

*Description of Relief Sought:* The petitioner is seeking relief to allow it to operate multiple single and multi-engine experimental aircraft over densely populated areas during the celebration of the 70th Anniversary of the WWII Victory in Europe Day on May 8, 2015.

[FR Doc. 2015-02785 Filed 2-10-15; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in California

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

**ACTION:** Notice of limitation on claims for judicial review of actions by FHWA and other Federal agencies.

**SUMMARY:** This notice announces actions taken by FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project on Interstate 5 (I-5) from postmile R28.4 to R55.4 in the County of San Diego, State of California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before July 13, 2015. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For Caltrans: Mr. Bruce April, Deputy District Director, Division of Environmental Analysis, California Department of Transportation, 4050 Taylor Street, MS 242, San Diego, CA 92110, Regular Office Hours: 8:00 a.m. to 5:00 p.m., Telephone number (619) 688-0100, email [Bruce.April@dot.ca.gov](mailto:Bruce.April@dot.ca.gov). For FHWA: Mr. Jacob Waclaw, Senior Transportation Engineer, 888 S. Figueroa, Ste 750, Los Angeles, CA 90017 Regular Office Hours: 6:00 a.m. to 4:00 p.m., Telephone number (213) 894-6697, email [Jacob.Waclaw@dot.gov](mailto:Jacob.Waclaw@dot.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FHWA and other Federal agencies have taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the Interstate 5 North Coast Corridor

Project in the State of California: The project is located in San Diego County along Interstate 5 (I-5) near La Jolla Village Drive in San Diego to Harbor Drive in Oceanside/Camp Pendleton, extending approximately 27 miles (postmile R28.4 to R55.4). The proposed project includes improvements to maintain or improve the existing and future traffic operations on the I-5 freeway. The preferred alternative consists of two high-occupancy vehicle (HOV)/Managed Lanes in each direction, separated by a painted buffer from the existing general purpose lanes in each direction. The design of the proposed bridge crossings of the lagoons have been modified to enhance lagoon function, and a number of natural and human community enhancements were developed for inclusion in the project. In addition, the project includes: Auxiliary lanes; soundwalls; braided ramps; two Direct Access Ramps; visual and community enhancements; ramp improvements; and appurtenant structures, including signage. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Statement (FEIS) for the project, approved on October 23, 2013, in the FHWA Record of Decision (ROD) issued on January 22, 2015, and in other documents in the FHWA project records. The FEIS, ROD, and other project records are available by contacting Caltrans at the addresses provided above. The Final FEIS and ROD can be viewed and downloaded from the project Web site at <http://www.dot.ca.gov/dist11/envir.htm>. This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act [42 U.S.C. 4321-4347]; Federal-Aid Highway Act [23 U.S.C. 109].
2. Air: Clean Air Act, as amended [42 U.S.C. 7401-7671(q)].
3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].
4. Wildlife: Endangered Species Act [16 U.S.C. 1531-1544]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(e)]; Magnuson-Stevenson Fishery Conservation and Management Act of 1976, as amended [16 U.S.C. 1801 *et seq.*]; Migratory Bird Treaty Act, 16 U.S.C. 703-712.
5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470ff]; Archaeological Resources Protection Act of 1977 [16 U.S.C. 470aa-470mm]; Archaeological and Historic Preservation Act [16 U.S.C. 469-469c-2]; Native American

Grave Protection and Repatriation Act [25 U.S.C. 3001-3013].

6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act [7 U.S.C. 4201-4209]; the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended [42 U.S.C. 61].

7. Wetlands and Water Resources: Clean Water Act, 33 U.S.C. 1251-1377 [Section 404, Section 401, Section 319]; Land and Water Conservation Fund Act [16 U.S.C. 460l-4-460l-11]; Safe Drinking Water Act [42 U.S.C. 300f *et seq.*]; Rivers and Harbors Act of 1899 [33 U.S.C. 401-406]; TEA-21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001-4129].

8. Hazardous Materials: Comprehensive Environmental Response, Compensation, and Liability Act [42 U.S.C. 9601-9675]; Superfund Amendments and Reauthorization Act of 1986 [PL 99-499]; Resource Conservation and Recovery Act [42 U.S.C. 6901-6992(k)].

Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(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.)

**Authority:** 23 U.S.C. 139(l)(1)

Dated: January 27, 2015.

