

Management (TSM) improvements. TSM focuses on low capital, environmentally-responsive improvements that maximize efficiency of existing facilities. An example of TSM improvements would be providing signal interconnects to facilitate the flow of traffic or providing bus turn-out bays to minimize the interruption of buses along a specific route. Specific transit and TSM measures have not been developed at this point. Preliminary traffic data is required to determine the most effective transit and TSM measures. Once the traffic data is available it would be determined if transit and TSM improvements would be separate alternatives or if it is more effective to evaluate a single alternative that includes both transit and TSM improvements.

It is anticipated that the proposed project may require the following federal permits and approvals: A Biological Opinion from the United States Fish & Wildlife Service, approval of a PM₁₀-PM_{2.5} Hot Spot Analysis by the Inter-Agency Consultation Committee, an Air Quality Conformity determination from the Federal Highway Administration, Section 401, 402 and 404 permits under the Clean Water Act and a Farmland Conversion Impact Rating for Corridor Type Projects from the United States Soil Conservation Service. Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, local and participating agencies. In addition, the following Native American groups have been notified: The Chumash Council of Bakersfield, Kawaiisu Tribe, Kawaiisu Tribe of the Tejon Indian Reservation, Kern Valley Indian Community, Kern Valley Paiute Council, Kawaiisu Band of Kern Valley Indians, Kudzubitcwanap Palap Tribe, Native American Heritage Council of Kern County, Santa Rosa Rancheria—Tachi Yokuts Tribe, Tubatalabals of Kern Valley, Tinoqui—Chalola Council of Kitanemuk and Yowlumne Tejon Indians, Tule River Indian Reservation and the White Blanket Paiute Rancheria. Private organizations and citizens who have previously expressed or are known to have interest in this proposal have also received notification on the project. The environmental scoping process began in March 2008. Public information meetings were held on March 4, 2008, May 22, 2008, July 21, 2008, and August 21, 2008, in Bakersfield, California. Several community focus meetings have been and are continuing to be held in neighborhoods affected by the proposed project alternatives.

A scoping meeting will be held on October 2, 2008. The meeting will be held for agencies from 1 p.m. to 3 p.m. at the Thomas Roads Improvement Program Offices located at 900 Truxtun Avenue, Suite 200, Bakersfield, California. The meeting for the public will be held from 4:30 p.m. to 7:30 p.m. at the Kern County Administrative Offices, in the Building Rotunda located at 1115 Truxtun Avenue, Bakersfield, California to provide additional opportunities for agency and public input on the proposed project. Public notice will be given of the time and place of the meeting.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to Caltrans at the address provided above.

(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.)

Issued on: September 11, 2008.

Nancy Bobb,

Director, State Programs, Federal Highway Administration, Sacramento, California.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California

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 California Department of Transportation (Caltrans) pursuant to its assigned responsibilities under 23 U.S.C. 327 that are final within the meaning of 23 U.S.C. 139(l)(1). These actions relate to a proposed highway project, the State Route 84 (SR 84) Expressway Widening Project between approximately Jack London Boulevard and Ruby Hill Drive (Post Miles 22.5 to 27.3) in the County of Alameda, State of California. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA, on behalf of Caltrans, 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 project will be barred unless the claim is filed on or before March 18, 2009. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT:

Melanie Brent, Caltrans District 4 Office of Environmental Analysis, 111 Grand Avenue, P. O. Box 23660, Oakland, CA 94623-0660, during normal business hours from 8 a.m. to 5 p.m., Telephone (510) 286-5621, e-mail Melanie Brent/D04/Caltrans/CAGov.

