

37. *James T. Smith*

Mr. Smith, 60, lost the vision in his left eye due to a retinal detachment 11 years ago. The best-corrected visual acuity in his right eye is 20/20. His optometrist examined him in 2004 and noted, "I certify that this patient has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Smith submitted that he has driven straight trucks for 35 years, accumulating 35,000 miles, and tractor-trailer combinations for 15 years, accumulating 180,000 miles. He holds a Class A CDL from Colorado. His driving record for the last 3 years shows no crashes or convictions for moving violations in a CMV.

38. *Nicholas J. Turpin*

Mr. Turpin, 49, has amblyopia in his left eye. His best-corrected visual acuity in the right eye is 20/15 and in the left, 20/70. Following an examination in 2005, his optometrist noted, "Mr. Turpin has complete visual function for operation of a commercial vehicle." Mr. Turpin reported that he has driven tractor-trailer combinations for 13 years, accumulating 1.3 million miles. He holds a Class A CDL from Texas. His driving record for the last 3 years shows no crashes or convictions for moving violations in a CMV.

39. *Gary M. Wolff*

Mr. Wolff, 54, has amblyopia in his right eye. The best-corrected visual acuity in his right eye is 20/100 and in the left, 20/20. Following an examination in 2004, his ophthalmologist noted, "In my medical opinion, Gary Wolff has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Wolff reported that he has driven tractor-trailer combinations for 15 years, accumulating 984,000 miles. He holds a Class AM CDL from Illinois. His driving record for the last 3 years shows no crashes or convictions for moving violations in a CMV.

40. *George R. Zenor*

Mr. Zenor, 63, experienced histoplasmosis in his right eye in 1986. The best-corrected visual acuity in his right eye is 20/200 and in the left, 20/15. His ophthalmologist examined him in 2005 and stated, "I see no contraindications from a visual standpoint to Mr. Zenor's ability to operate a commercial vehicle." Mr. Zenor reported that he has driven straight trucks for 10 years, accumulating 350,000 miles, and tractor-trailer combinations for 35 years, accumulating 4.8 million miles. He holds a Class AM CDL from Iowa. His driving record for the last 3 years shows no crashes or convictions for moving violations in a CMV.

Request for Comments

In accordance with 49 U.S.C. 31315 and 31136(e), the FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in the notice.

Issued on: August 15, 2005.

Rose A. McMurray,

Associate Administrator, Policy and Program Development.

[FR Doc. 05-16461 Filed 8-18-05; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Finance Docket No. 34727]

Indiana Eastern Railroad, LLC—Lease and Operation Exemption—CSX Transportation, Inc.

Indiana Eastern Railroad, LLC (IERR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease and operate, pursuant to a Land and Track Lease Agreement with CSX

Transportation, Inc. (CSXT), to operate 43.0 miles of rail line. The line of railroad extends between milepost No. CI 61.9 at or near Richmond, IN, and milepost No. CI 18.9 at or near Fernald, OH, including spur, industrial, team, switching, and side track, in Wayne, Union, and Franklin Counties, IN, and in Butler and Hamilton Counties, OH.¹

IERR certifies that its projected revenues as a result of the transaction will not exceed those that would qualify it as a Class III rail carrier, and will not exceed \$5 million.

The transaction is scheduled to be consummated on August 26, 2005.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34727, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Andrew P. Goldstein, McCarthy, Sweeney & Harkaway, P.C., Suite 600, 2175 K Street, NW., Washington, DC 20037.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: August 12, 2005.

By the Board, David M. Konschnik,
Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 05-16379 Filed 8-18-05; 8:45 am]

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¹ CSXT will retain overhead trackage rights until December 31, 2005, between Cottage Grove, IN, milepost No. CI 45.0, and Fernald, milepost No. CI 18.9, in order to conclude a contract with the U.S. Department of Energy to transport contaminated dirt.