

In accordance with section 47107(h) of title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

**DATES:** Comments must be received on or before September 24, 2008.

**FOR FURTHER INFORMATION CONTACT:**

Stephanie Swann, Program Manager, Detroit Airports District Office, 11677 South Wayne Road, Suite 107, Romulus, Michigan 48174. Telephone Number: (734)–229–2945/FAX Number: (734)–229–2950. Documents reflecting this FAA action may be reviewed at this same location or at Mansfield Lahm International Airport, Mansfield, Ohio.

**SUPPLEMENTARY INFORMATION:** Following is a legal description of the property located in Madison Township, County of Richland, State of Ohio, and described as follows: (Legal Description of Property).

Being a part of the northeast Quarter of Section 5, Township 21, Range 18 of Madison Township, and more fully described as follows:

Beginning at the intersection of the east line of the Northeast Quarter of Section 5 and the centerline of Nail Road (which is the south line of the Northeast Quarter of Section 5); thence west along and with the centerline of Nail Road a distance of 1724 ft. to a point in the centerline of Bowman Street Road (CH 215); thence north 28 degrees 30 minutes west along and with the centerline of Bowman Street Road a distance of 1254.5 ft.; thence south 80 degrees 00 minutes east a distance of 389 ft.; thence north 2 degrees 30 minutes east a distance of 1884 ft. to a point in the centerline of Crall Road (CH237); thence south 89 degrees 48 minutes east along and with the centerline of Crall Road a distance of 1854 ft.; thence south 0 degrees 8 minutes east a distance of 2900 ft. to the place of beginning and contains 129.80 acres more or less and subject to all legal highways.

Also the following described premises:

Being a part of the northwest Quarter of Section 4, Township 21, Range 18 of Madison Township, and more particularly described as follows:

Beginning at the intersection of the west line of the Northwest Quarter of Section 4 and the centerline of Nail Road (which is the south line of the northwest Quarter of Section 4); thence east along and with the centerline of Nail Road a distance of 720 feet; thence north 1 degree 16 minutes east a distance of 2344 feet; thence north 88 degrees 44 minutes west a distance of 391 feet; thence south 2 degrees 43 minutes west a distance of 383 feet; thence south 89 degrees 40 minutes west a distance of 372.7 feet; thence south 0 degrees 8 minutes east a distance of 1974 feet to the place of beginning and contains 37.31 acres more or less and subject to all legal highways. Now located in the City of Mansfield.

Issued in Romulus, Michigan on July 28, 2008.

**Matthew J. Thys,**

*Manager, Detroit Airports District Office, FAA, Great Lakes Region.*

[FR Doc. E8–19565 Filed 8–22–08; 8:45 am]

**BILLING CODE 4910–13–M**

## 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 stainless steel clad reinforcing bars used in certain Federal-aid construction projects in Virginia.

**DATES:** The effective date of the waiver is August 26, 2008.

**FOR FURTHER INFORMATION CONTACT:** For questions about this notice, please contact Gerald Yakowenko, FHWA Office of Program Administration, (202) 366–1562, [gerald.yakowenko@dot.gov](mailto:gerald.yakowenko@dot.gov). For legal questions, please contact 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 stainless steel clad reinforcing bars used for certain Federal-aid projects administered by the Virginia Department of Transportation.

In accordance with the Division K, section 130 of the "Consolidated Appropriations Act, 2008" (Pub. L. 110–161), the FHWA published a notice of intent to issue a waiver on its Web site for stainless steel clad reinforcing bars for selected Federal-aid projects in Virginia (<http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=13>) on June 22, 2008. The FHWA evaluated several comments that were received in response to the notice. Several commenters suggested that solid stainless rebar should be used and that stainless clad rebar may be more expensive than solid stainless rebar. Other commenters disagreed with this position. The Virginia Department of Transportation's waiver request is to evaluate the stainless clad reinforcing bars along with two other types of corrosion resistant reinforcing steels (ASTM1035 and solid stainless) under an experimental project. The FHWA agrees with the Virginia Department of Transportation that it is in the public interest to waive the Buy America requirements for this experimental project; therefore, the FHWA concludes that a Buy America waiver is appropriate as provided by 23 CFR 635.410(c)(1).

In accordance with the provisions of section 117 of the "SAFETEA—LU Technical Corrections Act of 2008 (Pub. L. 110–244, 122 Stat. 1572), the FHWA is providing this notice as its finding that a waiver of Buy America requirements is appropriate. The FHWA invites public comment on this finding for an additional 15 days following the effective date of the finding. Comments may be submitted to the FHWA's Web site via the link to the Virginia waiver page noted above.

