

The National Schedule Coordination Committee (NSCC) requested comments to proposed changes to the 1994 PREP Guidelines that were posted on the Docket Management System Web site on July 3, 2001. Based on review of comments to those proposed changes, the NSCC has posted the proposed final draft changes to the PREP Guidelines to the docket and at the following Web sites: <http://www.uscg.mil/hq/g-m/nmc/response/#PREP> and <http://www.uscg.mil/hq/nsfcc/nsfweb>.

This proposed final draft is also available electronically or in hard copy from Mr. Robert Pond at the address indicated above. Based on the comments received in response to the July 3, 2001, draft, a public meeting to discuss proposed changes is not anticipated prior to publication of final revised PREP Guidelines in August 2002. The next public meeting to discuss PREP is scheduled on November 8, 2002, in Galveston, TX, in conjunction with Clean Gulf 2002.

Dated: February 28, 2002.

**Joseph J. Angelo,**

*Director of Standards, Marine Safety and Environmental Protection.*

[FR Doc. 02-6048 Filed 3-12-02; 8:45 am]

BILLING CODE 4910-15-P

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Wayne County, Michigan

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

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for a proposed intermodal freight terminal in Wayne County, Michigan.

**FOR FURTHER INFORMATION CONTACT:** James A. Kirschensteiner, Assistant Division Administrator, Federal Highway Administration, 315 West Allegan Street, Room 207, Lansing, Michigan 48933, Telephone: (517) 702-1835, Fax: 377-1804, e-mail, [james.kirschensteiner@fhwa.dot.gov](mailto:james.kirschensteiner@fhwa.dot.gov).

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Michigan Department of Transportation, will prepare an environmental impact statement (EIS) on a proposal to develop a complex of terminals operated by several railroads, which will provide consolidated and efficient intermodal freight service to business and industry. The project could include land

acquisition, consolidation, roadway, and rail improvements to improve access and egress to the existing terminal site, known as the Detroit-Livernois Yard.

Improvements to the corridor are considered necessary to provide for improved intermodal efficiencies regionally and on an international scale. Alternatives under consideration include (1) taking no action and (2) refinements of Rail Strategy 3 as identified in the Detroit Intermodal Freight Terminal Project—Feasibility Study, Technical Report No. 4. The draft EIS will describe other alternatives that were considered during the feasibility phase.

The Detroit Intermodal Freight Terminal Project study area is bounded roughly by I-94 and U.S. 12 to the north, M-39 to the west, I-75 to the south, and M-10 to the east. Presently about 65 train movements occur daily at some point within the study area, with less than half being through movements. Rail Strategy 3, as it is now conceived, calls for expanding the existing railroad-controlled property in this area from about 500 acres to 840 acres (an increase of 340 acres). The freight terminal would be served by six entrance/exit gates. Daily *intermodal* train traffic is expected to grow by the year 2025 from fewer than a dozen today to 50-plus, and be associated with 16,000 intermodal truck movements per day into and out of the terminal in 2025 compared to 2000 truck trips today.

Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state, and local agencies, and to private organizations and citizens who have previously expressed or are known to have an interest in this proposal. A series of public meetings were held during the Feasibility Study phase on March 13, April 24, May 23-24, July 25-26, October 24-25, and December 13, 2001. Additional meetings and a public hearing are planned. Public notice will be given of the time and place of the meetings and hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing. No formal scoping meeting is planned at this time.

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 the FHWA 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 of Federal programs and activities apply to this program.)

Issued on: February 27, 2002.

**James J. Steele,**

*Division Administrator, Lansing, Michigan.*

[FR Doc. 02-5945 Filed 3-12-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-2002-11507]

#### Alternative Physical Qualification Standards for the Loss or Impairment of Limbs; Exemption Application for Kevin Howell

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

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

**SUMMARY:** This notice announces the FMCSA's receipt of an application from Mr. Kevin Howell for an exemption from the Federal Motor Carrier Safety Regulations (FMCSRs) alternative physical qualification standards for the loss or impairment of limbs. Mr. Howell's right arm was amputated at the shoulder. Mr. Howell is applying for an exemption to allow him to operate a commercial motor vehicle (CMV) in interstate commerce without a prosthesis. Mr. Howell believes his driving record indicates that a level of safety can be achieved that is equivalent to, or greater than, the level of safety that would be obtained by complying with the standards for the loss or impairment of limbs set forth in 49 CFR 391.41 (b)(1) and 391.49.

**DATES:** Comments must be received on or before April 12, 2002.

**ADDRESSES:** You can mail or deliver comments to the U.S. Department of Transportation, Dockets Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. You can also submit comments as well as see the submissions of other commenters at <http://dms.dot.gov>. Please include the docket number that appears in the heading of this document. You can examine and copy this document and all comments received at the same Internet address or at the Dockets Management Facility from 9 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you want to know that we received

your comments, please include a self-addressed, stamped postcard or include a copy of the acknowledgement page that appears after you submit comments electronically.

