

the project Web site at <http://www.alaskanwayviaduct.org> or viewed at several libraries as well as local neighborhood service centers in the project area. A complete list of the library branches and local neighborhood service centers is included in the Final EIS.

This notice applies to all Federal agency decisions on the project as of the issuance date of this notice and all laws, as amended under which such actions were taken, including but not limited to:

1. *General*: National Environmental Policy Act [42 U.S.C. 4321–4347]; Federal-Aid Highway Act [23 U.S.C. 109].

2. *Air*: Clean Air Act, as amended [42 U.S.C. 7401–7671(q)].

3. *Land*: Section 4(f) of the Department of Transportation Act of 1966 [23 U.S.C. 138 and 49 U.S.C. 303].

4. *Wildlife*: Endangered Species Act [16 U.S.C. 1531–1544]; Section 7 of the Endangered Species Act [16 U.S.C. 1536]; Anadromous Fish Conservation Act [16 U.S.C. 757(a)–757(f)]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(e)]; Magnuson-Stevenson Fishery Conservation and Management Act of 1976, as amended [16 U.S.C. 1801 *et seq.*].

5. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470 f].

6. *Social and Economic*: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996].

7. *Wetlands and Water Resources*: Clean Water Act, 33 U.S.C. 1251–1377 (Section 319); Land and Water Conservation Fund [16 U.S.C. 460l–4–460l–114]; Safe Drinking Water Act [42 U.S.C. 300f–300j–6].

8. *Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(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.)

**Authority**: 23 U.S.C. 139(l)(1).

Issued on: August 22, 2011.

**Daniel M. Mathis,**

*Division Administrator, Olympia, Washington.*

[FR Doc. 2011–21965 Filed 8–26–11; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2006–26367]

#### Motor Carrier Safety Advisory Committee Public Subcommittee Meeting; Amendment

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

**ACTION**: Notice; amendment.

**SUMMARY**: This notice amends FMCSA's August 10, 2011, notice announcing meetings of the Agency's Motor Carrier Safety Advisory Committee (MCSAC) from August 29–31, 2011. The time for the session on Tuesday, August 30 was listed incorrectly in the notice. The meeting on Tuesday, August 30, 2011, will begin at 8:30 a.m. (E.S.T.) and will conclude at 5 p.m., with the last hour reserved for public comment. All other information contained in the notice remains valid.

**FOR FURTHER INFORMATION CONTACT**: Ms. Shannon L. Watson, (202) 385–2395, [mcsac@dot.gov](mailto:mcsac@dot.gov).

**TIMES AND DATES**: The meeting will be held Monday–Wednesday, August 29–31, 2011, from 8:30 a.m. to 5 p.m. (E.S.T.) at the Hilton Alexandria Old Town, 1767 King Street, Alexandria, VA 22314, in the Washington and Jefferson Rooms on the 2nd floor.

**SUPPLEMENTARY INFORMATION**: The FMCSA's August 10, 2011, notice (76 FR 49527) indicated that the Agency's MCSAC would meet August 29–31, 2011, at the Hilton Alexandria Old Town. The notice indicated the Tuesday, August 30, 2011, meeting would be held from 8:30 a.m. to 1 p.m. (E.S.T.). The actual time of the meeting on that date is 8:30 a.m. to 5 p.m. (E.S.T.).

Issued on: August 23, 2011.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2011–22049 Filed 8–26–11; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA–2011–0145]

#### Qualification of Drivers; Exemption Applications; Diabetes Mellitus

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

**ACTION**: Notice of final disposition.

**SUMMARY**: FMCSA announces its decision to exempt twenty-two individuals from its rule prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. The exemptions will enable these individuals to operate CMVs in interstate commerce.

**DATES**: The exemptions are effective August 29, 2011. The exemptions expire on August 29, 2013.

#### FOR FURTHER INFORMATION CONTACT:

Elaine M. Papp, Chief, Medical Programs, (202) 366–4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, Room W64–224, Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: <http://www.regulations.gov>.

**Docket**: For access to the docket to read background documents or comments, go to <http://www.regulations.gov> and/or 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 Federal holidays.

**Privacy Act**: Anyone may search the electronic form of all comments received into any of DOT's 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, or other entity). You may review DOT's Privacy Act Statement for the Federal Docket Management System (FDMS) published in the **Federal Register** on January 17, 2008, (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf>.

