

shut down. Once the new ASR-9 is up and running, the old ASR-9 will be decommissioned and construction will begin on the new ATCT.

The Final EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, and FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures." In addition, FAA Order 5050.4B, "National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions" has been used as guidance the preparation of the environmental analysis.

Issued in Des Plaines, Illinois, on December 3, 2009.

Virginia Marcks,

Manager, Infrastructure Engineering Center, Chicago, AJW-C14D Federal Aviation Administration.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2009-0285]

Pipeline Safety: Requests for Special Permit

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.

ACTION: Notice.

SUMMARY: PHMSA is publishing this notice of special permit requests we have received from several pipeline operators, seeking relief from compliance with certain requirements in the Federal pipeline safety regulations. This notice seeks public comments on these requests, including comments on any safety or environmental impacts. At the

conclusion of the 30-day comment period, PHMSA will evaluate each request and determine whether to grant or deny a special permit.

DATES: Submit any comments regarding these special permit requests by January 11, 2010.

ADDRESSES: Comments should reference the docket numbers for the specific special permit request and may be submitted in the following ways:

- *E-Gov Web Site:* <http://www.Regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency.
- *Fax:* 1-202-493-2251.
- *Mail:* Docket Management System: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery:* DOT Docket Management System: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Instructions: You should identify the docket number for the special permit request you are commenting on at the beginning of your comments. If you submit your comments by mail, please submit two copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at <http://www.Regulations.gov>.

Note: Comments are posted without changes or edits to <http://www.Regulations.gov>, including any personal information provided.

Privacy Act Statement: Anyone may search the electronic form of all comments received for any docket.

DOT's complete Privacy Act Statement was published in the **Federal Register** on April 11, 2000 (65 FR 19477) and is available on <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

General: Kay McIver by telephone at (202) 366-0113; or, e-mail at kay.mciver@dot.gov.

Technical: Steve Nanney by telephone at (713) 272-2855; or, e-mail at steve.nanney@dot.gov.

SUPPLEMENTARY INFORMATION: PHMSA has received several requests for special permits from pipeline operators who seek relief from compliance with certain pipeline safety regulations. Each request is filed in the Federal Docket Management System (FDMS) and has been assigned a separate docket number in the FDMS. Each docket includes any technical analysis or other supporting documentation provided by the requestor, including a description of any alternative measures the operator proposes to take in lieu of compliance. We invite interested persons to participate by reviewing these special permit requests at <http://www.Regulations.gov>, and by submitting written comments, data or other views. Please include any comments on potential environmental impacts that may result if these special permits are granted.

Before acting on these special permit requests, PHMSA will evaluate all comments received on or before the comments closing date. Comments will be evaluated after this date if it is possible to do so without incurring additional expense or delay. PHMSA will consider each relevant comment we receive in making our decision to grant or deny a request and what terms and conditions are appropriate.

PHMSA has received the following special permit requests:

