

objectives of Section 6(b)(5) of the Act,¹² in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Exchange believes the proposed extension provides the Exchange and FINRA the time necessary to develop a harmonized rule concerning customer order protection that will enable member organizations to participate in the national market system without unnecessary impediments.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

- (i) Significantly affect the protection of investors or the public interest;
- (ii) Impose any significant burden on competition; and
- (iii) Become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, it has become effective pursuant to Section 19(b)(3)(A) of the Act¹³ and Rule 19b-4(f)(6) thereunder.¹⁴

The Exchange has requested the Commission to waive the 30-day operative delay so that the Exchange can extend the operative date of NYSE Rule 92(c)(3) without interruption. The Exchange notes that extending the

delayed operative date of Rule 92(c)(3) from July 31, 2010 to December 31, 2010 will provide sufficient time for the Exchange and FINRA to obtain Commission approval for and implement a harmonized approach to customer order protection rules, including how riskless principal transactions should be reported. The Commission hereby grants the Exchange's request and believes such waiver is consistent with the protection of investors and the public interest.¹⁵ Accordingly, the Commission designates the proposed rule change operative upon filing with the Commission.

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-NYSE-2010-52 on the subject line.

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-NYSE-2010-52. 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 such 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-NYSE-2010-52 and should be submitted on or before August 17, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁶

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010-18409 Filed 7-26-10; 8:45 am]

BILLING CODE 8010-01-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statements: National Summary of Rescinded Notices of Intent

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice.

SUMMARY: The FHWA is issuing this notice to advise the public that 15 States, including the District of Columbia, have rescinded Notices of Intent (NOIs) to prepare 20 Environmental Impact Statements (EISs) for proposed highway projects. The FHWA Division Offices, in consultation with the State Departments of Transportation (State DOTs), determined that nine projects were no longer viable and have formally cancelled the projects. No further Federal resources will be expended on these projects; the environmental review process has been terminated. Nine projects have been reduced in scope and now meet the criteria for an Environmental Assessment (EA) or a Categorical Exclusion (CE). One project is now proceeding as a corridor study.

¹² 15 U.S.C. 78f(b)(5).

¹³ 15 U.S.C. 78s(b)(3)(A).

¹⁴ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires the self-regulatory organization to submit to the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁵ For purposes only of waiving the 30-day operative delay of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

¹⁶ 17 CFR 200.30-3(a)(12).

One project was rescinded as the FHWA is no longer the lead Federal agency for the project.

FOR FURTHER INFORMATION CONTACT:

Bethaney Bacher-Gresock, Office of Project Development and Environmental Review, (202) 366-4196; Janet Myers, Office of the Chief Counsel, (202) 366-2019; Federal Highway Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded by accessing the **Federal Register's** home page at: <http://www.archives.gov> and the Government Printing Office's Web page at <http://www.gpoaccess.gov/nara>.

Background

The FHWA, as lead Federal agency under the National Environmental Policy Act (NEPA) and in furtherance of its oversight and stewardship responsibilities under the Federal-aid highway program, periodically requests that its Division Offices review, with the State DOTs, the status of all EISs and place those projects that are not actively progressing in a timely manner in an inactive project status. The FHWA maintains lists of active and inactive EIS projects on its Web site at <http://www.environment.fhwa.dot.gov/>. The FHWA has determined that inactive projects that are no longer a priority or that lack financial resources should be rescinded with a **Federal Register** notice notifying the public that project activity has been terminated. This notice covers the time period since the last summary was issued on May 14, 2009, and published in the **Federal Register** at 74 FR 25797 (May 29, 2009). As always, FHWA encourages State DOTs to work with their FHWA Division Office to determine when it is most prudent to initiate an EIS in order to best balance available resources as well as the expectations of the public.

The FHWA is issuing this notice to advise the public that 15 States

(California, Colorado, District of Columbia, Florida, Iowa, Illinois, Maryland, Minnesota, Missouri, New Jersey, New York, Oregon, Tennessee, Texas, and Washington) have recently rescinded previously issued NOIs for 20 EISs for proposed highway projects. A listing of these projects, general location, original NOI date of publication in the **Federal Register**, and the date that the NOI was formally rescinded by notice published in the **Federal Register**, is provided below.

