

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Notice of the Availability of the Record of Decision (ROD) for the Final Environmental Impact Statement (FEIS) that Evaluated the Proposed Relocation of the Panama City-Bay County International Airport, Panama City, Florida, Published in May 2006**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of Availability for Record of Decision.

**SUMMARY:** The FAA is issuing this notice to advise the public that it has issued a ROD for the FEIS that evaluated a proposal to relocate the existing Panama City-Bay County International Airport (PFN) to a new site in western Bay County, Florida. The ROD provides final agency determination and approvals for those federal actions by the FAA necessary for the proposed relocation of PFN.

**SUPPLEMENTARY INFORMATION:** The FAA has completed and is publishing its Record of Decision for the proposed relocation of the Panama City-Bay County International Airport to a new site in western Bay County, Florida. The Environmental Protection Agency published FAA's notice of availability of the FEIS for this airport relocation project in the **Federal Register** on May 19, 2006. The FEIS was prepared in compliance with the National Environmental Policy Act of 1969 (NEPA) [42 U.S.C. Section 4321, *et seq.*], the implementing regulations of the Council on Environmental Quality (CEQ) [40 CFR Parts 1500–1508] and FAA directives [Order 1050.1E and Order 5050.4A], and assessed the potential impact of six development alternatives, as well as the No Action Alternative where the airport would be neither improved at the existing site nor relocated to a new site in western Bay County. The FAA accepted comments on the Final EIS and these comments, along with the FAA's responses, are included in Appendix B of the ROD.

The FAA has identified the West Bay Site 8,400 foot Alternative, the Airport Sponsor's Proposed Project (Proposed Project), as its preferred alternative in the FEIS and selected alternative in the ROD. The Proposed Project consists of relocation of the existing PFN to a new site in Bay County, Florida, called the West Bay Site. The Proposed Project is identified as Phase 1 (initial development area), which encompasses approximately 1,378 acres of the 4,000-acre West Bay Site. The relocation of the

airport includes, but is not limited to, construction of a primary air carrier runway 8,400 feet in length, a crosswind runway 5,000 feet in length, airside and landside facilities to support the runway operations (such as taxiways, aprons, a commercial passenger terminal, access roads and parking, fuel storage facilities, an Air Traffic Control Tower, etc.), general aviation and fixed base operator facilities, and navigation aids. The FAA is selecting and granting approval of a layout plan for the FAA's preferred alternative, the West Bay Site 8,400 foot Alternative, with conditions as noted in Section 12 of the ROD. Copies of the ROD and FEIS are available for public review at the following locations during normal business hours:

Panama City-Bay County International Administration Office, 3173 Airport Road, Panama City, Florida 32405, Telephone (850) 783-6751, Bay County Public Library, 25 West Government Street, Panama City, Florida 32401, Telephone (850) 872-7500; Federal Aviation Administration, Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, Florida 32822, Telephone (407) 812-6331; Federal Aviation Administration Southern Region Office, 1701 Columbia Avenue, College Park, GA, 30337, Telephone (404) 305-6700.

The FEIS is available for review at <http://www.pcairport.com>. The ROD will also be available for review at this Web site by late September 2006.

**FOR FURTHER INFORMATION CONTACT:** Virginia Lane, Environmental Specialist, Federal Aviation Administration, Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, Florida 32822, Telephone (407) 812-6331 Extension 129.

Issued in Orlando, Florida on September 15, 2006.

**Matthew J. Thys,**

*Acting Manager, Orlando Airports District Office.*

[FR Doc. 06-8128 Filed 9-22-06; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration****Solicitation of Applications for FY 2007 Border Enforcement Grant Funding**

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

**ACTION:** Notice.

**SUMMARY:** FMCSA announces that it has published an opportunity to apply for FY2007 Border Enforcement Grant

(BEG) funding on the grants.gov Web site. Section 4110 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy For Users established the BEG program. The program is a discretionary grant program that provides funding for border commercial motor vehicle (CMV) safety programs and related enforcement activities and projects. An entity or a State that shares a land border with another country is eligible to receive grant funding. To apply for funding, applicants must register online with the grants.gov Web site ([http://www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp)), and submit an application in accordance with instructions provided. Applications for grant funding must be submitted electronically to the FMCSA through the grants.gov Web site.

**DATES:** FMCSA will initially consider funding of applications submitted by November 1, 2006 for qualified applicants. If additional funding remains available, applications submitted after November 1, 2006 will be considered on a case-by-case basis. Funds will not be available for allocation until such time as FY2007 appropriations legislation is passed and signed into law.

