

Record of Decision (ROD), and other project records for the listed projects are available by contacting the FHWA or the Utah Department of Transportation at the addresses provided above. For some of the projects, the FEIS, ROD and documents also can be viewed and downloaded electronically as specified below. This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4347]; Federal-Aid Highway Act (FAHA) [23 U.S.C. 109 and 23 U.S.C. 128].

2. Air: Clean Air Act (CAA) [42 U.S.C. 7401–7671(q)].

3. Land: Section 4(f) of the Department of Transportation Act of 1966 (4f) [49 U.S.C. 303].

4. Wildlife: Endangered Species Act (ESA) [16 U.S.C. 1531–1544 and Section 1536]; Migratory Bird Treaty Act (MBTA) [16 U.S.C. 703–712].

5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended (106) [16 U.S.C. 470(f) et seq.]; Archeological Resources Protection Act of 1977 (ARPA) [16 U.S.C. 470(aa)–470(ll)]; Archeological and Historic Preservation Act (AHPA) [16 U.S.C. 469–469(c)].

6. Social and Economic: Civil Rights Act of 1964 (Civil Rights) [42 U.S.C. 2000(d) et seq.].

7. Wetlands and Water Resources: Clean Water Act (Section 401, Section 319) [33 U.S.C. 1251–1377]; Rivers and Harbors Act of 1899 (RHA) [33 U.S.C. 401–406]; Wetlands Mitigation (Sections 103 and 133) [23 U.S.C. 103(b)(6)(M) and 133(b)(11)].

8. Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations.

The projects subject to this notice are: Geneva Road. Project location: Utah County, Utah; Provo Center Street north through Utah County, including the cities of Orem, Vineyard, and Lindon to State Street (SR–89) in Pleasant Grove. Project reference number: FHWA–UT–EIS–08–01–F. Project type: The project will include roadway improvements to add travel lanes in order to meet LOS D in year 2030, intersection improvements, cross-section improvements, improvements to the horizontal alignment at 400 North, and

sidewalk, trail, and shoulder improvements. Final agency action(s) taken under: NEPA, FAHA, CAA, 4f, 106, ESA, MBTA, ARPA, AHPA, Civil Rights, E.O. 11990, E.O. 11514, E.O. 12898. FHWA NEPA documents: FEIS approved on August 18, 2009; ROD issued on October 13, 2009, both available at <http://www.udot.utah.gov/geneva>.

SR–262, Montezuma Creek to Aneth. Project location: San Juan County, Utah; SR–262, Montezuma Creek to Aneth. Project reference number: FHWA–UT–EIS–08–02–D. Project type: The project proposes safety improvements to 8.5 miles of State Route (SR) 162 (formally numbered SR–262) by improving roadway deficiencies and reducing potential conflicts with pedestrians and animals through improvements and realignment of the SR–162/SR–262 intersection and highway widening between the cities of Montezuma and Aneth, Utah. Final agency action(s) taken under: NEPA, FAHA, CAA, 4f, 106, ESA, MBTA, ARPA, AHPA, Civil Rights, E.O. 11990, E.O. 11514, E.O. 12898. FHWA NEPA documents: FEIS approved on June 2, 2009; ROD issued on August 25, 2009, available at <http://www.udot.utah.gov/sr-262/>.

(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.)

Authority: 23 U.S.C. § 139(l)(1).

Issued on: December 3, 2009.

James C. Christian,

Division Administrator, Salt Lake City.

[FR Doc. E9–29579 Filed 12–10–09; 8:45 am]

BILLING CODE 4910-RY-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35327]

Blacklands Railroad, Inc.—Lease and Operation Exemption—Rusk County Rural Rail District

Blacklands Railroad, Inc. (BLR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to lease from Rusk County Rural Rail District (RCRRD), and to operate, a 15.69-mile line of railroad extending between milepost 0.59 near Overton, TX, and milepost 16.28 near Henderson, TX.¹

¹ Union Pacific Railroad Company (UP) has obtained Board authority to abandon this line of railroad in *Union Pacific Railroad Company—*

The transaction is expected to be consummated on or shortly after December 28, 2009, when RCRRD acquires the line from UP.

BLR certifies that its projected annual revenues as a result of this transaction will not result in BLR becoming a Class II or Class I rail carrier. BLR further certifies that its projected annual revenues as a result of this transaction will not exceed \$5 million. BLR states that its lease agreement with RCRRD will not contain a provision prohibiting BLR from interchanging traffic with a third party.