(Authority: 23 U.S.C. 313; Pub. L. 110–161, 23 CFR 635.410)

Issued on: August 14, 2008.

**James D. Ray,**

*Acting Federal Highway Administrator.*

[FR Doc. E8–19638 Filed 8–22–08; 8:45 am]

**BILLING CODE 4910–22–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2003–25290]

#### Commercial Driver's License Standards: Application for Exemption; Isuzu Motors America, Inc. (Isuzu)

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

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

**SUMMARY:** FMCSA announces that Isuzu Motors America (Isuzu) has applied for an exemption from the Federal requirement for a driver of a commercial motor vehicle (CMV) to hold a commercial driver's license (CDL). Isuzu requests that the exemption cover 27 of its commercial motor vehicle (CMV) drivers who will test-drive CMVs for Isuzu in the United States. Each of these 27 Isuzu employees holds a valid Japanese CDL but lacks the U.S. residency necessary to obtain a CDL from one of the States of the U.S. Isuzu believes the knowledge and skills tests and training program that drivers undergo to obtain a Japanese CDL ensures that these drivers will achieve a level of safety that is equivalent to, or greater than, the level of safety that would be obtained by complying with the exemption.

**DATES:** Comments must be received on or before September 24, 2008.

**ADDRESSES:** You may submit comments identified by Federal Docket Management System Number [FMCSA-2003-25290] by any of the following methods:

- *Web site:* [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments on the Federal electronic docket site.
- *Fax:* 1-202-493-2251.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, Room W-12-140, 1200 New Jersey Avenue, SE., 20590-0001.
- *Hand Delivery:* Ground Floor, Room W12-140, DOT Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday through Friday, except Federal Holidays.

*Instructions:* All submissions must include the Agency name and docket number. For detailed instructions on submitting comments and additional information on the exemption process, see the Public Participation heading below. Note that all comments received will be posted without change to [www.regulations.gov](http://www.regulations.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 [www.regulations.gov](http://www.regulations.gov) at any time or to the ground floor, room W12-140, DOT Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of the 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 (65 FR 19477) or you may visit [www.regulations.gov](http://www.regulations.gov).

*Public Participation:* The [www.regulations.gov](http://www.regulations.gov) Web site is generally available 24 hours each day, 365 days each year. You can get electronic submission and retrieval help and guidelines under the "help" section of the [www.regulations.gov](http://www.regulations.gov) Web site and also at the DOT's <http://docketsinfo.dot.gov> Web site. 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 online.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Robert Schultz, Jr., FMCSA Driver and Carrier Operations Division; Office of Bus and Truck Standards and Operations; Telephone: 202-366-4325. E-mail: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4007 of the Transportation Equity Act for the 21st Century (Pub. L. 105-178, 112 Stat. 107, June 9, 1998) amended 49 U.S.C. 31315 and 31136(e) to provide authority to grant exemptions from motor carrier safety regulations. Under its regulations, FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses. The Agency must also provide an opportunity for public comment on the application.

The Agency reviews the safety analyses and the public comments, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by complying with the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reason for denying or, in the alternative, the specific person or class of persons receiving the exemption, and the regulatory provision or provisions from which exemption is granted. The notice must also specify the effective period of the exemption (up to 2 years), and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

#### Request for Exemption

Isuzu has applied for an exemption from the commercial driver's license (CDL) rules, specifically 49 CFR 383.23 that prescribes licensing requirements for drivers operating commercial motor vehicles (CMVs) in interstate or intrastate commerce. Isuzu requests the exemption because its driver-employees are citizens and residents of Japan, and because they cannot apply for a CDL in any of the United States. A copy of the application is in Docket No. FMCSA-2003-25290. The exemption would allow 27 drivers to operate CMVs in interstate commerce as a team, testing and evaluating production and prototype commercial motor vehicles in the United States in order to assist in the design of safe vehicles for sale in the United States.

The drivers are: Yasushi Akazawa, Kenji Takashima, Kunihisa Nagata, Hidenori Seki, Toshihiko Morikawa, Koichi Uneo, Atsushi Fujiwara, Katsushi Suzuki, Mitsugu Yamamoto, Takashi Nakaya, Takahisa Chiba, Shigeru Kitano, Daisuke Mori, Takahiro Kakizaki, Takamasa Ono, Koichi Sekine, Shinichi Takahashi, Shinya Ogawa, Masamitsu Oohata, Tamotsu Watanabe, Masahito Suzuki, Kazuya Suwa, Hiroshi Yokobori, Tatsuji Kitamura, Shinichi Ishiguro, Takashi Hiromatsu, and Jun Mizushima.

