

6. *Social and Economic: Civil Rights Act of 1964* [42 U.S.C. 2000(d)–2000(d)(1)]; *American Indian Religious Freedom Act* [42 U.S.C. 1996]; *Farmland Protection Policy Act* [7 U.S.C. 4201–4209]; the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended [42 U.S.C. 61].

7. *Wetlands and Water Resources: Clean Water Act*, 33 U.S.C. 1251–1377 (Section 404, Section 401, Section 319); *Coastal Zone Management Act* [16 U.S.C. 1451–1465]; *Land and Water Conservation Fund* [16 U.S.C. 4601–4604]; *Safe Drinking Water Act* [42 U.S.C. 300(f)–300(j)(6)]; *Rivers and Harbors Act of 1899* [33 U.S.C. 401–406]; *TEA–21 Wetlands Mitigation* [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; *Flood Disaster Protection Act* [42 U.S.C. 4001–4128].

8. *Hazardous Materials: Comprehensive Environmental Response, Compensation, and Liability Act* [42 U.S.C. 9601–9675]; *Superfund Amendments and Reauthorization Act of 1986* [Pub. L. 99–499]; *Resource Conservation and Recovery Act* [42 U.S.C. 6901–6992(k)].

9. *Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.*

(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: May 14, 2009.

**Brian Hasselbach,**

*Area Engineer, Olympia, Washington.*

[FR Doc. E9–11713 Filed 5–19–09; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 670 (Sub-No. 1)]

#### Notice of Rail Energy Transportation Advisory Committee Meeting

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of Rail Energy Transportation Advisory Committee meeting.

**SUMMARY:** Notice is hereby given of a meeting of the Rail Energy Transportation Advisory Committee (RETAC), pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law No. 92–463, as amended (5 U.S.C., App. 2).

**DATES:** The meeting will be held on Thursday, June 11, 2009, beginning at 9 a.m., E.D.T.

**ADDRESSES:** The meeting will be held in the Hearing Room on the first floor of the Surface Transportation Board's headquarters at Patriot's Plaza, 395 E Street, SW., Washington, DC 20423–0001.

#### FOR FURTHER INFORMATION CONTACT:

Scott M. Zimmerman (202) 245–0202 or Anika S. Cooper (202) 245–0212. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877–8339.

**SUPPLEMENTARY INFORMATION:** RETAC arose from a proceeding instituted by the Board, in *Establishment of a Rail Energy Transportation Advisory Committee*, STB Ex Parte No. 670. RETAC was formed to provide advice and guidance to the Board, and to serve as a forum for discussion of emerging issues regarding the transportation by rail of energy resources, particularly, but not necessarily limited to, coal, ethanol, and other biofuels. The purpose of this meeting is to continue discussions regarding issues such as rail performance, capacity constraints, infrastructure planning and development, and effective coordination among suppliers, carriers, and users of energy resources. Potential agenda items include reports from each of the four RETAC subcommittees (Best Practices, Capacity Planning, Communication, and Performance Measures), a report on the supplemental study recently released by Christensen Associates on rail capacity and infrastructure investment, a briefing on infrastructure implications of economic stimulus legislation, and may include a discussion of the federal legislative agenda on energy issues.

The meeting, which is open to the public, will be conducted pursuant to RETAC's charter and Board procedures. Further communications about this meeting may be announced through the Board's Web site at <http://www.stb.dot.gov>.

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

**Authority:** 49 U.S.C. 721, 49 U.S.C. 11101; 49 U.S.C. 11121.

Decided: May 15, 2009.

By the Board, Anne K. Quinlan, Acting Secretary.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. E9–11703 Filed 5–19–09; 8:45 am]

**BILLING CODE 4915–01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 17th Meeting: RTCA Special Committee 206/EUROCAE WG 76 Plenary

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of RTCA special committee 206 meeting.

**SUMMARY:** The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 206: Aeronautical Information Services Data Link.

**DATES:** The meeting will be held June 15–19, 2009 from 9 a.m. to 5 p.m.

**ADDRESSES:** The meeting will be held at Radisson Bay Point Resort, St. George's Bay, St. Julians, Malta. Phone: +356–2137–4894 Reservation number from the US: 1–800–395 7046 Web site: <http://www.radisson.com>; Contact person: Laurence Mutuel—Cell +33 6 30 93 73 82 / office +33 5 61 19 69 79.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 206 meeting/EUROCAE WG 76. The agenda will include:

#### 15 June

- Opening Plenary (Chairmen's remarks and introductions, Review and approve meeting agenda and minutes, Schedule for this week).

- Discussion.
- Action Item Review.
- Schedule for next meetings.
- Presentations.
- FLYSAFE Project—Laurence Mutuel.