**FOR FURTHER INFORMATION CONTACT:** For information about the exemption in this notice, Ms. Teresa Doggett, Office of Bus and Truck Standards and Operations, (202) 366-2990; for information about legal issues related to this notice, Mr. Joseph Solomey, Office of the Chief Counsel, (202) 366-1374, FMCSA, Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Background**

Title 49 of the United States Code (U.S.C) sections 31315 and 31136, requires the FMCSA to publish a notice in the **Federal Register** for each exemption requested, explaining that the request has been filed; providing the public with an opportunity to inspect the safety analysis and any other relevant information known to the agency; and commenting on the request (49 U.S.C. 31315(b)(4)(A)). Prior to granting a request for an exemption, the agency must publish in the **Federal Register** the name of the person granted the exemption, the provisions from which the person will be exempt, the effective period, and all terms and conditions of the exemption (49 U.S.C. 31315 (b)(4)(B)). The terms and conditions established by FMCSA must ensure that the exemption will likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption (49 U.S.C. 31315(b)(6)).

The regulations at 49 CFR part 381 establish the procedures to be followed to request waivers and to apply for exemptions from the FMCSRs, and the procedures used to process them.

FMCSA is responsible for the administration and enforcement of the Federal Motor Carrier Safety Regulations (FMCSRs), including the physical qualifications of CMV drivers. Section 391.41(b)(1) of the FMCSRs states that a person is physically qualified to drive a CMV if he or she has, among other things, "no loss of a foot, a leg, a hand or an arm, or has been granted a skill performance evaluation (SPE) certificate [previously called a 'waiver'] pursuant to section 391.49." The alternative physical qualification standards for the loss or impairment of limbs, at 49 CFR 391.49(d)(3)(i)(B), include a requirement that applicants

for SPE certificates include with their applications a medical evaluation summary that, among other things, establishes that "\*-\*-\*the applicant is capable of demonstrating precision prehension (e.g., manipulating knobs and switches) and power grasp prehension (e.g., holding and maneuvering the steering wheel) with each upper limb separately" [emphasis added].

**Kevin Howell's Application for an Exemption**

Mr. Kevin Howell is a commercial motor vehicle (CMV) driver whose right arm was amputated at the shoulder. He is an owner-operator motor carrier and his principal place of business is located in Hooper, Utah. On November 3, 2001, Mr. Howell applied for a SPE certification by filing an application with the FMCSA's Utah State Director. By letter dated November 19, 2001, Mr. Howell's SPE application was deferred until he obtained a prosthetic or orthotic device and could demonstrate the power grasp and precision prehension required under the alternative physical qualification standards of 49 CFR 391.49. On November 21, 2001, Mr. Howell applied for an exemption from the Federal alternative physical qualification standards for the loss or impairment of limbs and the use of a prosthetic device when operating CMVs in interstate commerce (49 CFR 391.41(b)(1) and 49 CFR 391.49). A copy of the application is in the docket.

Mr. Howell indicated in his application that he was granted a limb waiver in 1973 that allows him to operate without a prosthetic device when driving CMVs in interstate commerce. The agency has no record of the waiver. If a waiver had been issued, Mr. Howell would have been required to renew the waiver every 2 years in accordance with conditions applicable to waivers at the time. The FMCSA has records for other drivers who were granted limb waivers in the 1970's and who have renewed their waivers every 2 years, however, we find no record that Mr. Howell sought a renewal in the years following 1973.

Mr. Howell stated in his application for exemption that he has had his Class A CDL for 27 years, with no restrictions other than corrective lenses. He owns and operates a CMV with manual transmission on the right side of the steering column. He indicated that he transports cargo for various other motor carrier companies and that he will be the only driver affected if the FMCSA grants the exemption requested here. Mr. Howell stated that he does not anticipate any adverse safety impacts

created by this exemption. As support for his contention, he cited his current motor vehicle driving record, with no current deficiencies, including no speeding tickets or accidents. Mr. Howell stated that he has driven over 1,000,000 miles and has never had an accident, injury or caused property damage as a result of driving without a right arm. He maintains that this clearly shows a very high level of safety and awareness, as well as excellent driving skills, ability and judgment.

**Request for Comments**

In accordance with 49 U.S.C. 31315(b)(4) and 31136(e), FMCSA is requesting public comment from all interested persons on whether the exemption application from Mr. Kevin Howell should be granted. All comments received before the closing date will be considered and will be available for examination in the docket at the location listed under the address section of this notice.

Issued on: March 8, 2002.

**Julie Anna Cirillo,**

*Assistant Administrator.*

[FR Doc. 02-6047 Filed 3-12-02; 8:45 am]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF THE TREASURY**

**Treasury Advisory Committee on Commercial Operations of the U.S. Customs Service**

**AGENCY:** Departmental Offices, Treasury.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice announces the date, time, and location for the quarterly meeting of the Treasury Advisory Committee on Commercial Operations of the U.S. Customs Service (COAC), and the provisional meeting agenda.

**DATES:** The next meeting of the Treasury Advisory Committee on Commercial Operations of the U.S. Customs Service will be held on Friday, March 22, 2002, starting at 9:00 a.m., at the Port of New Orleans Office Building, Main Auditorium, 1350 Port of New Orleans Place, New Orleans, LA 70130. The duration of the meeting will be approximately four hours.

**FOR FURTHER INFORMATION, CONTACT:** Gordana S. Earp, Deputy Director, Tariff and Trade Affairs (Enforcement), Office of the Under Secretary (Enforcement), Telephone: (202) 622-0336.

At this meeting, the Advisory Committee is expected to pursue the following agenda. The agenda may be modified prior to the meeting.