submit all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

Public Meeting

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to Commander (m), Seventeenth Coast Guard District, P.O. Box 25517, Juneau, AK, 99802–5517. The request should include reasons why a hearing would be beneficial. If there is sufficient evidence to determine that oral presentations will aid this recertification process, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The Coast Guard published guidelines on December 31, 1992 (57 FR 62600), to assist groups seeking recertification under the Oil Terminal and Oil Tanker Environmental Oversight and Monitoring Act of 1990 (33 U.S.C. 2732) (the Act). The Coast Guard issued a policy statement on July 7, 1993 (58 FR 36505), to clarify the factors that the Coast Guard would be considering in making its determination as to whether advisory groups should be certified in accordance with the Act; and the procedures which the Coast Guard would follow in meeting its certification responsibilities under the Act. Most recently, on December 28, 2000 (65 FR 82451) the Coast Guard published a proposal and request for comments to streamline the RCAC certification process. The comments received on that proposal are under review prior to implementing changes to the certification process.

The Coast Guard has received an application for certification of PWSRCAC, the currently certified advisory group for the Prince William Sound region. In accordance with the review and certification process contained in the policy statement, the Coast Guard announces the availability of that application.

At the conclusion of the comment period, the Coast Guard will review all application materials and comments received and will take one of the following actions:

(a) Recertify the advisory group under 33 U.S.C. 2732(o).

(b) Issue a conditional recertification for a period of 90 days, with a statement of any discrepancies, which must be corrected to qualify for recertification for the remainder of the year.

(c) Deny recertification of the advisory group if the Coast Guard finds that the group is not broadly representative of the interests and communities in the area or is not adequately fostering the goals and purposes of 33 U.S.C. 2732.

The Coast Guard will notify PWSRCAC by letter of the action taken on its application. A notice will be published in the **Federal Register** to advise the public of the Coast Guard's determination.

Dated: June 1, 2001.

T.J. Barrett,

Rear Admiral, U.S. Coast Guard, Commander, Seventeenth Coast Guard District.

[FR Doc. 01–15993 Filed 6–25–01; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration (FAA)

Notice of Opportunity for Public Comment on Surplus Property Release at Walterboro Municipal Airport, Walterboro, South Carolina

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 City of Walterboro and Collection County to waive the requirement that a 2.0-acre parcel of surplus property, located at the Walterboro Municipal Airport, be used for aeronautical purposes.

DATES: Comments must be received on or before July 26, 2001.

ADDRESSES: Comments on this notice may be mailed or delivered in triplicate to the FAA at the following address: Atlanta Airports District Office, 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 L. Chriswell Bickley, Jr., of the Walterboro-Colleton County Airport Commission at the following address: P.O. Box 8, Walterboro, SC 29488.

FOR FURTHER INFORMATION CONTACT: Rusty Nealis, Program Manager, Atlanta Airports District Office, 1701 Columbia Ave., Suite 2–260, Atlanta, GA 30337–2747, (404) 305–7142. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA is reviewing a request by City of Walterboro and Colleton County to release 2.0 acres of surplus property at the Walterboro Municipal Airport. The property will be purchased by Marion R. Simmons, III and used to maintain adequate drainage control for Simmons Irrigation Company. 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 Walterboro-Colleton County Airport Commission.

Issued in Atlanta, Georgia on June 12, 2001.

Scott L. Seritt,

Manager, Atlanta Airports District Office, Southern Region.

[FR Doc. 01–15989 Filed 6–25–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket Nos. FMCSA–2000–7918 and FMCSA–2001–9258]

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of final disposition.

SUMMARY: The FMCSA announces its decision to exempt 41 individuals from the vision requirement in 49 CFR 391.41(b)(10).

DATES: June 26, 2001.

FOR FURTHER INFORMATION CONTACT: For information about the vision exemptions in this notice, Ms. Sandra Zywokarte, Office of Bus and Truck Standards and Operations, 202–366–2987; for information about legal issues related to this notice, Mr. Joseph Solomey, Office of the Chief Counsel, 202–366–1374, FMCSA, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

You may see all the comments online through the Document Management System (DMS) at: *http://dmses.dot.gov.*

Background

Forty-one individuals petitioned the FMCSA for an exemption from the

vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of commercial motor vehicles (CMVs) in interstate commerce. They are: Jerry T. Branam, Daniel R. Brewer, William A. Burgoyne, Brett L. Condon, Mark W. Coulson, Thomas W. Craig, Myron D. Dixon, Terry W. Dooley, Don W. Dotson, James W. Harris, Larry M. Hawkins, George A. Hoffman III, Lee P. Holt, Steve L. Hopkins, Donald A. Jahr, Alfred C. Jenkins, Donald L. Jensen, Robert L. Joiner, Jr., James P. Jones, Clarence R. Keller, Bruce E. King, Larry J. Lang, Dennis D. Lesperance, Earnest W. Lewis, John W. Locke, Herman G. Lovell, Ronald L. Maynard, Larry T. Morrison, Gayle G. Olson, Eddie L. Paschal, Thomas G. Raymond, Richard S. Rehbein, David E. Sanders, Richard C. Simms, David B. Speller, Royal H. Stephens, Tyson C. Stone, Lynn D. Veach, Kevin L. Wickard, Charles M. Wilkins, and Michael C. Wines.

