

and comment prior to the public hearing.

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. Any comments that are received during the public comment period that address the issues for which the SEIS is being prepared will be considered before FHWA renders its decision regarding the existing selected alternative. Any comments that are received which address issues which the court has already determined have been adequately addressed will be reviewed but not considered unless they raise significant new information.

Comments or questions concerning the development of the SEIS should be directed to the FHWA and/or NHDOT at the addresses provided above. Preparation of the SEIS does not require the withdrawal of any previous approvals or documents.

(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.)

Issued on: March 3, 2008.

**Kathleen O. Laffey,**

*Division Administrator, Federal Highway Administration, Concord, New Hampshire.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

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

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

**ACTION:** Notice of availability of the Draft Environmental Impact Statement (DEIS) for the Detroit River International Crossing Study and notice of public hearing.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA) of 1969, the Federal Highway Administration has made available for public review and comments a Draft Environmental Impact Statement (DEIS) for the Detroit River International Crossing Study. The DEIS describes and presents the environmental effects of the No-Build Alternative and nine Build Alternatives. Two public hearings will be held to receive comments from individuals and organizations on the DEIS.

**DATES:** The DEIS was made available to the public on February 25, 2008. EPA published the Notice of Availability on February 29, 2008. Comment and public hearing dates are: (1) March 18, 2008 and (2) March 19, 2008 (public hearings scheduled); and public comments are due April 29, 2008.

The DEIS is available for a 60-day public review period. Comments must be e-mailed, faxed, or postmarked on or before April 29, 2008. A copy of the complete transcript, including all of the written and recorded oral comments received, will be available for public review in June 2008 at the listed locations. All submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses will be made available for public disclosures in their entirety.

**ADDRESSES:** 1. Document Availability: The document was made available to the public on February 25, 2008. Copies of the DEIS are available for public inspection and review on the project Web site: <http://www.partnershipborderstudy.com> and at the following locations:

MDOT Bureau of Transportation Planning, 425 Ottawa St., Lansing  
MDOT Metro Region Office, 18101 W. Nine Mile Rd., Southfield  
MDOT Detroit Transportation Service Center, 1400 Howard St., Detroit  
MDOT Taylor Transportation Service Center, 25185 Goddard, Taylor  
Henry Ford Centennial Library, 16301 Michigan Ave., Detroit  
Detroit Public Library, 5201 Woodward Ave., Detroit  
Bowen Branch of the Detroit Public Library, 3648 W. Vernor, Detroit  
Library at Southwestern High School, 6921 W. Fort St., Detroit  
Delray Recreation Center, 420 Leigh St., Detroit  
Allen Park Library, 8100 Allen Rd., Allen Park  
Ecorse Library, 4184 W. Jefferson Ave., Ecorse  
Melvindale Library, 18650 Allen Rd., Melvindale  
River Rouge Library, 221 Burke St., River Rouge  
Kemeny Recreation Center, 2260 S. Fort St., Detroit  
Campbell Brand Library, 8733 W. Vernor Hwy., Detroit  
Neighborhood City Hall Central District, 2 Woodward Ave., Detroit  
Neighborhood City Hall Northwestern District, 19180 Grand River Ave., Detroit  
Neighborhood City Hall Northeastern District, 2328 E. Seven Mile Rd., Detroit

Neighborhood City Hall Western District, 18100 Meyers Road, Detroit  
Neighborhood City Hall Eastern District, 7737 Kercheval St., Detroit  
Neighborhood City Hall Southwestern District, 7744 W. Vernor St., Detroit

Copies of the DEIS may be requested from Bob Parsons (Public Involvement and Hearings Officer) at the Michigan Department of Transportation, 425 W. Ottawa Street, P.O. Box 30050, Lansing, MI 48909 or by calling (517) 373-9534.

2. *Comments:* Send comments on the DEIS to Michigan Department of Transportation, c/o Bob Parsons (Public Involvement and Hearings Officer), 425 W. Ottawa Street, P.O. Box 30050, Lansing, MI 48909; Fax: (517) 373-9255; or e-mail: [parsonsb@michigan.gov](mailto:parsonsb@michigan.gov).