**Jermaine Hannon,**

*Director, Program Development, Federal Highway Administration, Sacramento, California.*

[FR Doc. 2015-02668 Filed 2-10-15; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2014-0335]

#### Parts and Accessories Necessary for Safe Operation; Dealers Choice Truckaway System, Inc. Exemption Application

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

**ACTION:** Notice of final disposition.

**SUMMARY:** The Federal Motor Carrier Safety Administration (FMCSA) announces its decision to grant Dealers Choice Truckaway System, Inc.'s (Truckmovers) exemption application to allow the use of ultra-high-molecular-weight polyethylene blocks to build up the height of the front end of towed vehicles in driveaway-towaway operations. The Federal Motor Carrier Safety Regulations (FMCSRs) permit the use of "hardwood blocks of good quality" for this purpose, but the use of materials other than hardwood blocks is not addressed. FMCSA believes the use of ultra-high-molecular-weight polyethylene plastic blocks will maintain a level of safety that is equivalent to the level of safety achieved without the exemption. While the Truckmovers exemption application requested relief for an estimated 250 drivers and CMVs, the Agency has decided that it is appropriate to extend the scope of the exemption to allow any motor carrier to use ultra-high-molecular-weight polyethylene support blocks in lieu of hardwood blocks.

**DATES:** This exemption is effective February 11, 2015 and ending February 13, 2017.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike Huntley, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, MC-PSV, (202) 366-5370, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

**Docket:** For access to the docket to read background documents or comments submitted to notice requesting public comments on the exemption application, go to [www.regulations.gov](http://www.regulations.gov) at any time or visit 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., ET, Monday through Friday, except Federal holidays. The on-line Federal document management system is available 24 hours each day, 365 days each year. The docket number is listed at the beginning of this notice.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain parts of the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also

provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

##### **Truckmovers Application for Exemption**

Truckmovers applied for an exemption from 49 CFR 393.71(k)(4) to allow the use of ultra-high-molecular-weight polyethylene support blocks in lieu of hardwood blocks to increase the height of a towed vehicle in driveaway-towaway operations. A copy of the application is included in the docket referenced at the beginning of this notice.

In its application, Truckmovers states that without the proposed exemption it will not be able to utilize ultra-high-molecular-weight polyethylene support blocks because 49 CFR 393.71(k)(4) specifically requires the use of hardwood blocks to build up the height of the front end of a towed vehicle in driveaway-towaway operations. Truckmovers provided information regarding the development of ultra-high-molecular-weight polyethylene blocks with a compression rating of 3,300 psi, which can withstand extreme heat and cold. These blocks are not susceptible to decomposition and erosion like wood blocks, allowing for their re-use. The high compression strength of the ultra-high-molecular-weight polyethylene makes the blocks resistant to deformation under loading when secured with cargo securement devices, while wood can be compressed as a result of over-tightening of the cargo securement devices, and can crack and become loose in transit. For the reasons stated above, Truckmovers requests that its operators be permitted to use the ultra-high molecular polyethylene support blocks to increase the height of a towed vehicle in driveaway-towaway operations, instead of utilizing hardwood blocks as specified in the current regulation. Truckmovers

believes that the use of ultra-high-molecular-weight polyethylene plastic blocks, in lieu of hardwood support blocks, will maintain a level of safety that is equivalent to the level of safety achieved without the exemption.

##### **Comments**

FMCSA published a notice of the application in the **Federal Register** on October 8, 2014, and asked for public comment (79 FR 60891). No comments were received.

##### **FMCSA Decision**

The FMCSA has evaluated the Truckmovers exemption application. The Agency believes that granting the temporary exemption to allow the use of ultra-high-molecular-weight polyethylene support blocks in lieu of hardwood blocks to increase the height of a towed vehicle in driveaway-towaway operations will provide a level of safety that is equivalent to, or greater than the level of safety achieved without the exemption. FMCSA agrees that ultra-high-molecular-weight polyethylene blocks will be less susceptible to material degradation than hardwood blocks, and that the use of these plastic blocks will help ensure that the towed vehicle will remain secure within the saddle mounts and will prevent shifting while in transit. While the Truckmovers exemption application requested relief for an estimated 250 drivers and CMVs, the Agency has decided that it is appropriate to extend the scope of the exemption to allow any motor carrier to use ultra-high-molecular-weight polyethylene support blocks in lieu of hardwood blocks to increase the height of a towed vehicle in driveaway-towaway operations.

