

and Heavy Duty Truck Tractors, and Line Hardware (Insulator Strings) Manufacturing. The basis for waiver is that no small business manufacturers are supplying these classes of products to the Federal government. The effect of a waiver would be to allow otherwise qualified regular dealers to supply the products of any manufacturer on a Federal contract set aside for small businesses, service-disabled veteran-owned small businesses or participants in SBA's 8(a) Business Development Program.

DATES: This waiver is effective December 22, 2008.

FOR FURTHER INFORMATION CONTACT: Edith G. Butler, Program Analyst, by telephone at (202) 619-0422; by FAX at (202) 481-1788; or by e-mail at Edith.Butler@sba.gov.

SUPPLEMENTARY INFORMATION: Section 8(a)(17) of the Small Business Act (Act), 15 U.S.C. 637(a)(17), requires that recipients of Federal contracts set aside for small businesses, or SBA's 8(a) Business Development Program provide the product of a small business manufacturer or processor, if the recipient is other than the actual manufacturer or processor of the product. SBA's regulations provided the same for procurements set aside for service-disabled veteran-owned small business concerns. This requirement is commonly referred to as the Nonmanufacturer Rule. See 13 CFR 121.406(b). Section 8(a)(17)(b)(iv) of the Act authorizes SBA to waive the Nonmanufacturer Rule for any "class of products" for which there are no small business manufacturers or processors available to participate in the Federal market.

In order to be considered available to participate in the Federal market for a class of products, a small business manufacturer must have submitted a proposal for a contract solicitation or received a contract from the Federal government within the last 24 months. 13 CFR 1202(c).

The SBA defines "class of products" based on the Office of Management and Budget's North American Industry Classification System (NAICS).

SBA received a request on September 4, 2008, to waive the Nonmanufacturer Rule for Control Cable and Conductors, NAICS 335931, Product Service Code (PSC) 6145, Trailers and Heavy Duty Truck Tractors, NAICS 333924, PCS 2330 and Line Hardware (Insulator Strings) Manufacturing, 335932, PSC 6145.

In response, on October 10, 2008, SBA published in the **Federal Register** a notice of intent to waive the

Nonmanufacturer Rule for Control Cable and Conductors, Trailers and Heavy Duty Truck Tractors, and Line Hardware (Insulator Strings). SBA explained in the notice that it was soliciting comments and sources of small business manufacturers of this class of products. No comments were received and SBA has determined that there are no small business manufacturers of these classes of products. Therefore, SBA is granting the waiver of the Nonmanufacturer Rule for Control Cable and Conductors, Trailers and Heavy Duty Truck Tractors, and Line Hardware (Insulator Strings) Manufacturing.

Dated: December 1, 2008.

Karen C. Hontz,

Director for Government Contracting.

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DEPARTMENT OF STATE

Public Notice; Culturally Significant Objects Imported for Exhibition Determinations: "Leonardo da Vinci's Horse and Rider? A Technical Investigation"

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the objects to be included in the exhibition "Leonardo da Vinci's Horse and Rider? A Technical Investigation," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the National Gallery of Art, Washington, DC, from on or about May 3, 2009, until on or about September 7, 2009, and at possible additional exhibitions or venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**. Following the exhibition at the Gallery, all objects but the principal statue will be returned to the lenders; the principal statue will travel to other U.S. museums to become part of new

exhibitions for which new notices will be applied.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Carol B. Epstein, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202/453-8048). The address is U.S. Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

Dated: December 1, 2008.

C. Miller Crouch,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Department of State.

[FR Doc. E8-28878 Filed 12-4-08; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice 6443]

Notice of Availability of the Draft Environmental Impact Statement; Enbridge Energy, Limited Partnership ("Alberta Clipper Project")

AGENCY: Department of State.

ACTION: Notice of Availability of the Draft Environmental Impact Statement; Enbridge Energy, Limited Partnership ("Alberta Clipper Project").

