. E9-23926 Filed 10-5-09; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Buy America Waiver Notification

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

**ACTION:** Notice.

**SUMMARY:** This notice provides information regarding the FHWA's finding that a Buy America waiver is appropriate for the purchase of foreign Mobile Harbor Cranes in the Federal-aid/American Recovery and Reinvestment Act of 2009 project for the Toledo Port Authority General Cargo Facility.

**DATES:** The effective date of the waiver is October 6, 2009.

**FOR FURTHER INFORMATION CONTACT:** For questions about this notice, please contact Mr. Gerald Yakowenko, FHWA Office of Program Administration, (202) 366-1562, or via e-mail at [gerald.yakowenko@dot.gov](mailto:gerald.yakowenko@dot.gov). For legal questions, please contact Mr. Michael Harkins, FHWA Office of the Chief Counsel, (202) 366-4928, or via e-mail at [michael.harkins@dot.gov](mailto:michael.harkins@dot.gov). Office hours for the FHWA are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

An electronic copy of this document may be downloaded from the Federal Register's home page at: <http://www.archives.gov> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

## Background

The FHWA's Buy America policy in 23 CFR 635.410 requires a domestic manufacturing process for any steel or iron products (including protective coatings) that are permanently incorporated in a Federal-aid construction project. The regulation also provides for a waiver of the Buy America requirements when the application of such requirements would be inconsistent with the public interest or when satisfactory quality domestic steel and iron products are not sufficiently available. This notice provides information regarding the FHWA's finding that a Buy America waiver is appropriate for the acquisition of Mobile Harbor Cranes at the General Cargo Facility in Ohio. While funded by funds made available to the FHWA and subject to the Buy America requirements under 23 U.S.C. 313 and 23 CFR 635.410, the project is being administered by the Maritime Administration. The FHWA has coordinated this Buy America waiver for administrative convenience.

In accordance with the Division I, section 126 of the "Omnibus Appropriations Act, 2009" (Pub. L. 111-8), the FHWA published a notice of intent to issue a waiver on the Mobile Harbor Cranes (<http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=38>) on August 25, 2009. The FHWA received no comments in response to this notice which suggested that the Mobile Harbor Cranes may not be available domestically. During the 15-day comment period, the FHWA conducted additional nationwide review to locate potential domestic manufacturers for the Mobile Harbor Cranes. Based on all the information available to the agency, the FHWA concludes that there are no domestic manufacturers for the Mobile Harbor Cranes. Thus, the FHWA concludes that a Buy America waiver is appropriate as provided by 23 CFR 635.410(c)(1).

In accordance with the provisions of section 117 of the SAFETEA-LU Technical Corrections Act of 2008 (Pub. L. 110-244, 122 Stat. 1572), the FHWA is providing this notice as its finding that a waiver of Buy America requirements is appropriate. The FHWA invites public comment on this finding for an additional 15 days following the effective date of the finding. Comments may be submitted to the FHWA's Web site via the link provided to the Ohio waiver page noted above.

**Authority:** 23 U.S.C. 313; Public Law 110-161, 23 CFR 635.410.

Issued on: September 23, 2009.

**King Gee,**

*Associate Administrator for Infrastructure.*

[FR Doc. E9-23662 Filed 10-5-09; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Notice of Intent To Rule on Application 09-22-C-00-ORD To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Chicago O'Hare International Airport, Chicago, IL**

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

**ACTION:** Notice of Intent to Rule on Application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC Chicago O'Hare International Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

**DATES:** Comments must be received on or before date which is 30 days after date of publication in the **Federal Register**.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Jack Delaney, Federal Aviation Administration, Acting Manager, Chicago Airports District Office, 2300 E. Devon, Des Plaines, Illinois 60018.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Rosemarie Andolino, Commissioner of the City of Chicago Department of Aviation at the following address: Chicago O'Hare International Airport, 10510 West Zemke Road, P.O. Box 66142, Chicago, Illinois 60666.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Chicago Department of Aviation under section 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:** Jack Delaney, Federal Aviation Administration, Acting Manager, Chicago Airports District Office, 2300 E. Devon, Des Plaines, Illinois 60018, (847) 294-7336. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose, use the revenue from, impose and use the revenue from a PFC at Chicago

O'Hare International Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On September 17, 2009, the FAA determined that the application to impose, use the revenue from, impose and use the revenue from a PFC submitted by City of Chicago Department of Aviation was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than January 1, 2010.

