

Management capabilities. Also, Caltrain will temporally separate freight operations from passenger operations between San Francisco, CA, and Santa Clara (MP 44.6), by limiting freight movements to the exclusive freight period hours of midnight–5 a.m. Only from MP 44.6–MP 51.9 will freight service commingle with Caltrain commuter equipment during revenue service.

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–2009–0124) 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 January 19, 2010.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 2010–1226 Filed 1–22–10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

Utah Transit Authority

[Supplement to Waiver Docket Number FRA–1999–6253]

As a supplement to the Utah Transit Authority's (UTA) Petition for Approval of Shared Use and Waiver of Certain FRA Regulations (the original shared use waiver was granted by the FRA Railroad Safety Board on August 19, 1999, for the Sandy/Salt Lake TRAX LRT line), UTA is amending the terms and conditions of the original waiver by constructing the Daybreak/Test Track Segment portion of the Mid-Jordan LRT line extension of the Sandy/Salt Lake TRAX LRT line. This Test Track will be an exclusive light rail segment, featuring a limited connection to the general freight system at an interlocking. UTA submits that this request is consistent with the waiver process for Shared Use. *See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment*, 65 FR 42529 (July 10, 2000); *see also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems*, 65 FR 42626 (July 10, 2000).

UTA is expanding its original Sandy/Salt Lake TRAX LRT line by building the 10.6-mile Mid-Jordan LRT line extension on the active Union Pacific Railroad (UPRR) Bingham Branch,

which is a single track used solely for freight operations. As part of this Mid-Jordan extension, UTA will reconstruct this existing track and add a new parallel track. This construction will allow that portion of the Mid-Jordan LRT line that runs on the Bingham Branch to utilize two (2) tracks for light rail operations during the temporally separated passenger period. UPRR will continue to operate on the Bingham Branch only during the freight period. UTA anticipates petitioning FRA at a future date for a supplemental waiver of compliance from certain portions of Title 49 of the CFR for shared use temporal separation operations on this Mid-Jordan LRT line extension.

This petition pertains to UTA's intent to first construct an initial 2-mile portion of this Mid-Jordan extension called the Daybreak/Test Track Segment, which will be used exclusively by UTA TRAX LRT equipment. This track initially will be used to commission new LRV equipment and to train LRV operators. This Daybreak/Test Track segment will be an exclusive light rail portion of the Mid-Jordan LRT line extension, with a limited connection to UPRR Bingham Branch at address 5600 West. This connection will be composed of four electrically locked hand throw switches interlocked with UTA's Signal & Train Control System. In addition to this, UTA will temporarily employ portable derail devices to separate any possible incursions of UPRR equipment onto this Daybreak/Test Track equipment. Derails will be permanently removed once UTA has completed testing and begun pre-revenue service on the entire Mid-Jordan line.

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–1999–6253) 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.

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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 January 19, 2010.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 2010-1236 Filed 1-22-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability of a Record of Decision (ROD) for the Proposed Bay Area Rapid Transit (BART) Connector Project at Oakland International Airport (OAK), Oakland, Alameda County, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability of Record of Decision.

SUMMARY: The FAA is issuing this notice to advise the public that it has issued a ROD for the proposed construction and operation of the proposed BART connector project at OAK. The ROD evaluated the proposed BART-OAK connector project at OAK, Oakland, Alameda County, California.

SUPPLEMENTARY INFORMATION: The FAA has completed and issued its ROD for a proposed BART-OAK connector project

at OAK, Oakland, Alameda County, California. The proposed airport connector project would operate on an Automated Guideway Transit (AGT) system on an exclusive, approximate 3-mile long right-of-way. The AGT would provide a link between the existing BART Coliseum station and the airport terminal. Approximately one mile of the connector project would be built on airport property. The connector project would improve access to OAK by using a direct and convenient connection to the existing regional BART rail transit system. The ROD discusses alternatives considered by FAA in reaching its decision, summarizes the analysis used to evaluate the alternatives, and briefly summarizes the potential environmental consequences evaluated in the FAA's ROD. The ROD also identifies the FAA's environmentally preferred alternative, applicable and required mitigation. The FAA submitted a letter to the U.S. Environmental Protection Agency (EPA) on November 19, 2009, indicating the FAA was adopting the Federal Transit Administration (FTA) 2002 FEIS on this project and also re-circulated the EIS as a Final EIS for the FAA. EPA published the notice indicating FAA's adoption of the FTA FEIS in the **Federal Register** on November 27, 2009. The comment period closed on December 28, 2009 and comments were received from the EPA. The FAA provided responses to the EPA comments in Appendix A of the ROD.

Copies of the ROD are available for public examination during business hours at the following locations:

1. Federal Aviation Administration, San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010-1303.
2. Federal Aviation Administration, Airports Division, Room 3012, 15000 Aviation Boulevard, Hawthorne, CA 90261.
3. Federal Aviation Administration, Office of the Associate Administrator for Airports, Planning and Environmental Division, Room 615, 800 Independence Avenue, SW., Washington, DC 20591.
4. Administrative Offices of the Port of Oakland, Port of Oakland, 530 Water Street, Oakland, CA 94607.
5. Alameda Public Library, Bay Farm Island Library, 3221 Macartney Road, Alameda, CA 94502.
6. Oakland Public Library, Brookfield Branch, 9255 Edes Avenue, Oakland, CA 94603.
7. Oakland Public Library, Main Library, 125 14th Street, Oakland, CA 94612.
8. Oakland Public Library, Martin Luther King Jr. Branch, 6833 International Blvd., Oakland, CA 94621.

9. San Leandro Public Library (Main), 300 Estudillo Avenue, San Leandro, CA 94577.

10. MTC-ABAG Library, Joseph P. Bort MetroCenter, 101 8th Street, Oakland, CA 94607.

FOR FURTHER INFORMATION CONTACT: Mr. Peter Ciesla, Regional Environmental Protection Specialist, Federal Aviation Administration, Western-Pacific Region, Airports Division, 15000 Aviation Boulevard, Hawthorne, California 90261. Telephone: (310) 725-3612.

Issued in Hawthorne, California on January 12, 2010.

Mia Paredes Ratcliff,

Acting Manager, Airports Division, Western-Pacific Region, AWP-600.

[FR Doc. 2010-1286 Filed 1-22-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2010-0003]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel CYTHERA.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below. The complete application is given in DOT docket MARAD-2010-0003 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388 (68 FR 23084; April 30, 2003), that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver