

**FOR FURTHER INFORMATION CONTACT:** Ms. Mary Murray, Transportation Engineer/Project Manager, Federal Highway Administration, 330 West Broadway, Frankfort, Kentucky 40601, (502) 223-6745, by e-mail to [Mary.Murray@fhwa.dot.gov](mailto:Mary.Murray@fhwa.dot.gov); or Mr. Joe Cox, Kentucky Transportation Cabinet (KYTC), District 8, PO Box 780, Somerset, KY 42501, by e-mail to [Joe.Cox@ky.gov](mailto:Joe.Cox@ky.gov), by fax to (606) 677-4013.

(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) (23 U.S.C. 315; 49 CFR 1.48)

Dated: August 30, 2006.

**Jose Sepulveda,**

*Kentucky Division Administrator.*

[FR Doc. 06-7566 Filed 9-8-06; 8:45 am]

BILLING CODE 4910-22-M

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-99-6156, FMCSA-00-7006, FMCSA-00-7165, FMCSA-02-12294]

#### Qualification of Drivers; Exemption Applications; Vision

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of renewal of exemption; request for comments.

**SUMMARY:** FMCSA announces its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 42 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemptions will provide a level of safety that will be equivalent to, or greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

**DATES:** This decision is effective September 21, 2006. Comments must be received on or before October 11, 2006.

**ADDRESSES:** You may submit comments identified by DOT Docket Management System (DMS) Docket Numbers FMCSA-99-6156, FMCSA-00-7006, FMCSA-00-7165, FMCSA-02-12294, using any of the following methods.

- *Web site:* <http://dmses.dot.gov>. Follow the instructions for submitting

comments on the DOT electronic docket site.

- *Fax:* 1-202-493-2251.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

**Instructions:** All submissions must include the Agency name and docket numbers for this Notice. Note that all comments received will be posted without change to <http://dms.dot.gov>, including any personal information provided. Please see the Privacy Act heading for further information.

**Docket:** For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The DMS is available 24 hours each day, 365 days each year. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477; Apr. 11, 2000). This information is also available at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Chief, Physical Qualifications Division, (202) 366-4001, [maggi.gunnels@dot.gov](mailto:maggi.gunnels@dot.gov) FMCSA, Department of Transportation, 400 Seventh Street, SW., Room 8301, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., E.T., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Exemption Decision

Under 49 U.S.C. 31136(e) and 31315, FMCSA may renew an exemption from

the vision requirements in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce, for a two-year period if it finds "such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption." The procedures for requesting an exemption (including renewals) are set out in 49 CFR part 381. This Notice addresses 42 individuals who have requested renewal of their exemptions in a timely manner. FMCSA has evaluated these 42 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Elijah A. Allen, Jr.	James F. Gereau	Daniel Salinas
John W. Arnold	Ronald E. Goad	Robert L. Savage
James H. Bailey	Esteban G. Gonzalez	Wayne R. Sears
Derric D. Burrell	Reginald I. Hall	Lee R. Sidwell
Monty G. Calderon	James O. Hancock	David L. Slack
Anthony J. Cesternino	Sherman W. Hawk, Jr.	James C. Smith
James A. Creed	Gordon W. Howell	Daniel A. Sohn
Tommy J. Cross, Jr.	Robert C. Jeffres	Roger R. Strehlow
Eric L. Dawson, III	Alfred C. Jewell, Jr.	John T. Thomas
Richard L. Derick	Lewis V. McNeice	Brian W. Whitmer
Craig E. Dorrance	Kevin J. O'Donnell	Jeffrey D. Wilson
Joseph A. Dunlap	Gregory M. Preves	Larry M. Wink
Calvin J. Eldridge	James M. Rafferty	Joseph F. Wood
Shawn B. Gaston	Paul C. Reagle, Sr.	William E. Woodhouse

These exemptions are extended subject to the following conditions: (1) That each individual have a physical examination every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard in 49 CFR 391.41(b)(10), and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file and retain a copy of the certification on his/her person while driving for presentation to a duly authorized Federal, State, or local enforcement official. Each exemption will be valid

for two years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315.

#### Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two year periods. In accordance with 49 U.S.C. 31136(e) and 31315, each of the 42 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (64 FR 54948; 65 FR 159; 67 FR 57266; 69 FR 52741; 65 FR 20245; 65 FR 57230; 67 FR 67234; 65 FR 33406; 65 FR 57234; 67 FR 46016; 67 FR 57267; 69 FR 51346). Each of these 42 applicants has requested timely renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the standard specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption standards. These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

#### Request for Comments

FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31136(e) and 31315. However, FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by October 11, 2006.

FMCSA believes that the requirements for a renewal of an exemption under 49 U.S.C. 31136(e) and 31315 can be satisfied by initially granting the renewal and then requesting and evaluating, if needed, subsequently comments submitted by interested parties. As indicated above,

the Agency previously published Notices of final disposition announcing its decision to exempt these 42 individuals from the vision requirement in 49 CFR 391.41(b)(10). That final decision to grant the exemption to each of these individuals was based on the merits of each case and only after careful consideration of the comments received to its Notices of applications. Those Notices of applications stated in detail the qualifications, experience, and medical condition of each applicant for an exemption from the vision requirements. That information is available by consulting the above cited **Federal Register** publications.

Interested parties or organizations possessing information that would otherwise show that any, or all of these drivers, are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

Issued on: September 5, 2006.

**Rose A. McMurray,**

*Associate Administrator, Policy and Program Development.*

[FR Doc. E6-14998 Filed 9-8-06; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2006-25549]

#### Availability of a Draft Environmental Assessment

**AGENCY:** Department of Transportation, Maritime Administration.

**ACTION:** Notice of the Availability of a draft Environmental Assessment.

**SUMMARY:** The purpose of this Notice is to make available to the public the draft Environmental Assessment (EA) for the Nuclear Ship SAVANNAH decommissioning. The draft EA analyzes the impacts associated with the full nuclear decommissioning of the vessel.

**DATES:** Comments on this draft Environmental Assessment must be received by October 11, 2006.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket Number MARAD-2006-25549] by any of the following methods:

- **Web site:** <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.

- **Mail:** Docket Management Facility; U.S. Department of Transportation, 400 7th St., SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

- **Hand Delivery:** Room PL-401 on the plaza level of the Nassif Building, 400 7th St., SW., Washington, DC, between 9 am and 5 pm, Monday through Friday, except Federal Holidays.

**Instructions:** All submissions must include the agency name and docket number for this action. Note that all comments received will be posted without change to <http://dms.dot.gov> including any personal information provided. Please see the Privacy Act heading below.

**Docket:** For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 7th St., SW., Washington, DC, between 9 am and 5 pm, Monday through Friday, except Federal Holidays.

#### FOR FURTHER INFORMATION CONTACT:

Carolyn E. Junemann, Environmental Protection Specialist, Office of Environmental Activities, U.S. Maritime Administration, 400 Seventh Street, SW., Room 7209, Washington, DC 20590; telephone (202) 366-1920, fax (202) 366-6988.

**SUPPLEMENTARY INFORMATION:** An electronic version of this document and all documents entered into this docket are available at <http://dms.dot.gov>. In addition, copies of the draft EA are available for public viewing at Kirm Memorial Main Library in Norfolk, VA, Dorchester and Otranto libraries in North Charleston, SC, and the Randall Library at the University of North Carolina.

#### Privacy Act

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 April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

(Authority: 49 CFR 1.66)

By Order of the Maritime Administrator.