SUPPLEMENTARY INFORMATION: Notice is hereby given that Caltrans, pursuant to its assigned responsibilities under 23 U.S.C. 327, and certain Federal agencies have taken final agency actions subject to 23 U.S.C. 139(l)(1) by approving the SR 84 Expressway Widening Project in the State of California. When completed, the project will widen SR 84 from two to four lanes between Ruby Hill Drive and Stanley Boulevard and two to six lanes between Stanley Boulevard and Jack London Boulevard in the City of Livermore, Alameda County, California. The purpose of the project is to improve SR 84 as a regional route, improve traffic circulation, upgrade SR 84 to an expressway facility, and improve bicycle and pedestrian access. The project length is 4.8 miles. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Initial Study with Negative Declaration/Environmental Assessment for the project, approved on August 5, 2008 and in the Finding of No Significant Impact (FONSI) issued on August 5, 2008, and in other documents in the project records. The Initial Study with Negative Declaration/Environmental Assessment, FONSI, and other project records are available by contacting Caltrans at the address provided above. The FONSI can be viewed and downloaded from the project Web site at <http://www.dot.ca.gov/dist4/envdocs.htm>.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128].

2. *Air:* Clean Air Act [42 U.S.C. 7401-7671(q)].

3. *Land*: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].

4. *Wildlife*: Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)]; Migratory Bird Treaty Act [16 U.S.C. 703–712].

5. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*].

6. *Social and Economic*: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

7. *Wetlands and Water Resources*: Clean Water Act (Section 404, Section 401, Section 319) [33 U.S.C. 1251–1377]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)–300(j)(6)].

8. *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. 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).

Shawn E. Oliver,
Team Leader, State Projects, Federal Highway Administration.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Office of Hazardous Materials Safety; Notice of Application for Special Permits

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: List of Applications for Special Permits.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation’s Hazardous Material Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the “Nature of Application” portion of

the table below as follows: 1–Motor vehicle, 2–Rail freight, 3–Cargo vessel, 4–Cargo aircraft only, 5–Passenger-carrying aircraft.

DATES: Comments must be received on or before October 20, 2008.

Address Comments To: Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available for inspection in the Records Center, East Building, PHH–30, 1200 New Jersey Avenue, SE., Washington, DC or at <http://dms.dot.gov>.

This notice of receipt of applications for special permits is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on September 10, 2008.

Delmer F. Billings,
Director, Office of Hazardous Materials, Special Permits and Approvals.

NEW SPECIAL PERMITS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permits thereof
14751–N	ExxonMobil, Mont Belvieu, TX.	49 CFR 173.242	To authorize the transportation in commerce of an Organometallic substance, solid in a non-DOT specification portable tank. (modes 1, 2, 3).
14756–N	Univation Technologies, LLC, Houston, TX.	49 CFR 173.242	To authorize the transportation in commerce of a Division 4.2 hazardous material in a non-DOT specification portable tank. (modes 1, 3).
14762–N	PPG Industries, Inc, Pittsburgh, PA.	49 CFR 173.173, 173.242, 172.326 and 172.504.	To authorize the transportation in commerce of certain open-top cylindrical mixing tanks containing the residue of a Class 3 hazardous material by motor vehicle. (mode 1).
14763–N	Weatherford International, Fort Worth, TX.	49 CFR 173.302a and 173.301(t).	To authorize the manufacture, marking, sale and use of a non-DOT specification cylinder similar to a DOT Specification 3A cylinder for transportation of hydrocarbon formation fluid sample from oil well sites. (modes 1, 2, 3, 4, 5).
14764–N	SAFC Hitech Inc. Milwaukee, WI.	49 CFR 703.301, 173.304 and 173.304a.	To authorize the filling, for export only, of non-DOT specification pressure vessels with boron trichloride, Division 2.3, Hazard Zone C. (modes 1, 2, 3).
14765–N	Chemtrade Logistics, Inc., Chicago, IL.	49 CFR 180.407	To authorize the transportation in commerce of certain DOT Specification MC 312 and DOT 412 cargo tanks containing sulfuric acid that have been tested using alternative methods. (mode 1).
14766–N	JL Shepherd & Associates, San Fernando, CA.	49 CFR 173.416	To authorize the continued transportation in commerce of certain DOT Specification 2OWC radioactive material packagings after October 1, 2008. (mode 1).
14767–N	Commodore Applied Technologies, Inc., Broomfield, CO.	49 CFR 173.420	To authorize the one-time transportation in commerce of uranium hexafluoride in a DOT Specification 4B240ET cylinder. (mode 1).