Under 49 U.S.C. 31315 and 31136(e), the FMCSA may grant an exemption for a renewable 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.'' Accordingly, the FMCSA has evaluated the 41 petitions on their merits and made a determination to grant the exemptions to all of them. On April 3, 2001, the agency published notice of its receipt of applications from 38 of these individuals, and requested comments from the public (66 FR 17743). The comment period closed on May 3, 2001. In the cases of Mr. Burgoyne, Mr. Dotson, and Mr. Raymond, the agency published notice of receipt of their applications along with 62 other applications, and requested comments from the public on November 3, 2000 (65 FR 66286). The decisions on their applications were not made earlier because the agency had received additional information from its ongoing checks of their motor vehicle records and was evaluating that information (66 FR 13826, March 7, 2001). The FMCSA received one comment in response to the notice of 38 applications on April 3, 2001, and two comments in response to the notice of 65 applications on November 3, 2000. One comment received from the November 3, 2000, notice pertained to an applicant not being considered here, and was addressed at 66 FR 13828 (March 7, 2001). The contents of the other two comments were carefully considered in reaching the final decision to grant the petitions in this notice.

Vision and Driving Experience of the Applicants

The vision requirement provides:

A person is physically qualified to drive a commercial motor vehicle if that person has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber (49 CFR 391.41(b)(10)).

Since 1992, the Federal Highway Administration (FHWA), the predecessor agency to the FMCSA, has undertaken studies to determine if this vision standard should be amended. The final report from the medical panel recommended changing the field of vision standard from 70° to 120°, while leaving the visual acuity standard unchanged (See Frank C. Berson, M.D., Mark C. Kuperwaser, M.D., Lloyd Paul Aiello, M.D., and James W. Rosenberg, M.D., ''Visual Requirements and Commercial Drivers,'' October 16, 1998, filed in the docket, FHWA–98–4334). The panel's conclusion supports the FMCSA's (and previously the FHWA's) view that the present standard is reasonable and necessary as a general standard to ensure highway safety. The FMCSA also recognizes that some drivers do not meet the vision standard, but have adapted their driving to accommodate their vision limitation and demonstrated their ability to drive safely.

The 41 applicants fall into this category. They are unable to meet the vision standard in one eye for various reasons, including amblyopia, corneal and retinal scars, and loss of an eye due to trauma. In most cases, their eye conditions were not recently developed. All but 13 of the applicants were either born with their vision impairments or have had them since childhood. The 13 individuals who sustained their vision conditions as adults have had them for periods ranging from 4 to 40 years.

Although each applicant has one eye which does not meet the vision standard in 49 CFR 391.41(b)(10), each has at least 20/40 corrected vision in the other eye and, in a doctor's opinion, has sufficient vision to perform all the tasks necessary to operate a commercial motor vehicle (CMV). The doctors' opinions are supported by the applicants' possession of valid commercial driver's licenses (CDLs) or non-CDLs that allow them to operate CMVs. Before issuing CDLs, States subject drivers to knowledge and performance tests designed to evaluate their qualifications to operate a CMV. All these applicants satisfied the testing standards for their State of residence. By meeting State licensing requirements, the applicants demonstrated their ability to operate a commercial vehicle, with their limited vision, to the satisfaction of the State. The Federal interstate qualification standards, however, require more.

While possessing a valid CDL or non-CDL, these 41 drivers have been authorized to drive a CMV in intrastate commerce, even though their vision disqualifies them from driving in interstate commerce. They have driven CMVs with their limited vision for careers ranging from 3 to 40 years. In the past 3 years, the drivers had 8 convictions for traffic violations among them. Five of these convictions were for Speeding, two were for Failure to Obey Traffic Instructions Sign/Device, and one was for Following Too Closely. Two drivers were involved in accidents in their CMVs, but did not receive a citation.