#### Background

On July 8, 2011, FMCSA published a notice of receipt of Federal diabetes

exemption applications from twenty-two individuals and requested comments from the public (76 FR 40439). The public comment period closed on August 8, 2011, and no comments were received.

FMCSA has evaluated the eligibility of the twenty-two applicants and determined that granting the exemptions to these individuals would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(3).

### Diabetes Mellitus and Driving Experience of the Applicants

The Agency established the current standard for diabetes in 1970 because several risk studies indicated that drivers with diabetes had a higher rate of crash involvement than the general population. The diabetes rule provides that "A person is physically qualified to drive a commercial motor vehicle if that person has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control" (49 CFR 391.41(b)(3)).

FMCSA established its diabetes exemption program, based on the Agency's July 2000 study entitled "A Report to Congress on the Feasibility of a Program to Qualify Individuals with Insulin-Treated Diabetes Mellitus to Operate in Interstate Commerce as Directed by the Transportation Act for the 21st Century". The report concluded that a safe and practicable protocol to allow some drivers with ITDM to operate CMVs is feasible.

The September 3, 2003 (68 FR 52441), **Federal Register** notice in conjunction with the November 8, 2005 (70 FR 67777), **Federal Register** notice provides the current protocol for allowing such drivers to operate CMVs in interstate commerce.

These twenty-two applicants have had ITDM over a range of 1 to 27 years. These applicants report no severe hypoglycemic reactions resulting in loss of consciousness or seizure, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning symptoms, in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the past 5 years. In each case, an endocrinologist verified that the driver has demonstrated a willingness to properly monitor and manage his/her diabetes mellitus, received education related to diabetes management, and is on a stable insulin regimen. These drivers report no other disqualifying conditions, including diabetes-related

complications. Each meets the vision standard at 49 CFR 391.41(b)(10).

The qualifications and medical condition of each applicant were stated and discussed in detail in the July 8, 2011, **Federal Register** notice and they will not be repeated in this notice.

### Discussion of Comment

FMCSA did not receive any comments in this proceeding.

### Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes standard in 49 CFR 391.41(b)(3) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce.

To evaluate the effect of these exemptions on safety, FMCSA considered medical reports about the applicants' ITDM and vision, and reviewed the treating endocrinologists' medical opinion related to the ability of the driver to safely operate a CMV while using insulin.

Consequently, FMCSA finds that in each case exempting these applicants from the diabetes standard in 49 CFR 391.41(b)(3) is likely to achieve a level of safety equal to that existing without the exemption.

### Conditions and Requirements

The terms and conditions of the exemption will be provided to the applicants in the exemption document and they include the following: (1) That each individual submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) that each individual reports within 2 business days of occurrence, all episodes of severe hypoglycemia, significant complications, or inability to manage diabetes; also, any involvement in an accident or any other adverse event in a CMV or personal vehicle, whether or not it is related to an episode of hypoglycemia; (3) 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 (4) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized

Federal, State, or local enforcement official.

### Conclusion

Based upon its evaluation of the twenty-two exemption applications, FMCSA exempts Bryan K. Aaron, Michael A. Anderson, Donald M. Bergman, Ronald J. Boehm, Ernest E. Bogan, Eric B. Bratanich, Jerry A. Campbell, Paul Dessesow, Vernon W. Elmore, Michael J. Gilbert, William D. Hanam, Steven S. Hanna, Michael M. Harms, Johnathan R. Hartman, Devon K. Johnson, Andrew W. Richey, Rob T. Romans, Thomas M. Shafer, Allen D. Stevenson, Oleg Tarasov, Richard H. Willis, and Harvey N. Woody from the ITDM standard in 49 CFR 391.41(b)(3), subject to the conditions listed under "Conditions and Requirements" above.

In accordance with 49 U.S.C. 31136(e) and 31315 each exemption will be valid for two years unless revoked earlier by FMCSA. The exemption will be revoked 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. If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: August 19, 2011.

**Larry W. Minor,**

*Associate Administrator Office of Policy.*

[FR Doc. 2011-22047 Filed 8-26-11; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2005-20560; FMCSA-2007-26653; FMCSA-2007-27897; FMCSA-2009-0154]

### Qualification of Drivers; Exemption Applications; Vision

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

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

**SUMMARY:** FMCSA announces its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 28 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not