

and color-light signal indications, approach locking (if external) to verify correct and intended inputs and outputs from the processor are maintained.

Alternative locking test descriptions and procedures would be documented in Carriers Signal Maintenance Standards.

*Applicant's justification for relief:* The 2-year testing interval at microprocessor controlled signal locations places an unnecessary burden on the carrier and provides no real safety benefit as the application program logic once installed does not change.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2009-0116) and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the document (or signing the document, if submitted on behalf of an association, business, labor union, etc.). You may

review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on December 16, 2009.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. E9-30279 Filed 12-18-09; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice To Rescind Notice of Intent To Prepare an Environmental Impact Statement: Polk County, IA

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

**ACTION:** Rescind Notice of Intent to prepare an environmental impact statement

**SUMMARY:** The FHWA, Iowa DOT and Polk County are issuing this notice to advise the public that the NOI to prepare an environmental impact statement (EIS) for improvements for a proposed roadway project in Polk County, Iowa.

#### FOR FURTHER INFORMATION CONTACT:

Michael La Pietra, Environment and Realty Manager, FHWA Iowa Division Office, 105 Sixth Street, Ames, IA 50010, Phone 515-233-7302; or James P. Rost, Director, Office of Location and Environment, Iowa Department of Transportation, 800 Lincoln Way, Ames, IA 50010, Phone 515-239-1798.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

An electronic copy of this document is available for free download from the Federal Bulletin Board, (FBB). The FBB is a free electronic bulletin board service of the Superintendent of Documents, U.S. Government Printing Office (GPO).

The FBB may be accessed in four ways: (1) Via telephone in dial-up mode or via the Internet through (2) telnet, (3) FTP, and (4) the World Wide Web.

For dial-in mode a user needs a personal computer, modem, telecommunications software package and telephone line. A hard disk is recommended for file transfers.

For Internet access a user needs Internet connectivity. Users can telnet or FTP to: <http://fedbbs.access.gpo.gov>. Users can access the FBB via the World Wide Web at <http://fedbbs.access.gpo.gov>.

User assistance for the FBB is available from 7 a.m. until 5 p.m., Eastern Time, Monday through Friday (except Federal holidays) by calling the GPO Office of Electronic Information Dissemination Services at 202-512-1530, toll-free at 888-293-6498; sending an e-mail to [gpoaccess@gpo.gov](mailto:gpoaccess@gpo.gov); or sending a fax to 202-512-1262.

Access to this notice is also available to Internet users through the **Federal Register's** home page at <http://www.nara.gov/fedreg>.

### Background

The FHWA, in cooperation with the Iowa Department of Transportation (Iowa DOT) and Polk County had a NOI published in the **Federal Register** on May 5, 2006 (Volume 71, Number 87) to complete an environmental impact statement for roadway improvements in Polk County, Iowa. On June 1, 2009 a second NOI was published in the **Federal Register** (Volume 74, Number 103) modifying the EIS to a tiered document.

Due to issues pertaining to cost and scheduling of the project, the above mentioned notices will be rescinded, and a corridor study will be completed instead. Appropriate environmental documents will be completed in the future when and if the project proceeds. (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. 315; 49 CFR 1.48).

Dated: December 14, 2009.

**Lubin M. Quinones,**

*Division Administrator, FHWA, Iowa Division.*

[FR Doc. E9-30223 Filed 12-18-09; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35332]

#### Grainbelt Corporation—Trackage Rights Exemption—BNSF Railway Company and Stillwater Central Railroad Company

Pursuant to written trackage rights agreements dated October 16, 2009 and November 1, 2009, respectively, BNSF Railway Company (BNSF) and Stillwater Central Railroad Company (SLWC), have each agreed to grant

supplemental trackage rights<sup>1</sup> to Grainbelt Corporation (GNBC), which together will allow GNBC to operate between Snyder and Altus, OK, with the right to provide limited local service at Long, OK.<sup>2</sup> Specifically, BNSF is granting overhead trackage rights, with limited local service rights, over 19.27 miles of trackage between its connection with SLWC at milepost 668.73, east of Long, and milepost 688.00 at Altus; SLWC is granting 4.73 miles of overhead trackage rights between milepost 664.0, at or near Snyder Yard, and milepost 668.73, at or near Long, to allow GNBC to reach connecting BNSF trackage.<sup>3</sup>

The transaction is scheduled to be consummated on or after January 1, 2010.

The supplemental trackage rights will allow GNBC and BNSF to shift much of their current interchange traffic from Snyder to Altus, allow GNBC to interchange traffic with its affiliate, Farmrail Corporation, at Altus, and allow GNBC limited access to a customer at Long.