The qualifications, experience, and medical condition of each applicant were stated and discussed in detail in the April 3, 2001, and November 3, 2000, notices (66 FR 17743 and 65 FR 66286). Since the docket comments did not focus on the specific merits or qualifications of any applicant, we have not repeated the individual profiles here. One change is noted: Mr. Burgoyne's driving record shows he was involved in a CMV accident after publication of the notice on November 3, 2000. In a very heavy snowstorm, the vehicle he was driving was hit in the rear by another vehicle. He was not cited for the accident. Our summary analysis of the applicants as a group is supported by the information published at 66 FR 17743 and 65 FR 66286.

Basis for Exemption Determination

Under 49 U.S.C. 31315 and 31136(e), the FMCSA may grant an exemption from the vision standard in 49 CFR 391.41(b)(10) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. Without the exemption, applicants will continue to be restricted to intrastate driving. With the exemption, applicants can drive in interstate commerce. Thus, our analysis focuses on whether an equal or greater level of safety is likely to be achieved by permitting these drivers to drive in interstate commerce as opposed to restricting them to driving in intrastate commerce.

To evaluate the effect of these exemptions on safety, the FMCSA

considered not only the medical reports about the applicants' vision, but also their driving records and experience with the vision deficiency. To qualify for an exemption from the vision standard, the FMCSA requires a person to present verifiable evidence that he or she has driven a commercial vehicle safely with the vision deficiency for 3 years. Recent driving performance is especially important in evaluating future safety, according to several research studies designed to correlate past and future driving performance. Results of these studies support the principle that the best predictor of future performance by a driver is his/her past record of accidents and traffic violations. Copies of the studies have been added to the docket (FHWA–98–3637).

We believe we can properly apply the principle to monocular drivers, because data from the vision waiver program clearly demonstrate the driving performance of experienced monocular drivers in the program is better than that of all CMV drivers collectively (See 61 FR 13338, 13345, March 26, 1996). The fact that experienced monocular drivers with good driving records in the waiver program demonstrated their ability to drive safely supports a conclusion that other monocular drivers, meeting the same qualifying conditions as those required by the waiver program, are also likely to have adapted to their vision deficiency and will continue to operate safely.

The first major research correlating past and future performance was done in England by Greenwood and Yule in 1920. Subsequent studies, building on that model, concluded that accident rates for the same individual exposed to certain risks for two different time periods vary only slightly (See Bates and Neyman, University of California Publications in Statistics, April 1952). Other studies demonstrated theories of predicting accident proneness from accident history coupled with other factors. These factors—such as age, sex, geographic location, mileage driven and conviction history—are used every day by insurance companies and motor vehicle bureaus to predict the probability of an individual experiencing future accidents (See Weber, Donald C., ''Accident Rate Potential: An Application of Multiple Regression Analysis of a Poisson Process,'' Journal of American Statistical Association, June 1971). A 1964 California Driver Record Study prepared by the California Department of Motor Vehicles concluded that the best overall accident predictor for both concurrent and nonconcurrent events is the number of single convictions. This study used 3 consecutive years of data, comparing the experiences of drivers in the first 2 years with their experiences in the final year.

Applying principles from these studies to the past 3-year record of the 41 applicants, we note that cumulatively the applicants have had only 2 accidents and 8 traffic violations in the last 3 years. Neither of the accidents resulted in the issuance of a citation against the applicants. The applicants achieved this record of safety while driving with their vision impairment, demonstrating the likelihood that they have adapted their driving skills to accommodate their condition. As the applicants' ample driving histories with their vision deficiencies are good predictors of future performance, the FMCSA concludes their ability to drive safely can be projected into the future.

We believe the applicants' intrastate driving experience provides an adequate basis for predicting their ability to drive safely in interstate commerce. Intrastate driving, like interstate operations, involves substantial driving on highways on the interstate system and on other roads built to interstate standards. Moreover, driving in congested urban areas exposes the driver to more pedestrian and vehicular traffic than exists on interstate highways. Faster reaction to traffic and traffic signals is generally required because distances are more compact than on highways. These conditions tax visual capacity and driver response just as intensely as interstate driving conditions. The veteran drivers in this proceeding have operated CMVs safely under those conditions for at least 3 years, most for much longer. Their experience and driving records lead us to believe that each applicant is capable of operating in interstate commerce as safely as he or she has been performing in intrastate commerce. Consequently, the FMCSA finds that exempting these applicants from the vision standard in 49 CFR 391.41(b)(10) is likely to achieve a level of safety equal to that existing without the exemption. For this reason, the agency will grant the exemptions for the 2-year period allowed by 49 U.S.C. 31315 and 31136(e).

We recognize that the vision of an applicant may change and affect his/her ability to operate a commercial vehicle as safely as in the past. As a condition of the exemption, therefore, the FMCSA will impose requirements on the individuals consistent with the grandfathering provisions applied to drivers who participated in the agency's vision waiver program.

