

project is considered necessary to achieve a transportation objective identified in Pinal County's 2008 Regionally Significant Routes for Safety and Mobility. The project would address current and future transportation needs in an area that currently exceeds existing road capacity and is expected to continue to worsen with the projected increase in traffic demand associated with regional growth.

The proposed project evaluation will include, but not be limited to, potential impacts to adopted local and regional land use plans, Tribal lands, the existing and proposed Maricopa, Pinal, and Pima County regional transportation network, Central Arizona Project canals, railroads, residential and commercial development, cultural resources, Threatened and Endangered species, jurisdictional waters of the United States, air and noise quality, hazardous materials, and secondary and cumulative impacts. A full range of reasonable alternatives will be evaluated, including taking no action, using alternative transportation modes, making transportation system management improvements, a combination of arterial and freeway improvements, a new freeway, and combinations of these alternatives.

The EIS will conform to the environmental review process established in Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The Section 6002 environmental review process requires the following activities: the identification and invitation of cooperating and participating agencies; the development of a coordination plan and management plan; and provision of opportunities for additional agency and public comment on the project's purpose and need, alternatives and methodologies for assessing alternatives. Additionally, the public hearing following the release of the draft EIS will also be provided. Public notice advertisements and direct mailings will notify interested parties of the time and place of public meetings and public hearing. A formal agency scoping meeting is planned between federal, state, city, county, and Tribal stakeholders.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, including the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, U.S. Department of the Interior Bureau of Reclamation, Federal Emergency Management Agency, U.S.

Department of the Interior Bureau of Land Management, U.S. Department of Agriculture Natural Resources Conservation Service, Federal Aviation Administration, Federal Transit Administration, U.S. Department of Energy Western Area Power Administration, Arizona Game and Fish Department, Arizona State Land Department, Arizona Department of Environmental Quality, Arizona State Parks, Arizona Department of Emergency and Military Affairs, Arizona Department of Public Safety, Arizona Department of Corrections, Arizona Attorney General's Office, Gila River Indian Community, Salt River Pima-Maricopa Indian Community, Ak-Chin Indian Community, Tohono O'odham Nation, Hopi Tribe, Pascua Yaqui Tribe, San Carlos Apache Nation, White Mountain Apache Tribe, Yavapai-Prescott Indian Tribe, Yavapai-Apache Nation, Salt River Project, Phoenix-Mesa Gateway Airport Authority, Town of Florence, City of Coolidge, City of Eloy, City of Queen Creek, Town of Gilbert, City of Mesa, City of Apache Junction, City of Casa Grande, Town of Marana, Pima County, Maricopa Association of Governments, Pima Association of Governments, Pinal County, Central Arizona Project, and Central Arizona Association of Governments. Letters will also be sent to interested parties, including the Union Pacific Railroad, San Carlos Irrigation District and Resolution Copper Mining.

To insure that the full range of issues related to this proposed action is addressed and all significant issues are identified, comments and suggestions are invited from all interested parties. Comments, suggestions, or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program No. 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: September 10, 2010.

**Kenneth H. Davis,**

*Senior Engineering Manager for Operations, Federal Highway Administration, Arizona Division Office, Phoenix, Arizona.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2010-41]

#### Petitions for Exemption; Summary of Petitions Received

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

**ACTION:** Notice of petitions for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before October 12, 2010.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2010-0287 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For more information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

*Privacy:* We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

**Docket:** To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Jan Thor, (425-227-2127), Standardization Branch, ANM-113, Federal Aviation Administration, 1601 Lind Avenue, SW., Renton, WA 98057-3356, or Katherine L. Haley, (202) 493-5708, Office of Rulemaking, ARM-203, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on September 15, 2010.

**Pamela Hamilton-Powell,**  
*Director, Office of Rulemaking.*

#### **Petitions for Exemption**

**Docket No.:** FAA-2010-0287.

**Petitioner:** Bombardier Aerospace.

**Section of 14 CFR Affected:**  
25.981(a)(3).

**Description of Relief Sought:**  
Bombardier requests relief from the fault tolerance fuel tank ignition prevention requirements of § 25.981(a)(3) for its Model CL-600-2E25 (CRJ1000) series airplanes allowing them to (1) demonstrate that the structural design provides two independent, effective and reliable means of lightning strike protection, and (2) demonstrate compliance with this requirement by 24 months after type certification of the airplane.

[FR Doc. 2010-23390 Filed 9-17-10; 8:45 am]

**BILLING CODE 4910-13-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Motor Carrier Safety Administration**

[FMCSA Docket No. FMCSA-2010-0188]

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

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to exempt twenty-one 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 *September 20, 2010*. The exemptions expire on September 20, 2012.

**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 Privacy Act Statement for the Federal Docket Management System (FDMS) published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf>.

##### **Background**

On July 21, 2010, FMCSA published a notice of receipt of Federal diabetes exemption applications from twenty-one individuals and requested comments from the public (75 FR 42477). The public comment period closed on August 20, 2010 and one comment was received.

FMCSA has evaluated the eligibility of the twenty-one 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 drivers with diabetes 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 September 3, 2003 (68 FR 52441) **Federal Register** 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 twenty-one applicants have had ITDM over a range of 1 to 34 years. These applicants report no severe hypoglycemic reactions resulting in loss of consciousness or seizure, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning symptoms, in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the past 5 years. In each case, an endocrinologist verified that the driver has demonstrated a willingness to properly monitor and manage his/her diabetes mellitus, received education related to diabetes management, and is on a stable insulin regimen. These drivers report no other disqualifying conditions, including diabetes-related complications. Each meets the vision standard at 49 CFR 391.41(b)(10).

The qualifications and medical condition of each applicant were stated and discussed in detail in the July 21, 2010, **Federal Register** notice and they will not be repeated in this notice.

##### **Discussion of Comment**

FMCSA received one comment in this proceeding. The comment was considered and discussed below.

The Pennsylvania Department of Transportation stated that it had reviewed the driving record for Roy L. McKinney and was in favor of granting a Federal diabetes exemption to this individual.