SUMMARY: The staff of the Department of State has prepared a Draft Environmental Impact Statement (EIS) for the proposed Enbridge Energy, Limited Partnership ("Enbridge") Alberta Clipper Pipeline Project. Enbridge has applied to the Department of State for a Presidential Permit, pursuant to Executive Order 13337 of April 30, 2004, to construct, connect, operate, and maintain a 36-inch diameter crude oil and liquid hydrocarbon pipeline at the U.S.-Canadian border near Neche, Pembina County, North Dakota, for the purpose of transporting liquid hydrocarbons and other petroleum products between the United States and Canada. Enbridge seeks this authorization in connection with its Alberta Clipper Pipeline Project ("Alberta Clipper Project"), which is designed to transport Canadian crude oil from the Western Canadian Sedimentary Basin ("WCSB") to existing refinery markets primarily in the Midwest region of the United States.

The Secretary of State is designated and empowered to receive all applications for Presidential Permits, as referred to in Executive Order 13337, as amended, for the construction, operation, or maintenance, at the borders of the United States, of facilities for the exportation or importation of

petroleum, petroleum products, coal, or other fuels to or from a foreign country.

Any person wishing to comment on the Draft EIS may do so. To ensure consideration prior to a Department of State decision on the Enbridge proposal, it is important that we receive your comments by January 30, 2009.

SUPPLEMENTARY INFORMATION: The Draft EIS was prepared to conform to the requirements of the National Environmental Policy Act (NEPA) and to evaluate the potential environmental impacts of the proposed pipeline project. The document also evaluates alternatives to the proposal, including system alternatives and pipeline route alternatives.

The federal cooperating agencies for the development of this EIS are: U.S. Army Corps of Engineers; U.S. Department of Agriculture—Farm Service Agency and Natural Resources Conservation Service; U.S. Department of Interior—U.S. Fish and Wildlife Service and Bureau of Indian Affairs; and the U.S. Environmental Protection Agency. In addition, two Indian Bands are acting as cooperating agencies for this EIS: The Fond du Lac Band of Lake Superior Chippewa and the Leech Lake Band of Ojibwe Indians. Cooperating agencies either have jurisdiction by law or special expertise with respect to the environmental impacts assessed in connection with the proposal and are involved in the Department's analysis of those environmental impacts.

The Draft EIS addresses the potential environmental effects of the construction and operation of the United States portion of the Alberta Clipper Project. The proposed Alberta Clipper Project would be a new pipeline that would transport crude oil from Enbridge's existing facilities in Hardisty, Alberta, Canada to its existing terminal in Superior, Wisconsin. From there, the liquid hydrocarbons would be transported to Midwestern markets, the eastern United States and Canada, and the Midcontinent and U.S. Gulf markets. Crude oil would be transported to markets in the Midwest via Enbridge's Lakehead System, which is currently being expanded, and potentially through pipelines that may be constructed in the future. The proposed Project would be designed to transport an average crude oil volume of approximately 450,000 bpd.

Overall, the Alberta Clipper Project would consist of a new pipeline and associated facilities in both Canada and the United States. The Draft EIS focuses on the portion of the Alberta Clipper Project in the United States. The primary components of the U.S. portion

of the Project would be the new pipeline, new mainline valves, and additional pumping capacity at three existing pump stations. The pipeline would extend approximately 331.8 miles from the U.S./Canada border near Neche, North Dakota through Minnesota and Wisconsin to the existing Enbridge terminal in Superior. A total of 32 mainline valves would be installed at key locations along the alignment.

The Canadian portion of the Alberta Clipper Project received its final Canadian National Energy Board certificate in other approvals by August 2008.

Approximately 82 percent of the proposed pipeline route in the United States (about 270 miles) would be within or adjacent to an existing Enbridge pipeline corridor. The existing corridor houses six pipelines between the U.S./Canada border and Clearbrook, Minnesota (including the Southern Lights LSR Project pipeline which began construction in summer 2008), and four existing pipelines between Clearbrook and Superior. The existing pipelines transport crude oil or petroleum products. A fifth pipeline has been proposed for the corridor between Clearbrook and Superior, and Enbridge proposes to construct it concurrently with the Alberta Clipper Project pipeline.