3. *Public Hearing:* The March 18, 2008, public hearing will be held at Southwestern High School, 6921 W. Fort St., Detroit, and the March 19, 2008, public hearing will be held at LA SED Gymnasium, 7150 W. Vernor, Detroit. Each hearing will be held from 5 p.m. to 8:30 p.m., with a formal presentation at 6:30 p.m. followed by an opportunity for public comments and questions. Persons needing special assistance to attend and participate in the public hearing should contact Bob Parsons (Public Involvement and Hearings Officer) at (517) 373-9534 as soon as possible. In order to allow sufficient time to process requests, please call no later than one week before the public hearing. Information regarding this proposed action is available in alternative formats upon request.

**FOR FURTHER INFORMATION CONTACT:** Ryan Rizzo, Major Project Manager, FHWA Michigan Division, (517) 702-1833; David Williams, Environmental Program Manager, FHWA Michigan Division, (517) 702-1820.

**SUPPLEMENTARY INFORMATION:** The Detroit River International Crossing (DRIC) Study is a binational effort to complete the environmental study processes related to a new crossing for the United States, Michigan, Canada and Ontario governments. The Border Transportation Partnership (The Partnership) leads this study. It is formed of the following agencies: Federal Highway Administration (FHWA), Michigan Department of Transportation (MDOT), Transport Canada (TC) and Ontario Ministry of Transportation (MTO). The DRIC Study identifies solutions that support the region, state, provincial and national economies while addressing the civil and national defense and homeland security needs of the busiest trade corridor between the United States and

Canada. The Detroit River, which separates the U.S. and Canada, currently has border crossings at the Ambassador Bridge (four lanes), the Detroit-Windsor Tunnel (two lanes), the Detroit-Canada Rail Tunnels, and the Detroit-Windsor Truck Ferry. These multi-modal transportation links provide the connections for freight and passenger movements between the two countries. The DRIC Study includes transportation alternatives that improve border-crossing facilities, operations, and connections to meet existing and future mobility and security needs.

*Purpose and Need for the Project:* The purpose of the DRIC Study is to provide safe, efficient and secure movement of people and goods across the U.S.-Canadian border in the Detroit River area to support the economies of Michigan, Ontario, Canada and the United States, and to support the mobility needs of national and civil defense to protect the homeland.

To address future border crossing mobility requirements through 2035, there is a need to:

- Provide new border-crossing capacity to meet increased long-term demand;
- Improve system connectivity to enhance the seamless flow of people and goods;
- Improve operations and processing capability in accommodating the flow of people and goods; and
- Provide reasonable and secure crossing options (i.e., redundancy) in the event of incidents, maintenance, congestion, or other disruptions.

*Alternatives Evaluated:* The DEIS evaluates nine Build Alternatives in addition to a No-Build Alternative. The nine Build Alternatives each include an interchange plaza, a customs inspection plaza, and a bridge from the plaza that spans the Detroit River. The DEIS analyzes the issues/impacts on the United State's side of the proposed new border crossing. A Canadian-produced set of documents analyzes the issues/impacts on the Canadian side.

The No-Build Alternative would not result in a new international border crossing system in the Detroit-Windsor area. Only the existing crossings, plazas and freeway connections, including the Gateway connection currently under construction, would continue operations. A second privately-owned bridge has been proposed by the Detroit International Bridge Company in the Ambassador Bridge Enhancement Environmental Assessment and was included in the No-Build Alternative.

Issued on: March 5, 2008.

**James J. Steele,**

*Division Administrator, Lansing, Michigan.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-2007-0070]

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

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to exempt sixty-six 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 March 12, 2008. The exemptions expire on March 12, 2010.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Director, Medical Programs, (202) 366-4001, [fmcamedical@dot.gov](mailto:fmcamedical@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 complete Privacy Act Statement in the **Federal Register** (65 FR 19477, Apr. 11,

2000). This statement is also available at <http://Docketinfo.dot.gov>.

#### Background

On February 1, 2008, FMCSA published a notice of receipt of Federal diabetes exemption applications from sixty-six individuals, and requested comments from the public (73 FR 6249). The public comment period closed on March 3, 2008 and one comment was received.

FMCSA has evaluated the eligibility of the sixty-six 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 diabetic drivers 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 2003 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 sixty-six applicants have had ITDM over a range of 1 to 26 years. These applicants report no hypoglycemic reaction that resulted in loss of consciousness or seizure, that required the assistance of another person, or resulted in impaired cognitive function without warning symptoms in the past 5 years (with one year of stability following any such episode). In each case, an endocrinologist has verified that the driver has demonstrated willingness to properly monitor and manage their diabetes, received education related to diabetes management, and is on a stable