

Dr. Mary D. Gunnels, Director, Medical Programs, (202) 366-4001, fmcsamedical@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., 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>.

Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for a 2-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 statute also allows the Agency to renew exemptions at the end of the 2-year period. The comment period ended on January 15, 2009.

Discussion of Comments

FMCSA received no comments in this proceeding.

Conclusion

The Agency has not received any adverse evidence on any of these drivers that indicates that safety is being compromised. Based upon its evaluation of the 13 renewal applications, FMCSA renews the Federal vision exemptions for Johnny Becerra, Ross E. Burroughs, Lester W. Carter, Christopher L. DePuy, John B. Ethridge, Larry J. Folkerts, Paul W. Hunter, Ray P. Lenz, Michael B. McClure, Francis M. McMullin, Norman Mullins, Harold W. Mumford and David J. Triplett.

In accordance with 49 U.S.C. 31136(e) and 31315, each renewal exemption will be valid for 2 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 and 31315.

Issued on: February 3, 2009.

Larry W. Minor,

Associate Administrator for Policy and Program Development.

[FR Doc. E9-2757 Filed 2-9-09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-02-12844; FMCSA-04-19477; FMCSA-06-26066]

Qualification of Drivers; Exemption Renewals; Vision

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA previously announced its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 13 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has reviewed the comments submitted in response to the previous announcement and 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.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

Electronic Access

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

Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for a 2-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 statute also allows the Agency to renew exemptions at the end of the 2-year period. The comment period ended on January 15, 2009.

Discussion of Comments

FMCSA received no comments in this proceeding.

Conclusion

The Agency has not received any adverse evidence on any of these drivers that indicates that safety is being compromised. Based upon its evaluation of the 13 renewal applications, FMCSA renews the Federal vision exemptions for Howard F. Breitreutz, John E. Evenson, Steven C. Humke, Neil W. Jennings, Craig M. Landry, Joe L. Meredith, Jr., Richard W. Nordhausen, Jr., Tony E. Parks, Andrew H. Rusk, Jesse J. Sutton, Kenneth E. Vigue, Jr., David G. Williams, and Richard A. Winslow.

In accordance with 49 U.S.C. 31136(e) and 31315, each renewal exemption will be valid for 2 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 and 31315.

Issued on: February 3, 2009.

Larry W. Minor,

Associate Administrator for Policy and Program Development.

[FR Doc. E9-2758 Filed 2-9-09; 8:45 am]

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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) 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.

Union Pacific Railroad Company

[Docket Number FRA-2008-0166]

The Union Pacific Railroad Company (UP) seeks a waiver of compliance from certain provisions of 49 CFR Part 218, *Railroad Operating Practices*. Specifically, UP is requesting a waiver of Blue Signal Requirements as prescribed in 49 CFR 218.25 *Workers on a main track*, in Kansas City, KS, and Kansas City, MO. These tracks are in the middle of the Kansas City facilities and are used for functions normally performed on yard tracks. Trains passing through the Kansas City

Terminal stop for fuel, locomotive inspection, or adding or removing power from the train. To perform this work on the main track, UP must provide blue signal protection under 49 CFR 218.25. This request is for the following track locations:

- Main 1 and Main 2 between Manchester and Troost (MX279–MX281).
- Main 1 and Main 2 at 18th St. between KX004 and KX006.
- Mainline at 10th St. (KX287–KX289).

UP is requesting flexibility to treat these main tracks at the Kansas City facilities as tracks other than main tracks so they can have the option of protecting its employees working on, under, or between rolling equipment in accordance with § 218.25 *Workers on a main track*, or § 218.27 *Workers on track other than main track*, or a combination of both. UP believes that the safest and most efficient method of protecting its employees in the Kansas City facilities is through the use of a combination of blue signal protection and remotely controlled switches. UP believes that this request is similar to a waiver originally granted to the SP at El Paso, TX, and renewed to UP under Docket Number FRA–2000–7669. UP states they have operated under the requirements of that waiver without any adverse effect on safety of operations and would like to have the same conditions for this request.

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–2008–0166) 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 communications and 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).

Issued in Washington, DC, on January 30, 2009.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. E9–2382 Filed 2–9–09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[USCG–2007–28535]

Atlantic Sea Island Group LLC, Safe Harbor Energy Liquefied Natural Gas Deepwater Port License Application; Preparation of Environmental Impact Statement

AGENCY: Maritime Administration, DOT.

ACTION: Notice of extending the scoping comment period to March 11, 2009 and corrected project location information.

SUMMARY: By **Federal Register** notice of January 9, 2009 (74 FR 982–984) the Maritime Administration and the Coast Guard announced the intent to prepare an environmental impact statement (EIS) for the Atlantic Sea Island Group LLC, Safe Harbor Energy liquefied natural gas deepwater port license application located in Federal Waters approximately 13.5 miles south of the City of Long Beach, New York, 19 miles east of Highlands, New Jersey, and 23 miles southeast of the Ports of New York and New Jersey. The project location was incorrectly noted in the referenced **Federal Register** notice. The correct proposed location is in the area between the Ambrose-to-Nantucket and Hudson

Canyon-to-Ambrose shipping lanes, located at approximately 40°23' N and 73°36' W, in water depth of between 60 and 70 feet covering an area known as Cholera Bank.

The EIS will be prepared with the New York State Department of Environmental Conservation (NYSDEC) as a cooperating agency in the environmental review with the Coast Guard. The EIS will meet the requirements of both the National Environmental Policy Act (NEPA) and the New York State Environmental Quality Review Act (SEQRA). In addition, the Coast Guard and the Maritime Administration will be working with appropriate state agency representatives from New Jersey to ensure potential impacts and concerns of New Jersey are addressed in the EIS.

Publication of this notice began a 30 day scoping process and requested public participation to assist in the identification and determination of the environmental issues to be addressed in the EIS with a deadline for submitting comments of February 9, 2009.

In addition to receiving comments at the public scoping meetings on January 27, 2009 and January 29, 2009, instructions were provided for submitting comments to the Department of Transportation (DOT) Docket Management Facility and to the Federal Docket Management System (FDMS). The Coast Guard and Maritime Administration have received several requests to extend the scoping comment period; therefore, upon further consideration the scoping comment period is extended to March 11, 2009.

DATES: Comments or related material must be received by March 11, 2009.

ADDRESSES: Docket submissions for USCG–2007–28535 should be addressed to: Department of Transportation, Docket Management Facility, West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001.

The Docket Management Facility accepts hand-delivered submissions, and makes docket contents available for public inspection and copying at this address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Facility telephone number is 202–366–9329, the fax number is 202–493–2251, and the Web site for electronic submissions or for electronic access to docket contents is: <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Mark Prescott, U.S. Coast Guard, telephone: 202–372–1440, e-mail: Mark.A.Prescott@uscg.mil; or LT Hannah Kawamoto, U.S. Coast Guard,