- Status of SAE G-10 Response to Symbolology Standards Request—Bob Smith.
- Coordination between 76/206 and 78/214—Stephane Dubet.
- Others to be determined.
- SPR and INTEROP.

**June 16**

- AIS and MET Subgroup meetings.

**June 17**

- AIS and MET Subgroup meetings.

**June 18**

- AIS and MET Subgroup meetings.

**June 19**

- AIS and MET Subgroup meetings.
- Plenary Session (Other Business, Meeting Plans and Dates).
- Closing Plenary Session (Other Business, Meeting Plans and Dates, Closing Remarks, Adjourn).

Attendance is open to the interested public but limited to space availability. With the approval of the chairmen, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on May 14, 2009.

**Meredith Gibbs,**

*RTCA Advisory Committee.*

[FR Doc. E9-11752 Filed 5-19-09; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration**

[Docket No. NHTSA-2009-0092; Notice 1]

**Pilkington North America, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance**

Pilkington North America, Inc. (Pilkington) has determined that certain replacement rear windows that it manufactured for 2006–2009 Honda Civic two-door coupe passenger car do not fully comply with paragraphs S6.2 and S6.3 of 49 CFR 571.205, Federal Motor Vehicle Safety Standard (FMVSS) No. 205 *Glazing Materials*. Pilkington has filed an appropriate report pursuant to 49 CFR Part 573, *Defect and Noncompliance Responsibility and Reports*.

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Pilkington has petitioned

for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Pilkington's, petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Pilkington estimated that 206 replacement rear windows (NAGS part number FB22692GT) for 2006–2009 Honda Civic two-door coupe passenger cars are involved. Pilkington also states that all of the subject windows were manufactured on April 16, 2008.

Paragraphs S6.2 and S6.3 of FMVSS No. 205 require in pertinent part:

S6.2 A prime glazing manufacturer certifies its glazing by adding to the marks required by section 7 of ANSI/SAE Z26.1-1996, in letters and numerals of the same size, the symbol "DOT" and a manufacturer's code mark that NHTSA assigns to the manufacturer. NHTSA will assign a code mark to a manufacturer after the manufacturer submits a written request to the Office of Vehicle Safety Compliance, National Highway Traffic Safety Administration, \* \* \*

S6.3 A manufacturer or distributor who cuts a section of glazing material to which this standard applies, for use in a motor vehicle or camper, must—

- (a) Mark that material in accordance with section 7 of ANSI/SAE Z26.1-1996; and
- (b) Certify that its product complies with this standard in accordance with 49 U.S.C. 30115.

Pilkington explained that the noncompliances with FMVSS No 205 exist due to its failure to label the replacement rear windows with the marks required by section 7 of ANSI/SAE Z26.1-1996, the symbol "DOT," and its NHTSA assigned manufacturer code mark.

Pilkington states that it believes that this noncompliance is inconsequential to motor vehicle safety for three reasons. First, the non-compliance relates solely to product monograms or markings; the subject rear windows meet all other safety and performance standards. Second, NHTSA has previously granted other exemptions for non-compliant product labeling. In the past, the agency has recognized that the failure to meet labeling requirements often is inconsequential as to motor vehicle safety. Third, the information contained in these product markings is not required in order for consumers to operate their vehicles safely.

Pilkington stated its belief that the noncompliance will not interfere with any future tracing of the windows because Pilkington is only one of three

manufacturers of rear windows for this particular Honda Civic, the other two being PGW (Pittsburgh Glass Works, formerly known as PPG) and Auto Temp, Inc. Given that the windows produced by the two other manufacturers will be properly marked, Pilkington's unlabeled rear windows should easily be identified and traced, if necessary should any future defects or noncompliances be discovered.

Pilkington also stated its belief the lack of a monogram is inconsequential with respect to motor vehicle safety because consumers do not need the information in these monograms in order to operate their vehicles in a safe manner. Pilkington has tested a number of the parts in its possession and confirmed that they meet all other applicable FMVSS.

Pilkington also has informed NHTSA that it has corrected the problem that caused these errors so that they will not be repeated in future production. Pilkington also notes its intent to ensure that no additional non-compliant rear windows are in the marketplace. In this pursuit, Pilkington stated its intention to write to all wholesalers and distributors which purchased the subject replacement parts asking them to return to Pilkington any rear windows lacking compliant markings. However, Pilkington is seeking an exemption from quarterly reporting obligations and from any regulations that could potentially require efforts to contact end users or to label or mark rear windows now in use.

In summation, Pilkington states that it believes that the noncompliances are inconsequential to motor vehicle safety and that no corrective action is warranted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance.

Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods:

- a. By mail addressed to: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.