

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration (FAA)****Notice of Opportunity for Public Comment on Surplus Property Release at Brunswick-Golden Isles Airport, Brunswick, GA**

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

**SUMMARY:** Under the provisions of Title 49, U.S.C. Section 47153(c), notice is being given that the FAA is considering a request from the Glynn County Airport Commission to waive the requirement that a 1.5-acre parcel of surplus property, located on Glynn County airport owned and operated land adjacent to, but not contiguous with, Brunswick-Golden Isles Airport, be used for aeronautical purposes.

**DATES:** Comments must be received on or before September 25, 2009.

**ADDRESSES:** Comments on this notice may be mailed or delivered in triplicate to the FAA at the following address: Atlanta Airports District Office, *Attn:* Aimee A. McCormick, Program Manager, 1701 Columbia Ave., Suite 2-260, Atlanta, GA 30337-2747.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Steve Brian, Airport Director of Brunswick—Golden Isles Airport at the following address: 295 Aviation Parkway, Ste. 205, Brunswick, GA 31525.

**FOR FURTHER INFORMATION CONTACT:** Aimee McCormick, Program Manager, Atlanta Airports District Office, 1701 Columbia Ave., Suite 2-260, Atlanta, GA 30337-2747, (404) 305-7143. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA is reviewing a request by the Glynn County Airport Commission to release 1.5 acres of surplus property at the Brunswick-Golden Isles Airport. The property will be purchased with intent to construct commercial development or possible residential development. The location of the the land relative to existing or anticipated aircraft noise contours greater than 65ldn are not an issue. The net proceeds from the sale of this property will be used for airport purposes.

The proposed use of this property is compatible with airport operations.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the request, notice and

other documents germane to the request in person at the Brunswick Golden Isles Airport.

Issued in Atlanta, Georgia, on August 10, 2009.

**Scott L. Seritt,**

*Manager, Atlanta Airports District Office, Southern Region.*

[FR Doc. E9-20319 Filed 8-25-09; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration****Qualification of Drivers; Exemption Applications; Vision**

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

**ACTION:** Notice of denials.

**SUMMARY:** FMCSA announces its denial of 138 applications from individuals who requested an exemption from the Federal vision standard applicable to interstate truck and bus drivers and the reasons for the denials. 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 does not 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:** Dr. Mary D. Gunnels, Director Medical Programs, 202-366-4001, U.S. Department of Transportation, FMCSA, 1200 New Jersey Avenue, SE., Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m. Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:****Background**

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal vision standard for a renewable 2-year period if it finds “such an exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such an exemption.” The procedures for requesting an exemption are set out in 49 CFR part 381.

Accordingly, FMCSA evaluated 138 individual exemption requests on their merits and made a determination that these applicants do not satisfy the criteria eligibility or meet the terms and

conditions of the Federal exemption program. Each applicant has, prior to this notice, received a letter of final disposition on his/her exemption request. Those decision letters fully outlined the basis for the denial and constitute final Agency action. The list published today summarizes the Agency's recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reasons for denials.

The following 24 applicants lacked sufficient driving experience during the 3-year period prior to the date of their application: Henry P. Ashbacher, Edgar Berrios, Donald R. Bond, Kory J. Bortz, Joel S. Cadbury, Thomas J. Farrell, Robert M. Fleming, Larry F. Graves, Michael Hansen, Jackie L. Harris, David Hunt, Kelly Jasperson, Robert J. Korybski, Carl Kuhn, Ray S. Martin, Steven G. Mason, James M. McCormick, Anthony P. Mercer, Terry L. Mosel, Randy T. Richardson, Benjamin J. Schoenrock, Joseph M. Vlosich, Jr., William Walker, Harlan H. Zimmerman.

The following 9 applicants did not have any experience operating a CMV: Philip W. Arneson, Wayne Hoyne, Edward L. Knutson, Juan Moreno, Jammie A. Noblit, Stephen W. Petro, Jr., Daniel Salazar, Bruce Shepherd, Andrew C. Simpson.

The following 35 applicants did not have 3 years of experience driving a CMV on public highways with the vision deficiency: James W. Bittle, Jack A. Boyd, Charlene Brown, Steven W. Brown, John W. Caswell, Westcott Clarke, John Cooper, Thomas T. Carrier, Ron L. Deering, Daniel DePaul, Wayne E. Easter, Brandy Jackson, Kelly L. Johnson, Max B. Kelso, James Koons, Craig C. Lowry, Ruben Lozano, Alan T. Lukosunas, Thomas M. Manz, Stephen G. McSpadden, Paul L. Medis, Bennis Monte, Greg A. Nichols, Edward J. Popow, Carrol R. Posey, Ricky A. Rahmlow, Dana L. Riggs, Johnny F. Rivera, Herdis Rumph, James S. Stevens, Kevin Sullivan, Earl L. Tanner, Andrew A. Thompson, David K. Walling, Jack Wood.