Three existing Enbridge pump stations along the corridor would be upgraded to accommodate the Alberta Clipper pipeline. The upgrades would include additional pumps and the associated electrical equipment necessary to power the pumps.

If approved, Enbridge proposes to begin construction of the project in the spring of 2009, with an in-service date of early 2010.

As a separate but connected action to the Alberta Clipper Project, Enbridge is proposing to construct, operate, and maintain the Superior Terminal Expansion Project. This project would consist of five new 250,000-barrel storage tanks and associated piping and facilities at the existing Enbridge terminal. The Superior Terminal Expansion Project is not part of the Presidential Permit Application submitted to Department of State and would be permitted separately from the Alberta Clipper Project.

Construction of the proposed pipeline would generally require a 140-foot-wide construction right-of-way to allow temporary storage of topsoil and spoil and to accommodate safe operation of construction equipment. Enbridge would retain a portion of the construction right-of-way in order to

maintain a 75-foot right-of-way from the current outermost pipeline.

The Alberta Clipper Project would not require construction of new pump stations. Mainline valves would be installed along the pipeline to limit the volume of a spill if one were to occur. Enbridge conducted an analysis to determine the most appropriate locations for mainline valves in compliance with the requirements of 49 CFR Part 195. Construction of the pipeline would require establishment of rail unloading sites for delivery of pipe and contractor/pipe storage yards at locations near the construction right-of-way to temporarily store pipe and the contractor's vehicles, equipment, tools, and other construction-related items. Rail unloading areas would be located adjacent to railroad sidings. Enbridge would need to gain access to the construction right-of-way during pipeline installation and the permanent right-of-way during operation. In general, Enbridge would use existing public roads to gain access to the construction right-of-way as much as possible. In areas where public roads are limited, existing privately owned roads may be used for access, provided that Enbridge receives permission from the landowners. If neither public nor privately owned roads are available, Enbridge would construct new access roads that typically would be approximately 10 to 30 feet wide.

U.S. States and counties that could possibly be affected by construction of the proposed pipeline are:

- North Dakota: Pembina;
- Minnesota: Kittson, Marshall, Pennington, Red Lake, Polk, Clearwater, Beltrami, Hubbard, Cass, Itasca, Aitkin, St. Louis, Carlton; and
- Wisconsin: Douglas.

Comment Procedures and Public Meetings: Any person wishing to comment on the Draft EIS may do so. To ensure consideration prior to a Department of State decision on the proposal, it is important that we receive your comments by no later than January 30, 2009.

Options for submitting comments on the Draft EIS are as follows:

- *By mail to:* Elizabeth Orlando, Alberta Clipper Project Manager, U.S. Department of State, OES/ENV Room 2657, Washington, DC 20520. Please note that Department of State mail can be delayed due to security screening.
- *Fax to:* (202) 647-5947, attention Elizabeth Orlando.
- *E-mail to:* AlbertaClipperEIS@state.gov.
- *Comment over the internet via the Alberta Clipper EIS Web site:* mailto:www.albertaclipper.state.gov.

Comments received will be included in the public docket without change and may be made available on-line at <http://www.albertaclipper.state.gov>, including any personal information provided, unless the commenter indicates that the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI, or otherwise protected, through e-mail. If you send a comment by e-mail, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you want to submit an electronic comment, we recommend that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If we cannot read your comment because of technical difficulties and cannot contact you for clarification, we may not be able to consider your comment. Electronic comments should avoid the use of any special characters, any form of encryption, and be free of any defects or viruses.

