

**Abstract:** This action responds to the Wendall H. Ford Investment and Reform Act for the 21st Century by requiring that all persons who remove any life-limited aircraft part have a method to prevent the installation of that part after it has reached its life limit. This action reduces the risk of life-limited parts being used beyond their life limits. This action would also require that manufacturers of life-limited parts provide marking instructions when requested.

**ADDRESSES:** Send comments to the FAA at the following address: Ms. Carla Mauney, Room 712, Federal Aviation Administration, IT Enterprises Business Services Division, AES-200, 800 Independence Ave., SW., Washington, DC 20591.

**Comments are invited on:** Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimates of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued in Washington, DC, on October 8, 2009.

**Carla Mauney,**

*FAA Information Collection Clearance Officer, IT Enterprises Business Services Division, AES-200.*

[FR Doc. E9-24769 Filed 10-15-09; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[Docket No. FHWA-2009-0103]

#### Agency Information Collection Activities: Notice of Correction to a Previously Approved Information Collection Titled: Federal Highway Administration (FHWA) State Reports for American Recovery and Reinvestment Act (RECOVERY ACT)

**AGENCY:** Federal Highway Administration (FHWA), Department of Transportation (DOT).

**ACTION:** Notice of correction.

**SUMMARY:** The FHWA is advising the public about a correction to a previously approved request for information collection that is summarized below under **SUPPLEMENTARY INFORMATION**. The correction concerns executive

compensation reporting requirements under the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5, February 17, 2009) (Recovery Act). We published a **Federal Register** Notice with a 30-day public comment period on this information collection on July 30, 2009. This correction does not increase the information collection burden. No revision to the approved information collection request is needed.

**DATES:** This notice is effective immediately.

**ADDRESSES:** You may submit comments identified by DOT Docket ID Number FHWA-2009-0103 by any of the following methods:

**Web site:** For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the online instructions for submitting comments.

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

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

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

**FOR FURTHER INFORMATION CONTACT:** Michael Dougherty, 202-366-9474, Office of Policy and Governmental Affairs, HPTS, Federal Highway Administration, Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 7:30 a.m. to 4:30 p.m., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

**Title:** Federal Highway Administration (FHWA) State Reports for American Recovery and Reinvestment Act (RECOVERY ACT), OMB Control # 2125-0623.

**Background:** The Recovery Act provides the State Departments of Transportation and Federal Lands Agencies with \$27.5 billion for highway infrastructure investment. With these funds also comes an increased level of data reporting with the stated goal of improving transparency and accountability at all levels of government. According to President Obama *"Every American will be able to hold Washington accountable for these decisions by going online to see how and where their tax dollars are being spent."* The Federal Highway

Administration (FHWA) in concert with the Office of the Secretary of Transportation (OST) and the other modes within the U.S. Department of Transportation (DOT) will be taking the appropriate steps to ensure that this accountability and transparency is in place for all infrastructure investments.

The July 30, 2009, notice incorrectly advised that States are required to provide information on the five most highly compensated officers of States' vendors for all Recovery Act projects. The executive compensation reporting requirement, contained in section 1512(c)(4) of the Recovery Act, does not apply to vendors. The executive compensation reporting requirement does apply to States, as prime recipients under the Recovery Act's Highway Infrastructure Investment appropriation. The requirement also applies to any sub-recipients of the States. The terms "prime recipient", "sub-recipient", "vendor", and "compensation" are defined, and further information is provided on the executive compensation reporting requirement, in guidance issued by the President's Office of Management and Budget titled "Implementing Guidance for Reports on Use of Funds Pursuant to the American Recovery and Reinvestment Act of 2009" (June 22, 2009) and Supplements 1 and 2 thereto. These documents are available at [http://www.whitehouse.gov/omb/memoranda\\_default/](http://www.whitehouse.gov/omb/memoranda_default/).

**Authority:** The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued on: October 6, 2009.

**Tina Campbell,**

*Acting Chief, Management Programs and Analysis Division.*

[FR Doc. E9-24916 Filed 10-15-09; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. MC-F-21036]

#### Mr. Zev Marmurstein—Continuance in Control—R.W. Express, LLC

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of Finance Application.

**SUMMARY:** On September 16, 2009, Mr. Zev Marmurstein (Applicant), a noncarrier, filed an application under 49 U.S.C. 14303 to acquire control of R.W. Express, LLC (RW Express), a motor passenger carrier (MC-474958). Applicant is also seeking control, through an intermediate entity known as City Sights Twin, LLC (City Sights

Twin), of Twin America, LLC (Twin America) once that carrier obtains motor carrier authority,<sup>1</sup> in *Stagecoach Group PLC and Coach USA, Inc., et al.—Acquisition of Control—Twin America, LLC*, STB Docket No. MC-F-21035 (STB served Sept. 18, 2009).<sup>2</sup> Persons wishing to oppose this application must follow the rules at 49 CFR 1182.5 and 1182.8. The Board has tentatively approved the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action.