The following is a brief overview of the application.

*Proposed charge effective date:* May 1, 2026.

*Proposed charge expiration date:* April 1, 2028.

*Level of the proposed PFC:* \$4.50.

*Total estimated PFC revenue:* \$274,750,247.

*Brief description of proposed project(s):* Remaining O'Hare Modernization Program Residential Sound Insulation.

*Class or classes of air carriers which the public agency has requested not be required to collect PFCs:* Air taxi.

Any person may inspect the application in person at the FAA Office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA regional Airports office located at: 2300 E. Devon, Des Plaines, Illinois 60018.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Chicago Department of Aviation.

Issued in Des Plaines, Illinois, on September 21, 2009.

**Elliott Black,**

*Manager, Planning/Programming Branch, Airports Division Great Lakes Region.*

[FR Doc. E9-23942 Filed 10-5-09; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### **Advisory Committee to the Internal Revenue Service; Meeting**

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

**ACTION:** Notice.

**SUMMARY:** The Information Reporting Program Advisory Committee (IRPAC) will hold a public meeting on Wednesday, October 28, 2009.

**FOR FURTHER INFORMATION CONTACT:** Ms. Caryl Grant, National Public Liaison, CL:NPL:SRM, Rm. 7559, 1111

Constitution Avenue, NW., Washington, DC 20224. Telephone: 202-927-3641 (not a toll-free number). E-mail address: *\*public\_liaison@irs.gov*.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988), a public meeting of the IRPAC will be held on Wednesday, October 28, 2009 from 9 a.m. to 12 p.m. in the Main IRS Building, 1111 Constitution Avenue, NW., Room 3313, Washington, DC. Issues that may be discussed include: reporting of customer's basis in securities transactions, supplemental W-4 instructions and simplification of tax compliance—Non-resident Aliens, proposed regulations under IRC 3402(t) Withholding on Certain Payments Made by Government Entities, TIN masking on payee 1099s, reporting of payments in settlement of payment card and third party network transactions, Form SSA-7028, notice to third party of Social Security number assignment, 5500 enhancements, use of logos on substitute information returns, Section 530 relief, Barter Exchange education, back-up withholding and B-Notice, Forms 3921 and 3922, Administration's Proposals—Tax Information Reporting and withholding, expansion of e-Services, federally declared, disaster casualty losses, proposed ETA e-Channel program, Build American Bonds, Form 1098—Mortgage Interest Statement, Form 5498—Reporting for Successor Beneficiaries, Form 945-X, IRM 4.10.21—Examinations, Form 8886—Reportable Transaction Disclosure Statement, Form 1098-T—Tuition Statement, Form 1099-MISC—missing or incorrect TIN, Notice 2009-46—personal usage of employer-provided cell phones, and WHIFTS—Widely Held Fixed Investment Trusts. Last minute agenda changes may preclude advance notice. Due to limited seating and security requirements, please call or email Caryl Grant to confirm your attendance. Ms. Grant can be reached at 202-927-3641 or *\*public\_liaison@irs.gov*. Attendees are encouraged to arrive at least 30 minutes before the meeting begins to allow sufficient time for purposes of security clearance. Should you wish the IRPAC to consider a written statement, please call 202-927-3641, or write to: Internal Revenue Service, Office of National Public Liaison, CL:NPL:SRM, Room 7559, 1111 Constitution Avenue, NW., Washington, DC 20224 or e-mail: *\*public\_liaison@irs.gov*.