As a condition to this exemption, any employees affected by 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 the 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 by December 24, 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 (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.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35332 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 Eric M. Hocky, One Commerce Square, 2005 Market Street, Suite 1910, Philadelphia, PA 19103.

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

Decided: December 17, 2009.

By the Board,

**Rachel D. Campbell,**

*Director, Office of Proceedings.*

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. E9–30403 Filed 12–18–09; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Public Notice for Waiver of Aeronautical Land-Use Assurance; Indianapolis International Airport, Indianapolis, IN

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of intent of waiver with respect to land.

**SUMMARY:** The Federal Aviation Administration (FAA) is considering a proposal to change a portion of the airport from aeronautical use to non-aeronautical use and to authorize the release of 339.956 acres of vacant airport property for highway development and 175.492 acres of vacant airport property for highway easements for an exchange of property between the Indianapolis Airport Authority and the Indiana Department of Transportation. The land consists of portions of 64 original airport acquired parcels. These parcels

were acquired under grants: 6–18–0038–10, 6–18–0038–14, 3–18–0038–23, 3–18–0038–24, 3–18–0038–32, 3–18–0038–37, 3–18–0038–38, 3–18–0038–39, 3–18–0038–45, 3–18–0038–47, 3–18–0038–51, 3–18–0038–65, 3–18–0038–83, 3–18–0038–88, 3–18–0038–92, 3–18–0038–94 or without Federal participation. There are no impacts to the airport by allowing the Indianapolis Airport Authority to dispose of the property. The land is not needed for aeronautical use. Approval does not constitute a commitment by the FAA to financially assist in the sale or lease of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA.

In accordance with section 47107(h) of title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

**DATES:** Comments must be received on or before January 20, 2010.

**ADDRESSES:** Written comments on the Sponsor's request must be delivered or mailed to: Melanie Myers, Program Manager, Chicago Airports District Office, 2300 East Devon Avenue, Des Plaines, IL 60018.

#### FOR FURTHER INFORMATION CONTACT:

Melanie Myers, Program Manager, Federal Aviation Administration, Great Lakes Region, Chicago Airports District Office, CHI–ADO 609, 2300 East Devon Avenue, Des Plaines, IL 60018. Telephone Number (847–294–7525)/ FAX Number (847–294–7046).

Documents reflecting this FAA action may be reviewed at this same location or at Indianapolis International Airport, Indianapolis, Indiana.

#### SUPPLEMENTARY INFORMATION:

##### Parcel 7: Westbound I–70 and Six Points Road Interchange

A part of the Northwest Quarter of Section 4, Township 14 North, Range 2 East, Marion County, Indiana and a part of the Northeast Quarter of Section 5, Township 14 North, Range 2 East, Hendricks County, Indiana, and being that part of the grantor's land lying within the right of way lines as depicted on the attached Right of Way Parcel Plat, marked Exhibit “B”, described as follows: Commencing at the southwest corner of the Northeast Quarter of said Section 5 designated as point “819” on said plat; Thence North 89 degrees 38 minutes 14 seconds East 167.08 feet along the south line of said quarter section to a point on the northwestern boundary of I–70 designated as point “992” on said plat; thence North 47

<sup>1</sup> GNBC already holds overhead trackage rights granted by BNSF's predecessor between Snyder Yard (milepost 664.00) and Quanah, TX (milepost 723.30), pursuant to which GNBC interchanges at Quanah. BNSF subsequently sold a portion of the subject trackage to SLWC. These original rights are not affected by the subject supplemental rights.

<sup>2</sup> Redacted versions of the trackage rights agreements between GNBC/BNSF and GNBC/SLWC were filed with the notice of exemption. The full versions of the agreements, as required by 49 CFR 1180.6(a)(7)(ii), were concurrently filed under seal along with a motion for protective order. The motion is being addressed in a separate decision.

<sup>3</sup> GNBC points out that because the rights being granted here involve “local” trackage rights that will remain in effect for more than 1 year, these rights do not qualify for the Board's class exemption for temporary trackage rights at 49 CFR 1180.2(d)(8). See *Railroad Consolidation Procedures*, 6 S.T.B. 910 (2003). GNBC has also concurrently filed a petition for partial revocation of this exemption in STB Finance Docket No. 35332 (Sub-No. 1), *Grainbelt Corporation—Trackage Rights Exemption—BNSF Railway Company and Stillwater Central Railroad Company*, wherein GNBC requests that the Board permit the proposed local trackage rights arrangements described in the present proceeding to expire 10 years from the execution dates, as provided in the parties' agreements. The petition will be addressed by the Board in a separate decision.