

| Application No. | Docket No. | Applicant | Regulation(s) affected | Nature of special permit thereof |
|-----------------|------------|---|-----------------------------|--|
| 14903-M | | Hageland Aviation Services, Anchorage, AK. | 49 CFR 173.302(f) | To reissue the special permit originally issued on an emergency basis authorizing the transportation in commerce of compressed oxygen without rigid outer packaging when no other means of transportation exist. |
| 14905-M | | Frontier Flying Services, Inc., Fairbanks, AK. | 49 CFR 173.302(1) | To reissue the special permit originally issued on an emergency basis authorizing the transportation in commerce of compressed oxygen without rigid outer packaging when no other means of transportation exist. |
| 14906-M | | Ryan Air, Inc. (Former Grantee: Arctic Transportation Services), Anchorage, AK. | 49 CFR 173.302(f) | To reissue the special permit originally issued on an emergency basis authorizing the transportation in commerce of compressed oxygen without rigid outer packaging when no other means of transportation exist. |
| 14907-M | | Conocophillips Alaska, Inc., Anchorage, AK. | 49 CFR 172.101 Column (9B). | To reissue the special permit originally issued on an emergency basis authorizing the transportation in commerce of compressed oxygen without rigid outer packaging when no other means of transportation exist. |
| 14909-M | | Lake Clark Air, Inc., Port Alsworth, AK. | 49 CFR 173.304(f) | To reissue the special permit originally issued on an emergency basis authorizing the transportation in commerce of compressed oxygen without rigid outer packaging when no other means of transportation exist. |
| 14926-M | | Lynden Air Cargo, Anchorage, AK. | 49 CFR 173.302(f) | To reissue the special permit originally issued on an emergency basis authorizing the transportation in commerce of compressed oxygen without rigid outer packaging when no other means of transportation exist. |
| 14927-M | | Era Aviation, Inc., Anchorage, AK. | 49 CFR 173.302(f) | To reissue the special permit originally issued on an emergency basis authorizing the transportation in commerce of compressed oxygen without rigid outer packaging when no other means of transportation exist. |
| 14931-M | | Tucker Aviation Inc., Dillingham, AK. | 49 CFR 173.302(f) | To reissue the special permit originally issued on an emergency basis authorizing the transportation in commerce of compressed oxygen without rigid outer packaging when no other means of transportation exist. |

[FR Doc. 2010-18711 Filed 7-30-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Office of Commercial Space Transportation; Notice of Availability of the Final Supplemental Environmental Assessment and Finding of No Significant Impact to the September 2008 Environmental Assessment for Space Florida Launch Site Operator License, Brevard County, FL

AGENCY: The Federal Aviation Administration (FAA), lead Federal agency and United States Air Force, cooperating agency.

ACTION: Notice of Availability of Final SEA and FONSI.

SUMMARY: In accordance with National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), Council on Environmental Quality NEPA implementing regulations (40 CFR Parts 1500-1508), and FAA Order 1050.1E, Change 1, the FAA is announcing the availability of the Final Supplemental Environmental

Assessment (Final SEA) and Finding of No Significant Impact (FONSI) to the September 2008 Environmental Assessment for Space Florida Launch Site Operator License. The Final SEA was prepared in response to an application for a Launch Site Operator License from Space Florida. Under the Proposed Action, the FAA would issue a Launch Site Operator License to Space Florida to operate a commercial space launch site at Launch Complex 36 (LC-36) and LC-46 at Cape Canaveral Air Force Station (CCAFS) in Brevard County, Florida. The license would allow Space Florida to support vertical launches of both solid and liquid propellant launch vehicles from LC-36 and LC-46. LC-46 is the easternmost launch complex at CCAFS, located at the tip of Cape Canaveral, and LC-36 is located in the east-central portion of CCAFS. The Final SEA addresses the potential environmental impacts of issuing a Launch Site Operator License for the Proposed Action and the No Action Alternative.

The FAA has posted the Final SEA and FONSI on the FAA Office of Commercial Space Transportation Web site at http://www.faa.gov/about/office_org/headquarters_offices/ast/. In addition, copies of the Final SEA and

FONSI were sent to persons and agencies on the distribution list (found in Chapter 8 of the Final SEA). A paper copy and a CD version of the Final SEA and FONSI may be reviewed during regular business hours at the following locations:

- Titusville Public Library, 2121 S. Hopkins Ave., Titusville, FL 32780.
- Cocoa Beach Public Library, 550 North Brevard Ave, Cocoa Beach, FL 32931.
- Cape Canaveral Public Library, 201 Polk Avenue, Cape Canaveral, FL 32920.
- Merritt Island Public Library, 1195 North Courtenay Parkway, Merritt Island, FL 32953.

Additional Information

Under the Proposed Action, the FAA would issue a Launch Site Operator License to Space Florida to operate LC-36 and LC-46 as a commercial space launch site for vertical launches of both solid and liquid propellant launch vehicles. The proposed activities at LC-46 remain consistent with those analyzed in the 2008 EA which analyzed the potential environmental impacts of the FAA issuing a Launch Site Operator License to Space Florida to operate a commercial space launch site at LC-46. The 2008 EA analyzed the operation of several types of vertical launch vehicles from LC-46, including

Athena-1 and Athena-2, Minotaur, Taurus, Falcon 1, Alliant Techsystems small launch vehicles, and other Castor® 120-based or Minuteman-derivative booster vehicles.

