

of the functions of the Department, including whether the information will be have practical utility; (b) the accuracy of the Department's estimate of burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information collection; and (d) ways to minimize the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology without reducing the quality of the information collected.

All comments will become a matter of public record.

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

**Tracey M. Jackson,**

*Office of the Chief Information Officer.*

[FR Doc. E8-27325 Filed 11-17-08; 8:45 am]

BILLING CODE 4910-9X-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Office of Commercial Space Transportation; Notice of Availability and Request for Comment on a Final Environmental Impact Statement (EIS) for the Spaceport America Commercial Launch Site, Sierra County, NM

**AGENCY:** The Federal Aviation Administration (FAA), Department of Transportation.

**ACTION:** Notice of Availability.

**SUMMARY:** In accordance with National Environmental Policy Act (NEPA) regulations and FAA Order 1050.1E, Change 1, the FAA is announcing the availability of Final EIS for the Spaceport America Commercial Launch Site, Sierra County, New Mexico. The FAA, Office of Commercial Space Transportation is the lead Federal agency for the development of this EIS. Cooperating agencies include the Bureau of Land Management; the National Park Service; United States Army, White Sands Missile Range (WSMR); and the National Aeronautics and Space Administration.

The Final EIS was prepared in response to an application for a Launch Site Operator License from the New Mexico Spaceport Authority (NMSA). Under the Proposed Action, the FAA would issue a Launch Site Operator License to NMSA to operate a launch facility capable of accommodating both horizontal and vertical launches of suborbital launch vehicles (LVs). The vehicles may carry space flight participants, scientific experiments, or other payloads. The proposed site is

located in Sierra County, approximately 30 miles southeast of Truth or Consequences, New Mexico, and 45 miles north of Las Cruces, New Mexico. The Final EIS also addresses the potential environmental impacts of issuing a Launch Site Operator License for horizontal launches only (Alternative 1), vertical launches only (Alternative 2), and the No Action Alternative.

The FAA submitted the Final EIS to the Environmental Protection Agency (EPA). EPA will post a separate notification in the **Federal Register** announcing the availability of the Final EIS. The FAA will issue a Record of Decision no sooner than 30 days following EPA's notice in the **Federal Register**. The Record of Decision will be published in the **Federal Register**.

The FAA has posted the Final EIS on the FAA Web site at <http://ast.faa.gov>. In addition, CDs of the Final EIS were sent to persons and agencies on the distribution list (found in Chapter 8 of the Final EIS). A paper copy and a CD version of the Final EIS may be reviewed for comment during regular business hours at the following locations:

Hatch Public Library, P.O. Box 289, Hatch, NM 87937;  
Sunland Park Community Library, 984 McNutt Road, Bldg. F-10, Sunland Park, NM 88063;  
Thomas Branigan Memorial Library, 200 E Picacho Ave, Las Cruces, NM 88001;  
Valley Public Library, 136 N Main, Anthony, NM 88021;  
Alamogordo Public Library, 920 Oregon Ave, Alamogordo, NM 88310;  
Mescalero Community Library, 101 Central Ave, Mescalero, NM 88340;  
Michael Nivision Library, 90 Swallow Place, Cloudcroft, NM 88317;  
Truth or Consequences Public Library, 325 Library Lane, Truth or Consequences, NM 87901;  
Truth or Consequences Public Library—Downtown, 401 Foch St, Truth or Consequences, NM 87901.

**Additional Information:** Under the Proposed Action, the FAA would issue a Launch Site Operator License to NMSA that would allow the State to operate the proposed Spaceport America Commercial Launch Site for both horizontal and vertical suborbital LV launches. Horizontal LVs would launch and land at the proposed Spaceport America airfield. Vertical LVs would launch from Spaceport America and either land at Spaceport America or at WSMR. Rocket-powered vertical landing vehicles would land on either the Spaceport America airfield or a vertical launch/landing pad.

In addition, the Proposed Action includes construction of facilities needed to support the licensed launch activities at the proposed launch site. Development of Spaceport America infrastructure would occur in two phases. The total area of land disturbed by construction would be approximately 970 acres; the total area of the final facilities footprint would be approximately 145 acres. The proposed Spaceport America boundary would encompass approximately 26 square miles. This area currently contains both State and private land.

Operational activities in support of the Proposed Action would begin as soon as the phased construction activities related to the Proposed Action were completed. The operational activities that may have environmental consequences and would support, either directly or indirectly, licensed launches include:

- Transport of Launch Vehicles to the Assembly or Staging Areas.
- Transport and Storage of Rocket Propellants and Other Fuels.
- Launch, Landing and Recovery Activities for Horizontal Vehicles.
- Launch, Landing and Recovery Activities for Vertical Vehicles.
- Other Activities
  - Ground-Based Tests and Static Firings.
  - Training.
  - X Prize Cup Events.

The FAA identified two alternatives and the No Action Alternative to the Proposed Action, which are considered in the Final EIS. Under Alternative 1, FAA would consider issuing a Launch Site Operator License only for the operation of a launch site to support horizontal launches. This is considered a feasible alternative because a significant number of launches of horizontal LVs are projected, and most X Prize Cup activities would be located at the airfield.

Under Alternative 2, FAA would consider issuing a Launch Site Operator License only for the operation of a launch site to support vertical launches. This is considered a feasible alternative because a significant number of launches are projected to be of vertical LVs.