In addition to or in lieu of sending written comments, the Department of State invites you to attend the public meetings in the project area to receive comments on the Draft EIS. A court reporter will be present and will accept comments for the record. Dates and locations for the public meetings are:

- Monday, December 15, 2008, 6 to 9 p.m., Thief River Falls, Minnesota, Best Western, 1060 Highway 32 South, Thief River Falls.
- Tuesday, December 16, 2008, 11 a.m. to 2 p.m., Cass Lake, Minnesota, Cass Lake Palace Casino, 6280 Upper Cass Lake Frontage Road, NW., Cass Lake.
- Tuesday, December 16, 2008, 6 p.m. to 9 p.m., Bemidji, Minnesota, Holiday Inn Express Conference Center, 2422 Ridgeway Avenue, NW., Bemidji.
- Wednesday, December 17, 2008, 6 p.m. to 9 p.m., Grand Rapids, Minnesota, Wendego Conference Center, 20108 Golf Crest Road, Grand Rapids.
- Thursday, December 18, 2008, 11 a.m. to 2 p.m., Carlton, Minnesota, Black Bear Hotel—Lake Hall Room, 1785 Highway 210, Carlton.
- Thursday, December 18, 2008, 6 p.m. to 9 p.m., Superior, Wisconsin, Barkers Island Inn, 300 Marina Drive, Superior.

After comments are reviewed, any significant new issues are investigated, and modifications are made to the Draft EIS, a final EIS will be published and

distributed by the Department of State. The final EIS will contain the Department's response to timely comments received on the Draft EIS.

Copies of the Draft EIS have been mailed to interested federal, tribal, state and local agencies; public interest groups; individuals and affected landowners who requested a copy of the Draft EIS or provided comments during the scoping process; libraries; and other stakeholders.

FOR FURTHER INFORMATION CONTACT: The Enbridge application for a Presidential Permit, including associated maps, the Draft EIS; a list of libraries where the Draft EIS may be reviewed; and other project information is available for viewing and download at the project Web site: <http://www.albertaclipper.state.gov>.

For information on the proposed project or the Draft EIS contact Elizabeth Orlando, OES/ENV Room 2657, U.S. Department of State, Washington, DC, 20520, or by telephone (202) 647-4284, or by fax at (202) 647-5947.

Issued in Washington, DC on December 5, 2008.

Daniel Fantozzi,

Director, Bureau of Oceans and International Environmental and Scientific Affairs/Office of Environmental Policy, Department of State.
[FR Doc. E8-28866 Filed 12-4-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket Number—[Docket No. DOT-OST-2008-0371]

Agency Information Collection Activities; Proposals, Submissions, and Approvals

AGENCY: Department of Transportation (DOT), Office of the Secretary (OST).

ACTION: Notice and request for comments; Request OMB Clearance for extension of a currently approved information collection, Foreign Air Carrier Application for Statement of Authorization.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13, the Department of Transportation, Office of the Secretary invites the general public, industry and other governmental parties to comment on the Foreign Air Carrier Application for Statement of Authorization. The pre-existing information collection request previously approved by the Office of Management and Budget (OMB) expires on January 31, 2009.

DATES: Written comments should be submitted by February 3, 2009.

FOR FURTHER INFORMATION CONTACT: George Wellington, (202) 366-2391, Office of International Aviation, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Room W86-125, Washington, DC 20590. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

ADDRESSES: You may submit a comment to Docket No. DOT-OST-2008-0371 through one of the following methods:

Web site: <http://www.regulations.gov>. Follow the instructions for submitting comments on the FDMS electronic docket site.

Fax: 1-202-493-2251.

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

Hand Delivery: Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Wednesday and Federal holidays.

Instructions: All comments must include the agency name and FDMS Docket No. DOT-OST-2008-0371. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. You should know that anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.) You may review DOT's complete Privacy Act Statement in the **Federal Register** published on February 3, 2006 (71 FR 5780), or you may visit <http://www.regulations.gov>.

Docket: For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time or to Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 a.m., Monday through Friday, except Wednesday and Federal holidays.

If you wish to receive confirmation of receipt of your written comments, please include a self-addressed, stamped postcard with the following statement: "Comments on Docket No. DOT-OST-2008-0371." The Docket Clerk will date stamp the postcard prior to returning it to you via the U.S. mail. Please note that due to delays in the delivery of U.S. mail to Federal offices