This transaction is related to a concurrently filed verified notice of exemption in STB Finance Docket No. 35330, *Rusk County Rural Rail District—Acquisition Exemption—Union Pacific Railroad Company*. In that proceeding, RCRRD seeks to acquire from UP the 15.69 miles of rail line that BLR seeks to lease and operate in this proceeding.

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 (including baling, crushing, compacting, and shredding). The term “solid waste” is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

If the verified notice 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 effectiveness of the exemption. Stay petitions must be filed no later than December 18, 2009 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35327, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001. In addition, one copy of each pleading must be served on Karl Morell, Of Counsel, Ball Janik LLP, Suite 225, 1455 F Street, NW., Washington, DC 20005.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Abandonment—in Rusk County, TX, STB Docket No. AB–33 (Sub-No. 275) (STB served Sept. 11, 2009), but has not consummated the abandonment. In lieu of abandonment, UP has agreed to sell the right-of-way, track, and track structures to RCRRD for continued rail service. In turn, BLR will lease the line from RCRRD and operate it.

Decided: December 7, 2009.

By the Board, Rachel D. Campbell,
Director, Office of Proceedings.

Kulunie L. Cannon,
Clearance Clerk.

[FR Doc. E9-29496 Filed 12-10-09; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35297]

New Jersey Seashore Lines, Inc.— Operation Exemption—Clayton Sand Company

New Jersey Seashore Lines, Inc. (NJSL), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to operate approximately 13 miles of rail line¹ owned by Clayton Sand Company (Clayton), between milepost 66.0 at Lakehurst, Borough of Lakehurst, in Ocean County, NJ, and milepost 79.0 at Woodmansie, Woodland Township, in Burlington County, NJ.²

This transaction is related to a concurrently filed verified notice of exemption for Anthony Macrie (Macrie), a noncarrier, to continue in control of NJSL and Class III rail carrier Cape May Seashore Lines, Inc., upon NJSL's becoming a Class III rail carrier. See STB Finance Docket No. 35296, *Anthony Macrie—Continuance in Control Exemption—New Jersey Seashore Lines, Inc.*³

The transaction may be consummated on or after December 25, 2009.

NJSL certifies that its projected annual revenues as a result of the transaction will not result in NJSL becoming a Class II or Class I rail carrier and further certifies that its projected annual revenue will not exceed \$5 million.

¹ According to NJSL, the line was formerly operated as private industry track by Ashland Railway, Inc., under contract. Prior to that time, the line was owned by Consolidated Rail Corporation (Conrail), which abandoned it before Clayton's acquisition in 1985.

² NJSL states that the line connects to the national rail system at Lakehurst, NJ.

³ By decision served on September 25, 2009, the Board held publication of the notice in the **Federal Register** and effectiveness of the exemption in abeyance pending further filings by NJSL or Clayton. On October 14, 2009, NJSL and Macrie filed a joint pleading in response to the Board's order. On October 22, 2009, James Riffin filed a notice of intent to participate as a party of record and specified a number of findings he wanted the Board to make in connection with the notice. The Board will specifically address the issues raised in the above filings in a future Board decision, but the explanation provided by NJSL is sufficient to permit the publication of the notice.

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 (including baling, crushing, compacting and shredding). The term "solid waste" is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

If the verified notice 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 effectiveness of the exemption. Petitions for stay must be filed no later than December 18, 2009 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35297, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on John D. Heffner, 1750 K Street, NW., Suite 200, Washington, DC 20006.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: December 7, 2009.

By the Board, Rachel D. Campbell,
Director, Office of Proceedings.

Kulunie L. Cannon,
Clearance Clerk.

[FR Doc. E9-29497 Filed 12-10-09; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket ID. FMCSA-2009-0290]

Qualification of Drivers; Exemption Applications; Diabetes

AGENCY: Federal Motor Carrier Safety Administration (FMCSA).

ACTION: Notice of applications for exemptions from the diabetes standard; request for comments.

SUMMARY: FMCSA announces receipt of applications from 46 individuals for exemptions from the prohibition against persons with insulin-treated diabetes mellitus (ITDM) operating commercial motor vehicles (CMVs) in interstate commerce. If granted, the exemptions would enable these individuals with

ITDM to operate commercial motor vehicles in interstate commerce.

DATES: Comments must be received on or before January 11, 2010.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA-2009-0290 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

- *Fax:* 1-202-493-2251.

Each submission must include the Agency name and the docket ID for this Notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

Docket: For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

Privacy Act: Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19476). This information is also available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Dr. Mary D. Gunnels, Director, Medical Programs, (202) 366-4001, fmcsamedical@dot.gov, FMCSA, Department of Transportation, 1200 New Jersey Avenue, SE., Room W64-