**DATES:** Comments must be filed by November 30, 2009. Applicants may file a reply by December 15, 2009. If no comments are filed by November 30, 2009, this notice is effective on that date.

**ADDRESSES:** Send an original and 10 copies of any comments referring to STB Docket No. MC-F-21036 to: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, send one copy of comments to Applicant's representative: David H. Coburn, Steptoe & Johnson LLP, 1330 Connecticut Ave., NW., Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Julia Farr, (202) 245-0359 [Federal Information Relay (FIRS) for the hearing impaired: 1-800-877-8339].

**SUPPLEMENTARY INFORMATION:** Applicant is an individual who attained control of RW Express in 2003 when he attained a 48% interest in its stock. Applicant's sister owns a 3% share and a corporate entity, Continental Air Transport Company I, owns a 49% share. Applicant states that he serves as the president of RW Express, directs the day-to-day operations, and is engaged in major managerial decisions. According to Applicant, RW Express operates a fleet of 65 vehicles and drivers and provides charter service within New York and between New York and points in nearby states.

Applicant is also the sole member and owner of City Sights Twin, a noncarrier formed for the purpose of owning an interest in Twin America. Applicant, along with City Sights Twin, Stagecoach Group PLC, its intermediate subsidiaries, Coach USA, Inc., and International Bus Services, seek control of Twin America in *Stagecoach Group PLC and Coach USA, Inc., et al.—Acquisition of Control—Twin America,*

*LLC*, STB Docket No. MC-F-21035, served and published in the **Federal Register** on September 18, 2009 (74 FR 47985-86). The Board did not grant tentative authority in that proceeding, but instead instituted a proceeding to address matters raised by the application.

According to Mr. Marmurstein, he was previously unaware that under 49 U.S.C. 14303(a)(5), Board approval is required for the acquisition of control of a carrier by a person that is not a motor passenger carrier, but that controls any number of such carriers. Accordingly, he is filing this application in anticipation of Board approval in STB Docket No. MC-F-21035. If the filing in STB Docket No. MC-F-21035 is not approved, this request is moot.

Under 49 U.S.C. 14303(b), the Board must approve and authorize a transaction found to be consistent with the public interest, taking into consideration at least: (1) The effect of the transaction on the adequacy of transportation to the public; (2) the total fixed charges that result; and (3) the interest of the affected carrier employees.

Applicant has submitted the information required by 49 CFR 1182.2, and submitted a statement that the 12-month aggregate gross operating revenues of RW Express exceed the \$2 million jurisdictional threshold of 49 U.S.C. 14303(g). Applicant states that the proposed transaction will not affect the adequacy of transportation services available to the public because the charter/tour bus segment is competitive, the proposed transaction will not adversely impact competition, and this agency's prior finding regarding low entry barriers in this segment continues to be accurate. Applicant states that the proposed transaction will not adversely impact fixed charges because RW Express will continue to be controlled by Mr. Marmurstein as it was prior to this application. According to Applicant, the employees of RW Express will not be adversely affected. Additional information, including a copy of the application, may be obtained from Applicant's representative.

On the basis of the application, we find that the proposed acquisition is consistent with the public interest and should be authorized. If any opposing comments are timely filed, this finding will be deemed vacated, and unless a final decision can be made on the record as developed, a procedural schedule will be adopted to reconsider the application. See 49 CFR 1182.6(c). If no opposing comments are filed by the expiration of the comment period, this

notice will take effect automatically and will be the final Board action.

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

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

*It is ordered:*

1. The proposed finance transaction is approved and authorized, subject to the filing of opposing comments.

2. If timely opposing comments are filed, the findings made in this notice will be deemed as having been vacated.

3. This notice will be effective November 30, 2009, unless timely opposing comments are filed.

4. A copy of this decision will be served on: (1) The U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 950 Pennsylvania Avenue, NW., Washington, DC 20530; and (3) the U.S. Department of Transportation, Office of the General Counsel, 1200 New Jersey Avenue, SE., Washington, DC 20590.

Decided: October 13, 2009.

By the Board, Chairman Elliott, Vice Chairman Nottingham, and Commissioner Mulvey.

**Kulunie L. Cannon,**  
Clearance Clerk.

[FR Doc. E9-24931 Filed 10-15-09; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in Ohio

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

**ACTION:** Notice of limitation on claims for judicial review of actions by FHWA and other Federal agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project, the Cleveland Innerbelt Project, within the City of Cleveland, Cuyahoga County, Ohio. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway

<sup>1</sup> Twin America is in the process of applying with the Federal Motor Carrier Safety Administration (FMCSA) to be a registered motor passenger carrier. It holds USDOT number 1924173 and has been assigned docket number MC-688284 by FMCSA.

<sup>2</sup> In that proceeding, the Board published notice of the application but did not grant tentative authority under 49 CFR 1182.4(b).