The FHWA Division Offices, in consultation with the State DOTs, determined that nine of these projects were no longer viable projects and have formally cancelled those projects. The projects are: The Gaming Area (SH 119 Corridor) project in Gilpin, Clear Creek, and Jefferson Counties, Colorado; County Road 951 project in Lee and Collier Counties, Florida; Lake County Illinois Transportation Improvement Project; Intersection of Route 213 and Nye School Road in Rock County, Wisconsin to the interchange of Rockton Road and I-90 in Winnebago, Illinois; University of Maryland Campus Study from I-95/I-495 and points north located in Prince George's County, Maryland; Jefferson County Missouri Transportation Improvements Project; Harmony Road, Clackamas County, Oregon; SH 35 Roadway between Bellfort Road and FM 1462 in Harris and Brazoria Counties, Texas; and the BNSF Railway Mainline Kelso-Martin's Bluff Rail Project (south of Kalama, Washington).

The FHWA Division Offices, in consultation with the State DOTs, determined that nine projects would be reduced in scope. In California, the I-805 Managed Lane South Project has been reduced in scope and now meets the criteria for an EA. The Klinge Road, N.W. project in the District of Columbia was rescoped and is now an EA focusing on environmental remediation and the development of a multiuse trail. In Maryland, the MD 4 from MD 2 to MD 235 (Thomas Johnson Memorial Bridge) in Calvert and St. Mary's

Counties has been rescoped and now meets the criteria for an EA. In Minnesota, the Tier 1 EIS 33rd Street Corridor between TH 15 and TH 10 in Sherburne and Stearns Counties has been reduced in scope and now meets the criteria for an EA, other components could proceed at a later date. In Missouri, the U.S. Route 65 Relocation Project in Benton County has been reduced in scope as relocation of U.S. Route 65 is no longer being considered. Also in Missouri, the Route 47 Transportation System Improvements Project in Warren and Franklin Counties has been reduced in scope and only covers the bridge replacement. In New Jersey, the proposed South Branch Parkway project in Hunterdon County was reduced in scope as it was determined that key elements of the purpose and need may be met by making improvements to the existing Route 31. In New York, project scoping indicated that few highway improvements are required for the Route 531 Extension project Monroe County and those that are needed will be progressed as CEs. In Tennessee, the State Route 91 Improvements project in Elizabethton, Carter County, was reduced in scope to the transportation systems management and upgrades options to as new location alternatives could have significant adverse environmental impacts.

In addition, one project in Polk County, Iowa, the Tiered EIS Northeast Beltway Study, was rescinded due to scheduling and a lack of project funding; it is currently proceeding as a corridor study.

In addition, the FHWA Division Office, in consultation with the State DOT, rescinded one project because FHWA is no longer serving as the lead Federal agency. The San Ysidro Port of Entry project in San Diego County, California was redesigned and the General Services Agency is now the lead Federal agency. The FHWA is a cooperating agency.

State	Project name—location	NOI date	Rescinded date
CA	I-805 Managed Lane South Project—San Diego County ..	7/11/2007	12/8/2009
CA	San Ysidro Port of Entry—San Diego County	7/2/2003	12/22/2009
CO	Gaming Area EIS (SH 119 Corridor)—Gilpin, Clear Creek and Jefferson Counties.	8/11/2000	4/7/2010
DC	Klinge Road, N.W.—Washington, D.C.	3/18/2004	6/7/2010
FL	County Road 951—Lee and Collier Counties	6/27/2005	3/10/2010
IA	Tiered EIS Northeast Beltway Study—Polk County	5/5/2006 and 6/1/2009	12/21/2009
IL	Lake County Transportation Improvement Project	9/21/2001*	10/23/2008
IL	Intersection of Route 213 and Nye School Road in WI to the interchange of Rockton Road and I-90 in IL—Rock County, WI to Winnebago County, IL.	10/26/1995	5/7/2010
MD	University of Maryland Campus Study from I95/I495 and points north—Prince George's County.	6/11/2008	6/3/2010