Each driver holds a valid Japanese CDL, and as explained by Isuzu in previous exemption requests, drivers applying for a Japanese-issued CDL must undergo a training program and pass knowledge and skills tests. Isuzu also stated in prior exemption requests that the knowledge and skills tests and training program that Japanese drivers undergo to obtain a Japanese CDL ensure the exemption provides a level of safety that is equivalent to, or greater than, the level of safety obtained by complying with the U.S. requirement for a CDL.

FMCSA has previously determined the process for obtaining a Japanese CDL is comparable to, or as effective as, the Federal CDL knowledge and skills requirements of 49 CFR part 383 as enforced by the States, and adequately assesses the driver's ability to operate CMVs in the U.S. The initial notice of a similar nature was published by FMCSA on October 16, 2003, granting this exemption to Isuzu for 31 Japanese CDL drivers (68 FR 59677).

#### Request for Comments

In accordance with 49 U.S.C. 31315(b)(4) and 31136(e), FMCSA requests public comment on Isuzu's application for an exemption from the

CDL requirements of 49 CFR 383.23. The Agency will consider all comments received by close of business on September 24, 2008. Comments will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. The Agency will consider to the extent practicable comments received in the public docket after the closing date of the comment period.

Issued on August 18, 2008.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

[FR Doc. E8-19639 Filed 8-22-08; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2006-26367]

#### Motor Carrier Safety Advisory Committee Public Meeting

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

**ACTION:** Notice of Motor Carrier Safety Advisory Committee Meeting.

**SUMMARY:** FMCSA announces that the Motor Carrier Safety Advisory Committee (MCSAC) will hold a committee meeting. The meeting is open to the public.

**DATES:** The meeting will be held on September 9, 2008, from 12 pm to 4 pm Eastern Daylight Time.

**ADDRESSES:** The meeting will take place at the L'Enfant Plaza Hotel, Quorum Room, 480 L'Enfant Plaza, SW., Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeffrey Miller, Chief, Strategic Planning and Program Evaluation Division, Office of Policy Plans and Regulation, Federal Motor Carrier Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, (202) 366-1258, [mcsac@dot.gov](mailto:mcsac@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, Pub. L. 109-59) required the Secretary of the U.S. Department of Transportation to establish in FMCSA, a Motor Carrier Safety Advisory Committee. The advisory committee provides advice and recommendations to the FMCSA Administrator on motor carrier safety programs and motor

carrier safety regulations. The advisory committee operates in accordance with the Federal Advisory Committee Act (5 U.S.C. App 2). The FMCSA Administrator appointed 15 members to serve on the advisory committee on March 5, 2007.

##### II. Meeting Participation

The meeting is open to the public and FMCSA invites participation by all interested parties, including motor carriers, drivers, and representatives of motor carrier associations. For information on facilities or services for individuals with disabilities or to request special assistance, please e-mail your request to [mcsac@dot.gov](mailto:mcsac@dot.gov) by September 5, 2008. As a general matter, the committee will make one hour available for public comments at the meeting from 3 pm to 4 pm. Individuals wishing to address the committee should send an e-mail to [mcsac@dot.gov](mailto:mcsac@dot.gov) by close of business on September 5, 2008. The time available will be reasonably divided among those who have signed up to address the committee; however, no one will have more than 15 minutes. Individuals wanting to present written materials to the committee should submit written comments identified by Federal Docket Management System (FDMC) Docket Number FMCSA-2006-26367 using any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Fax: 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: U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

[FR Doc. E8-19742 Filed 8-22-08; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of

compliance from certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### Harsco Track Technologies (Waiver Petition Docket Number FRA-2008-0070)

Harsco Track Technologies (HTT) is seeking a waiver of compliance from 49 CFR Part § 214.505(a), pertaining to enclosed cabs on on-track roadway maintenance machines (RMM). Specifically, HTT would like relief from the requirement of an enclosed cab, operable heating and air conditioning system, and positive pressurized ventilation system on a remotely controlled RMM.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2008-0070) and may be submitted by any of the following methods:

- Web site: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.
- Hand Delivery: 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

Anyone is able to search the electronic form of any written