Under the No Action Alternative, the FAA would not issue a Launch Site Operator License to the NMSA. Subsequently, the need to support commercial launches and host the X Prize Cup would not be met by the State of New Mexico.

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 included compatible land use; Section 4(f) lands and farmlands; noise; visual resources and light emissions; historical, architectural, archaeological, and cultural resources; air quality; water quality, wetlands, wild and scenic rivers, coastal resources, and floodplains; fish, wildlife, and plants; hazardous materials, pollution prevention, and solid waste; socioeconomic, environmental justice, and children's environmental health and safety risks; and energy supply and natural resources. Construction impacts and secondary (induced) impacts are also considered. Additional analyses considered in the appendices include geology and soils; mineral resources; air space; health and safety; and transportation.

**FOR FURTHER INFORMATION CONTACT:** Stacey M. Zee (AST-100), Office of Commercial Space Transportation, 800 Independence Avenue, SW., Room 331, Washington, DC 20591, telephone (202) 267-9305; e-mail [stacey.zee@faa.gov](mailto:stacey.zee@faa.gov).

Issued in Washington, DC on November 6, 2008.

**Michael McElligott,**

*Manager, Space Systems Development Division.*

[FR Doc. E8-27149 Filed 11-17-08; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 1st Meeting—Special Committee 221—Aircraft Secondary Barriers

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

**ACTION:** Notice of RTCA special committee 221 meeting.

**SUMMARY:** The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 221: Aircraft Secondary Barriers.

**DATES:** The meeting will be held December 3-4, 2008 from 9 a.m. to 5 p.m.

**ADDRESSES:** The meeting will be held at RTCA, Inc., MacIntosh-NBAA and Hilton-ATA Rooms, 1828 L Street, NW., Suite 805, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** RTCA Secretariat, 1828 L Street, NW., Suite 805, Washington, DC 20036; telephone (202) 833-9339; fax (202) 833-9434; Web site <http://www.rtca.org>.

**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 221, Aircraft Secondary Barriers. The agenda will include:

- Opening Plenary (Welcome/ Introductions/Administrative Remarks, Agenda Overview, RTCA Overview).
- Secondary Barrier—Background/ History.
- Current Committee Scope, Terms of Reference Overview.
- Presentation, Discussion, Recommendations.
- Organization of Work, Assign Tasks and Workgroups.
- Presentation, Discussion, Recommendations.
- Assignment of Responsibilities.
- Closing Plenary (Other Business, Establish Agenda for Next Meeting, Date and Place of Next Meeting, 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 November 10, 2008.

**Francisco Estrada C.,**  
*RTCA Advisory Committee.*

[FR Doc. E8-27276 Filed 11-17-08; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Buy America Waiver Notification

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

**ACTION:** Notice.

**SUMMARY:** This notice provides information regarding the FHWA's finding that a Buy America waiver is appropriate for certain steel products used in Federal-aid construction projects in Oregon and the City of San Diego, CA.

**DATES:** The effective date of the waiver is November 19, 2008.

**FOR FURTHER INFORMATION CONTACT:** For questions about this notice, please contact Mr. Gerald Yakowenko, FHWA Office of Program Administration, (202) 366-1562, [gerald.yakowenko@dot.gov](mailto:gerald.yakowenko@dot.gov). For legal questions, please contact Mr. Michael Harkins, FHWA Office of the Chief Counsel, (202) 366-4928, [michael.harkins@dot.gov](mailto:michael.harkins@dot.gov). Office hours for the FHWA are from 7:45 a.m. to 4:15

p.m., e.t., Monday through Friday, except Federal holidays.

#### **SUPPLEMENTARY INFORMATION:**

##### **Electronic Access**

An electronic copy of this document may be downloaded from the **Federal Register's** home page at: <http://www.archives.gov> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

##### **Background**

The FHWA's Buy America policy in 23 CFR 635.410 requires a domestic manufacturing process for any steel or iron products (including protective coatings) that are permanently incorporated in a Federal-aid construction project. The regulation also provides for a waiver of the Buy America requirements when the application would be inconsistent with the public interest or when satisfactory quality domestic steel and iron products are not sufficiently available. This notice provides information regarding the FHWA's finding that a Buy America waiver is appropriate for two specific cases.

In accordance with section 130 of Division K of the "Consolidated Appropriations Act, 2008" (Pub. L. 110-161), the FHWA published on its Web site two notices of intent to issue Buy America waivers: (1) A waiver for two custom built motor control centers and stainless steel products for the Siuslaw River moveable bridge project in Oregon <http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=21> on September 23rd; and (2) a waiver for bridge suspender cable, spider fittings, wire mesh, and grade 2205 plate (for experimental research) in the City of San Diego, CA, <http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=20> on September 30th. The FHWA received no comments in response to the two custom built motor control centers in Oregon which suggested that the custom built motor control centers may not be available domestically. Further investigation and inquiry revealed that the product is not available domestically. The FHWA received two comments in response to experimental use of stainless steel products for pedestrian bridges in the City of San Diego, CA. The comments suggested that there are companies capable of manufacturing the products domestically. The City of San Diego contacted the companies and verified that Insteel Industries, Inc., does not manufacture stainless steel suspenders. The spider fittings are available domestically, but the companies do not