State	Project name—location	NOI date	Rescinded date
MD	MD 4 from MD 2 to MD 235 (Thomas Johnson Memorial Bridge)—Calvert and St. Mary's Counties.	10/22/2007	6/4/2010
MN	Tier I EIS—33rd Street Corridor between TH 15 and TH 10—Sherburne and Stearns Counties.	12/26/2002	1/7/2010
MO	US Route 65 Relocation Project—Benton County	4/20/1994	2/27/2006
MO	Transportation Improvements Project—Jefferson County ..	12/19/2007	6/29/2009
MO	Route 47 Transportation System Improvements—Warren and Franklin Counties.	4/22/2008	6/1/2010
NJ	South Branch Parkway—Hunterdon County	11/24/2006	6/30/2009
NY	Route 531 Extension—Monroe County	1/14/2005	6/21/2010
OR	Harmony Road—Clackamas County	4/9/2007	4/5/2010
TN	State Route 91 Improvements in Elizabethton—Carter County.	2/2/2007	6/4/2010
TX	SH 35 Roadway between Bellfort Road and FM 1462—Harris and Brazoria Counties.	10/30/2003	3/3/2010
WA	BNSF Railway Mainline Kelso-Martin's Bluff Rail Project ...	4/2/2001	7/20/2009

*Date of Draft EIS, original NOI date unknown.

(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.)

Issued on: July 6, 2010.

Gregory N. Nadeau,
Deputy Administrator.

[FR Doc. 2010–18318 Filed 7–26–10; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2000–7257; Notice No. 62]

Railroad Safety Advisory Committee; Notice of Meeting

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Announcement of Railroad Safety Advisory Committee (RSAC) Meeting.

SUMMARY: FRA announces the forty-second meeting of the RSAC, a Federal advisory committee that develops railroad safety regulations through a consensus process. The RSAC meeting topics will include opening remarks from the FRA Administrator, and status reports will be provided by the Passenger Hours of Service, Training Standards, Track Safety Standards, Passenger Safety, and Medical Standards Working Groups. Status updates will be provided on the following tasks arising out of the Rail Safety Improvement Act of 2008 (RSIA): Positive Train Control, Railroad Bridge Safety Management, Conductor Certification, and a possible new task regarding Dark Territory may be presented to the committee for approval.

This agenda is subject to change, including the possible addition of further proposed tasks under the RSIA.

DATES: The meeting of the RSAC is scheduled to commence at 9:30 a.m. on Thursday, September 23, 2010, and will adjourn by 4:30 p.m.

ADDRESSES: The RSAC meeting will be held at the National Association of Home Builders National Housing Center, 1201 15th Street, NW., Washington, DC 20005. The meeting is open to the public on a first-come, first-served basis, and is accessible to individuals with disabilities. Sign and oral interpretation can be made available if requested 10 calendar days before the meeting.

FOR FURTHER INFORMATION CONTACT: Larry Woolverton, RSAC Administrative Officer/Coordinator, FRA, 1200 New Jersey Avenue, SE., Mailstop 25, Washington, DC 20590, (202) 493–6212; or Robert Lauby, Deputy Associate Administrator for Regulatory and Legislative Operations, FRA, 1200 New Jersey Avenue, SE., Mailstop 25, Washington, DC 20590, (202) 493–6302.

SUPPLEMENTARY INFORMATION: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), FRA is giving notice of a meeting of the RSAC. The RSAC was established to provide advice and recommendations to FRA on railroad safety matters. The RSAC is composed of 54 voting representatives from 31 member organizations, representing various rail industry perspectives. In addition, there are non-voting advisory representatives from the agencies with railroad safety regulatory responsibility in Canada and Mexico, the National Transportation Safety Board, and the Federal Transit Administration. The diversity of the Committee ensures the requisite range of views and expertise necessary to discharge its responsibilities. See the

RSAC Web site for details on prior RSAC activities and pending tasks at: <http://rsac.fra.dot.gov>. Please refer to the notice published in the **Federal Register** on March 11, 1996 (61 FR 9740) for additional information about the RSAC.

Issued in Washington, DC on July 21, 2010.

Robert C. Lauby,
Deputy Associate Administrator for
Regulatory and Legislative Operations.

[FR Doc. 2010–18320 Filed 7–26–10; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Acceptance

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the City of Philadelphia Division of Aviation for Philadelphia International Airport (PHL) under the provisions of 49 U.S.C. 47501 *et seq.* (Aviation Safety and Noise Abatement Act) and 14 CFR Part 150 are in compliance with applicable requirements.

DATES: *Effective Date:* The effective date of the FAA's determination on the noise exposure maps is June 1, 2010.

FOR FURTHER INFORMATION CONTACT: Edward S. Gabsewics, CEP, Environmental Protection Specialist, FAA Harrisburg Airports District Office, 3905 Hartzdale Avenue, Suite 508, Camp Hill, PA 17011, 717–730–2832.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise Exposure maps submitted for Philadelphia International Airport (PHL) are in compliance with Applicable requirements of Part 150,