**FOR FURTHER INFORMATION CONTACT:** Mr. Milt Schmidt, Federal Motor Carrier Safety Administration, Office of Safety Programs, North American Borders Division (MC-ESB), (518) 431-4239, extension 262, Leo W. O'Brien Federal Building, Room 742, Clinton Avenue and North Pearl Street, Albany, New York 12207. Office hours are from 7:30 a.m. to 4 p.m., e.t., Monday through Friday, except Federal holidays.

Issued on: September 15, 2006.

**John H. Hill,**

*Administrator.*

[FR Doc. 06-8121 Filed 9-22-06; 8:45 am]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-00-7006, FMCSA-00-7165, FMCSA-04-17984]

**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 18 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 October 15, 2006. Comments must be received on or before October 25, 2006.

**ADDRESSES:** You may submit comments identified by DOT Docket Management System (DMS) Docket Numbers FMCSA-00-7006, FMCSA-00-7165, FMCSA-04-17984, 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 18 individuals who have requested renewal of their exemptions in a timely manner. FMCSA has evaluated these 18 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Robert L. Aurandt  
Harry R. Brewer  
Clarence N. Florey, Jr.  
Thanh V. Ha  
David M. Hagadorn  
Donald R. Hiltz  
Kelly R. Konesky  
Ronnie L. LeMasters  
Gregory T. Lingard  
Hollis J. Martin  
Robert E. Moore  
Kevin C. Palmer  
Charles O. Rhodes  
Einar H. Rice  
Gordon G. Roth  
Halman Smith  
LaLanne Taylor  
James A. Walker

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 18 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (65 FR 20245; 65 FR 57230; 67 FR 57266; 69 FR 52741; 65 FR 33406; 65 FR 57234; 69 FR 33997; 69 FR 61292). Each of these 18 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 25, 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, subsequent comments submitted by interested parties. As indicated above, the Agency previously published Notices of final disposition announcing its decision to exempt these 17 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 13, 2006.

**Rose A. McMurray,**

*Associate Administrator, Policy and Program Development.*

[FR Doc. 06-8119 Filed 9-22-06; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2005-24231]

#### Hours of Service of Drivers: Withdrawal of Application for Exemption; FedEx Ground Package System, Inc.

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

**ACTION:** Notice of application for exemption; withdrawal.

**SUMMARY:** The FMCSA announces that it is withdrawing its notice of an application for exemption upon the request of the applicant, FedEx Ground Package System, Inc. (FedEx).

**DATES:** The notice of application with request for comments published on July 31, 2006 is withdrawn, effective immediately.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Yager, Chief, Driver and Carrier Operations Division, Office of Bus and Truck Standards and Operations, MC-PSD, Federal Motor Carrier Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Telephone: 202-366-4009. E-mail: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

**SUPPLEMENTARY INFORMATION:** On July 31, 2006, FMCSA published a notice requesting public comment on FedEx's application for an exemption from certain hours-of-service requirements for truck drivers (71 FR 43277). FedEx sought a limited exemption from the definition of "on duty" under FMCSA's hours-of-service regulations governing drivers who operate commercial motor vehicles. FedEx subsequently withdrew its exemption application. The FedEx letter requesting withdrawal of this matter has been placed in the docket identified in the caption of this notice.

Issued on: September 15, 2006.

**John H. Hill,**

*Administrator.*

[FR Doc. 06-8123 Filed 9-22-06; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2006-24065]

#### Compliance with Interstate Motor Carrier Noise Emission Standards: Exhaust Systems

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

**ACTION:** Notice; request for comments.

**SUMMARY:** FMCSA requests public comment on the merits of a petition for rulemaking filed by the Truck Manufacturers Association. This trade association, whose members include all of the major North American manufacturers of medium and heavy-duty trucks, has petitioned FMCSA to amend the Federal Motor Carrier Safety Regulations to eliminate turbochargers from the list of equipment considered to be noise dissipative devices. The Truck

Manufacturers Association contends that virtually all trucks are now equipped with turbochargers. Hence, these trucks cannot be cited for failure to meet the visual exhaust system inspection requirements of FMCSA's safety regulations if they have no muffler.

**DATES:** Comments must be received on or before October 25, 2006.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket No. FMCSA-2006-24065] by any of the following methods:

- *Web site:* <http://dms.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 number for this notice. Note that all comments received will be posted without change (including any personal information provided) to <http://dms.dot.gov>. 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 to 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 Docket Management System (DMS) is available 24 hours each day, 365 days each year. If you want to be notified 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.

*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 complete Privacy Act Statement in the **Federal Register** published on April 11,