Docket Number	Requester	Regulation(s) affected	Nature of special permit
PHMSA-2009-0266	CountryMark Cooperative, LLP.	49 CFR 195.452(h)(4)(ii)(A), 49 CFR 195.452(h)(4)(iii)(B).	CountryMark Pipeline, LLC requested relief from certain federal regulations for its 178 mile Intrastate, Mount Vernon, Indiana to Jolietville, Indiana pipeline. CountryMark requests that the special permit conditions be in accordance with the guidelines from ASME B31.4 and the PRCI Pipeline Repair Manual, which states that: <ul style="list-style-type: none"> • Dents deeper than 6% should be repaired. • In pipe NPS 4 and smaller, dents are allowed up to ¼ inch and • Dents larger than 2% should be analyzed for fatigue. The pipeline runs through the counties of Posey, Gibson, Knox, Green, Owen, Putnam, Morgan, Hendricks, Boone and Hamilton in Indiana. The pipeline has two segments; (1) Mount Vernon to Switz City; and (2) Switz City to Jolietville. This intrastate pipeline was constructed in 1952 and 1953 (8⅝-inch, 0.322" wall thickness, Grade B steel, seamless pipe) and follows a largely rural route as it passes through 13 (11 Ecological and 2 Drinking Water) Unusually Sensitive Areas. The pipeline operates at a MOP of 800 psig.
PHMSA-2009-0273	Vintage Production California LLC.	49 CFR 192.53, 192.55, 492.105, 192.107, 192.109, 192.111, 192.113, 192.221 192.455, 192.503(b)(3), 192.619.	Vintage Production California LLC requested relief from certain federal regulations for the use of flexible steel pipe. The flexible steel pipe that Vintage proposes to use was designed and manufactured in accordance with API 17J, Specification for Un-bonded Flexible Pipe. Vintage proposes to install approximately 46,300 feet of 6-inch Flex Steel™ pipe in Ventura County, California.
PHMSA-2009-0319	Kern River Gas Transmission Company.	49 CFR 192.625	Kern River Gas Transmission Company requested relief from federal regulations require odorization of natural gas in its Centennial Lateral Line. This line is located in Clark County, Las Vegas, Nevada. The lateral begins at the Kern River 36-inch main line (mile post 519.68) and runs to a meter station that supplies natural gas to the Southwest Gas Corporation. The lateral is 1,083 feet in length and has a 10.750-inch diameter tap valve that transitions into a 12.75-inch, 0.250" wall thickness, Grade API 5L-X65 pipe line. The current MAOP is 1,200 psig with plans to operate at 1,333 psig in the future per special permit, PHMSA-2007-29078.

Authority: 49 U.S.C. 60118 (c)(1) and 49 CFR 1.53.

Issued in Washington, DC on December 3, 2009.

Jeffrey D. Wiese,

Associate Administrator for Pipeline Safety.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35314 (Sub-No. 1X)]

Massachusetts Coastal Railroad, LLC—Trackage Rights Exemption—CSX Transportation, Inc.

Pursuant to a written trackage rights agreement,¹ proposed to take effect on May 14, 2010, CSX Transportation, Inc. (CSXT) has agreed to grant overhead trackage rights to Massachusetts Coastal Railroad, LLC (Mass Coastal) over

CSXT's Middleboro Subdivision: (1) Between Mass Coastal's interchange tracks at Taunton, MA, at approximately milepost QN 11.6, and milepost QN 13.4, a distance of approximately 1.8 miles; and (2) between milepost QNB 13.3 and Mass Coastal's interchange tracks at Middleboro, MA, at approximately milepost QNB 20.4, a distance of approximately 7.1 miles, for a total distance of approximately 8.9 miles.²

The transaction is scheduled to be consummated on May 14, 2010, but the effective date of the exemption is December 24, 2009 (30 days after the exemption was filed). The purpose of the overhead trackage rights is to enable Mass Coastal to connect the freight easement it is acquiring in STB Finance Docket No. 35314 with its existing lines

² Mass Coastal concurrently filed, in STB Finance Docket No. 35314, *Massachusetts Coastal Railroad, LLC—Acquisition—CSX Transportation, Inc.*, an application to acquire from CSXT a permanent freight easement over the following lines: (1) Between milepost QN 13.40 and milepost QN 31.8 at New Bedford; (2) between milepost QNF 0.0 at Myricks and milepost QNF 14.2 at Fall River; and (3) the North Dartmouth Industrial Track between milepost QND 0.00 and milepost QND 0.08. This request will be addressed in a separate decision.

and to facilitate efficient interchange of traffic with CSXT.

As a condition to this exemption, any employee affected by the acquisition of the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it 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 transaction. Any stay petition must be filed on or before December 17, 2009 (at least 7 days before the exemption becomes effective).

Pursuant to the Consolidated Appropriations Act, 2008, Public Law 110-161, § 193, 121 Stat. 1844 (2007), nothing in this decision authorizes the following activities at any solid waste rail transfer facility: collecting, storing, or transferring solid waste outside of its original shipping container; or separating or processing solid waste

¹ A redacted version of the trackage rights agreement between CSXT and Mass Coastal was filed with the notice of exemption. An unredacted version of the agreement was concurrently filed under seal.