##### **Terms and Conditions for the Exemption**

The Agency hereby grants the exemption for a two-year period, beginning February 11, 2015 and ending February 13, 2017. Any motor carrier that experiences a failure of the ultra-high-molecular-weight polyethylene support blocks must report the incident to FMCSA's Vehicle and Roadside Operations Division, 1200 New Jersey Avenue, Washington, DC 20590. The report must include information about the size of the support block and the weight upon the support block at the time the block was damaged. This information will enable FMCSA to gather information about the real-world experiences of carriers in using ultra-high-molecular-weight polyethylene support blocks.

The exemption will be valid for two years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) Motor carriers and/or commercial motor vehicles fail 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(b).

Interested parties possessing information that would demonstrate that motor carriers using the plastic support blocks are not achieving the requisite statutory level of safety should immediately notify FMCSA. The Agency will evaluate any such information and, if safety is being compromised or if the continuation of the exemption is not consistent with 49 U.S.C. 31136(e) and 31315(b), will take immediate steps to revoke the exemption.

#### Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with or is inconsistent with this exemption with respect to a person operating under the exemption.

Issued on: January 30, 2015.

**T.F. Scott Darling, III,**

*Acting Administrator.*

[FR Doc. 2015-02811 Filed 2-10-15; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2011-0022]

#### Parts and Accessories Necessary for Safe Operation; Exemption Renewal for KBC Companies, LLC d/b/a Innovative Electronics

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

**ACTION:** Notice of renewal of exemption; request for comments.

**SUMMARY:** The Federal Motor Carrier Safety Administration (FMCSA) renews an exemption that allows commercial motor vehicle operators to use trailer-mounted electric brake controllers which monitor and actuate electric trailer brakes based on inertial forces developed in response to the braking action of the towing vehicle. The Agency has concluded that granting this exemption renewal to allow the use of trailer-mounted electric brake

controllers will maintain a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption. However, the Agency requests comments on this issue, especially from anyone who believes this standard will not be maintained.

**DATES:** This exemption is effective from February 11, 2015 through February 13, 2017.

**FOR FURTHER INFORMATION CONTACT:** Mr. Luke W. Loy, Vehicle and Roadside Operations Division, Office of Bus and Truck Standards and Operations, MC-PSV, (202) 366-0676, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

**Docket:** For access to the docket to read background documents or public comments submitted in response to previous notices concerning the exemption application, go to [www.regulations.gov](http://www.regulations.gov) at any time or visit 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., ET, Monday through Friday, except Federal holidays. The on-line Federal document management system is available 24 hours each day, 365 days each year. The docket number is listed at the beginning of this notice.

#### SUPPLEMENTARY INFORMATION:

##### Background

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain parts of the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period and explain the terms and conditions of the exemption. The

exemption may be renewed (49 CFR 381.300(b)).

KBC Companies, LLC d/b/a Innovative Electronics has requested renewal of its exemption from 49 CFR 393.48 and 49 CFR 393.49 to allow commercial motor vehicle operators to tow trailers equipped with trailer-mounted electric brake controllers.

#### Basis for Renewing Exemption

On February 10, 2011 (76 FR 7623), FMCSA published a notice requesting public comment on Innovative Electronics, Inc.'s application for an exemption from certain requirements in 49 CFR 393.48 and 49 CFR 393.49 to allow commercial motor vehicle operators to tow trailers equipped with trailer-mounted electric brake controllers. A correction was published on February 22, 2011 (76 FR 9853). After reviewing the public responses to the notice, the Agency granted the exemption on November 29, 2011 (76 FR 73763).

Innovative Electronics, Inc. has applied for a renewal of the two-year exemption. The FMCSA has determined preliminarily that it is appropriate to renew the exemption pending a review of public comments in response to the application for another two-year period, until February 13, 2017.

FMCSA is not aware of any evidence showing that the use of trailer-mounted electric brake controllers in compliance with the conditions of the original exemption has resulted in any degradation in safety. While trailer-mounted electric brake controllers are currently available for trailers not used for commercial purposes, renewing the exemption will allow rental companies to continue to rent trailers equipped with trailer-mounted electric brake controllers to commercial customers whose tow vehicles are not equipped with electric brake controllers. The Agency believes that extending the exemption for a period of two years will likely achieve a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption.

#### Terms and Conditions for the Exemption

During the renewal period, motor carriers must continue to meet the requirements of §§ 393.48(d) and 393.49(c) for hydraulic surge brakes, except that, for purposes of the exemption, those provisions shall have the following meaning, with "surge brake" replaced by "trailer-mounted electric brake controller."