The following 9 applicants did not have 3 years of recent experience driving a CMV with the vision deficiency: Carlos D. Castillo, Gerald E. Diedrich, Dale A. Kelso, Victor H. Lindsay, Michael E. Loudermilk, Larry Rapp, Ernest W. Roy, Richard M. Telliho, Douglas V. Williams.

The following 24 applicants did not have sufficient driving experience over the past 3 years under normal highway operating conditions: Patrick D. Blair, Jason W. Bowers, Kenneth Bryant, Clifford C. Commeau, Jr., William R. Cummings, Diane DuMonte-Slater,

Richard P. Frederiksen, Johnny Gibson, John Knapp, Matthew P. Littleton, Robert R. Martin, John J. Mattefs, Randy A. Miller, Scott R. Miner, Francisco Montero, Francis E. Paquin, Armando Pedroso, Matias P. Quintanilla, Jim Sampson, John P. Stoetzel, Donald Stone, Terry G. Theberge, Albert Villa, Jr., Jack L. Woolever.

One applicant, Gregory C. Simmons, had more than 2 commercial motor vehicle violations during the 3-year review period and/or application process. Each applicant is only allowed 2 moving citations.

One applicant, Thomas E. Sprague, Jr., did not have sufficient peripheral vision in his better eye to qualify for an exemption.

One applicant, Robert C. Hill, had other medical conditions making him unqualified under Federal Motor Carrier Safety Regulations. All applicants must meet all other physical qualifications standards in 49 CFR 391.41(b)(1–13).

The following 2 applicants had commercial driver's license suspensions during the 3-year review period in relation to a moving violation. Applicants do not qualify for an exemption with a suspension during the 3-year period: Steven F. Albro, Carlos Diaz.

One applicant, David L. Napier, did not hold a license which allowed operation of vehicles over 10,000 pounds for all or part of the 3-year period.

One applicant, Elizel Martinez, did not have an Optometrist/Ophthalmologist willing to state that he is able to operate a commercial vehicle from a vision standpoint.

The following 9 applicants were denied for miscellaneous/multiple reasons: Walter Clark, James E. Cotton, Joseph E. Lochotzki, David C. Moran, Vincent R. Neville, Steven R. Parker, Enrique Perez, Justinie R. Phillips, Lee G. Smith.

The following 2 applicants never submitted the required documents: Bernard Sippin, Michael E. Williams.

Finally, the following 19 applicants met the current federal vision standards. Exemptions are not required for applicants that meet the current regulations for vision: Dennis Burdett, Brian J. Douglas, Clarence Elsea, Servando T. Escudero, Wayne Figroid, Shawn T. Girgen, Sandra L. Gravett, Daniel R. Hicks, Richard Hull, Eric L. Kinner, Luther B. Livingston, Thomas W. May, Spencer Melton, David M. Nelson, Tommy J. Shelton, Kent D. Tufvander, W. Hall Van Horn, Etienne D. Vincent, Ricky Wilkinson.

Issued on: August 20, 2009.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket ID FMCSA-2009-0206]

#### Qualification of Drivers; Exemption Applications; Vision

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

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

**SUMMARY:** FMCSA announces receipt of applications from 27 individuals for exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. If granted, the exemptions would enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce without meeting the Federal vision standard.

**DATES:** Comments must be received on or before September 25, 2009.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA-2009-0206 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.
- *Hand Delivery:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.
- *Fax:* 1-202-493-2251.

Each submission must include the Agency name and the docket ID for this Notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

*Docket:* For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time 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. The FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19476). This information is also available at <http://www.regulations.gov>. **FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Director, Medical Programs, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, Department of Transportation, 1200 New Jersey Avenue, SE., Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### 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." FMCSA can renew exemptions at the end of each 2-year period. The 27 individuals listed in this notice each have requested an exemption from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce. Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

#### Qualifications of Applicants

##### Martin Anaya

Mr. Anaya, age 39, has had amblyopia in his left eye since childhood. The best corrected visual acuity in his right eye is 20/20 and in his left eye, 20/50. Following an examination in 2009, his optometrist noted, "In my professional opinion, from a vision stand point, Mr. Anaya can safely drive a commercial vehicle." Mr. Anaya reported that he has driven straight trucks for 11 years,