The Proposed Action also includes construction and operation activities to redevelop LC-36 into commercial space launch site. The Final SEA expands on the analysis provided in the 2008 EA to include an analysis of the potential environmental impacts of the construction and operation activities associated with the redevelopment of LC-36 into a commercial space launch site. Redeveloping LC-36 into a multi-use commercial space launch site involves construction of facilities to launch a Generic Launch Vehicle (GLV), which is a conceptual (or "surrogate") liquid propellant medium class launch vehicle with a solid propellant second stage, and a bipropellant third stage, used for the purposes of the environmental review. Redevelopment activities at LC-36 would include building access roads; erecting a security fence; reconstituting several existing facilities; constructing an elevated launch deck, associated flame ducts, water storage tank, and water deluge containment pool; and installing electrical, communication, and air systems. Redevelopment would occur in phases dictated by costs and schedule, and facility construction or modifications would take place only on previously disturbed ground. The only alternative to the Proposed Action is the No Action Alternative. Under this alternative, the FAA would not issue a Launch Site Operator License to Space Florida for commercial launches from LC-36 and LC-46 at CCAFS.

Resource areas were considered to provide a context for understanding and assessing the potential environmental effects of the Proposed Action, with attention focused on key issues. The resource areas considered in the Final SEA included air quality; biological resources (terrestrial vegetation and wildlife, marine species, and protected species); compatible land use (land use, light emissions, visual resources, and coastal resources); cultural resources and Section 4(f) properties; hazardous materials, solid waste, and pollution prevention; noise; socioeconomic resources; and water resources (surface water, groundwater, floodplains, and wetlands). Potential cumulative impacts of the Proposed Action are also addressed in the Final SEA.

The FAA published a Notice of Availability of the Draft SEA in the **Federal Register** on April 1, 2010, which started a 30-day public review and comment period. One written

comment was received during the public comment period. The Final SEA responds to all substantive comments and includes any changes or edits resulting from the comments received.

FOR FURTHER INFORMATION CONTACT: Mr. Daniel Czelusniak, Environmental Specialist, Federal Aviation Administration, 800 Independence Avenue, SW., Suite 331, Washington, DC 20591, by e-mail at Daniel.Czelusniak@faa.gov, or by phone at (202) 267-5924.

Issued in Washington, DC on July 23, 2010.

Michael McElligott,

Manager, Space Systems Development Division.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Buy America Waiver Request by Northern New England Passenger Rail Authority To Purchase 3,340 AREMA Specified Carbon Steel Standard 1½ Nominal Diameter Nuts

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

ACTION: Notice of Buy America waiver request and request for comment.

SUMMARY: FRA is issuing this notice to advise the public that the Northern New England Passenger Rail Authority (NNEPRA) is seeking a waiver from FRA's Buy America requirement—49 U.S.C. 24405(a). NNEPRA was awarded \$35 million in an America Recovery and Reinvestment Act ("Recovery Act") grant to extend Amtrak's Downeaster passenger service from its existing route of Boston, Massachusetts to Portland, Maine further north to Brunswick, Maine with a stop in Freeport, Maine. The project requires the purchase and use of 3,340 AREMA specified carbon steel standard 1½ nominal diameter nuts. NNEPRA seeks the waiver under 49 U.S.C. 24405(a)(2)(B) in that it asserts that the specific nuts it needs are not produced in the United States in a sufficient and reasonably available amount or are not of a satisfactory quality.

DATES: Written comments on NNEPRA's Buy America waiver request should be provided to the FRA on or before August 12, 2010.

ADDRESSES: Please submit your comments by one of the following means, identifying your submissions by docket number FRA-2010-0122. All

electronic submissions must be made to the U.S. Government electronic site at <http://www.regulations.gov>. Commenters should follow the instructions below for mailed and hand-delivered comments.

(1) **Web Site:** <http://www.regulations.gov>. Follow the instructions for submitting comments on the U.S. Government electronic docket site;

(2) **Fax:** (202) 493-2251;

(3) **Mail:** U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Docket Operations, M-30, Room W12-140, Washington, DC 20590-0001; or

(4) **Hand Delivery:** Room W12-140 on the first floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Instructions: All submissions must make reference to the "Federal Railroad Administration" and include docket number FRA-2010-0122. Due to security procedures in effect since October 2001, mail received through the U.S. Postal Service may be subject to delays. Parties making submissions responsive to this notice should consider using an express mail firm to ensure the prompt filing of any submissions not filed electronically or by hand. Note that all submissions received, including any personal information therein, will be posted without change or alteration to <http://www.regulations.gov>. For more information, you may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477), or visit <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For questions about this notice, please contact Ms. Linda Martin, Attorney-Advisor, FRA Office of Chief Counsel, (202) 493-6062 or via e-mail at Linda.Martin@dot.gov.

SUPPLEMENTARY INFORMATION: The Recovery Act requires FRA to apply the Buy America provisions contained in the Passenger Rail Investment and Improvement Act of 2008 (PRIIA), at 49 U.S.C. 24405(a), to grants obligated with Recovery Act funds. 49 U.S.C. 24405(a)(1) authorizes the Secretary of Transportation ("Secretary") to obligate grant funds only if the steel, iron, and manufactured goods used in the project are produced in the United States. However, 49 U.S.C. 24405(a)(2) also permits the Secretary to waive the Buy America requirements if he finds that: (A) Applying paragraph (1) would be inconsistent with the public interest; (B)