Those requirements are found at 49 CFR 391.64(b) and include the following: (1) That each individual be physically examined every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard in 49 CFR 391.41(b)(10), and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

Discussion of Comments

The FMCSA received one comment in response to the notice of 38 applications on April 3, 2001 (66 FR 17743), and two comments in response to the notice of 65 applications on November 3, 2000 (65 FR 66286). One comment received from the November 3, 2000, notice pertained to an applicant not being considered here, and was addressed at 66 FR 13828 (March 7, 2001). The other comments were considered for this notice and are discussed below.

Comments were received from the Advocates for Highway and Auto Safety (AHAS) in response to both notices of applications. The AHAS expresses continued opposition to the FMCSA's policy to grant exemptions from the Federal Motor Carrier Safety Regulations (FMCSRs), including the driver qualification standards. Specifically, the AHAS: (1) Objects to the manner in which the FMCSA presents driver information to the public and makes safety determinations, (2) objects to the agency's reliance on conclusions drawn from the vision waiver program, (3) claims the agency has misinterpreted statutory language on the granting of exemptions (49 U.S.C. 31315 and 31136(e)), and finally, (4) suggests that a recent Supreme Court decision affects the legal validity of vision exemptions.

The issues raised by the AHAS were addressed at length in 64 FR 51568 (September 23, 1999), 64 FR 66962 (November 30, 1999), 64 FR 69586 (December 13, 1999), 65 FR 159 (January 3, 2000), 65 FR 57230 (September 21, 2000), and 66 FR 13825 (March 7, 2001). We will not address these points again

here, but refer interested parties to those earlier discussions.

Notwithstanding the FMCSA's ongoing review of the vision standard, as evidenced by the medical panel's report dated October 16, 1998, and filed in this docket, the FMCSA must comply with *Rauenhorst* v. *United States Department of Transportation, Federal Highway Administration,* 95 F.3d 715 (8th Cir. 1996), and grant individual exemptions under standards that are consistent with public safety. Meeting those standards, the 41 veteran drivers in this case have demonstrated to our satisfaction that they can continue to operate a CMV with their current vision condition safely in interstate commerce, because they have demonstrated their ability in intrastate commerce. Accordingly, they qualify for an exemption under 49 U.S.C. 31315 and 31136(e).

Conclusion

After considering the comments to the docket and based upon its evaluation of the 41 exemption applications in accordance with the Rauenhorst decision, the FMCSA exempts Jerry T. Branam, Daniel R. Brewer, William A. Burgoyne, Brett L. Condon, Mark W. Coulson, Thomas W. Craig, Myron D. Dixon, Terry W. Dooley, Don W. Dotson, James W. Harris, Larry M. Hawkins, George A. Hoffman III, Lee P. Holt, Steve L. Hopkins, Donald A. Jahr, Alfred C. Jenkins, Donald L. Jensen, Robert L. Joiner, Jr., James P. Jones, Clarence R. Keller, Bruce E. King, Larry J. Lang, Dennis D. Lesperance, Earnest W. Lewis, John W. Locke, Herman G. Lovell, Ronald L. Maynard, Larry T. Morrison, Gayle G. Olson, Eddie L. Paschal, Thomas G. Raymond, Richard S. Rehbein, David E. Sanders, Richard C. Simms, David B. Speller, Royal H. Stephens, Tyson C. Stone, Lynn D. Veach, Kevin L. Wickard, Charles M. Wilkins, and Michael C. Wines from the vision requirement in 49 CFR 391.41(b)(10), subject to the following conditions: (1) That each individual be physically examined every year, (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard in 49 CFR 391.41(b)(10) and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, so it may be presented to a duly authorized Federal, State, or local enforcement official.

In accordance with 49 U.S.C. 31315 and 31136(e), each exemption will be valid for 2 years unless rescinded earlier by the FMCSA. The exemption will be rescinded if (1) the person fails 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. 31315 and 31136. If the exemption is still effective at the end of the 2-year period, the person may apply to the FMCSA for a renewal under procedures in effect at that time.

Authority: 49 U.S.C. 322, 31315 and 31136; and 49 CFR 1.73.

Issued on: June 21, 2001.

Brian M. McLaughlin,

Acting Deputy Administrator.

[FR Doc. 01–16067 Filed 6–22–01; 11:28 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34056]

Fore River Transportation Corp.—Change in Operators Exemption—Fore River Railroad Corporation and Massachusetts Water Resources Authority

Fore River Transportation Corp. (FRT), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to operate the rail line of Massachusetts Water Resources Authority (MWRA) and Fore River Railroad Corporation (FRRC) [1] extending approximately 3.76 miles between a point in the City of Quincy, MA, and an interchange with CSX Transportation, Inc., in the Town of Braintree, MA (line).[2] FRT states that it will soon enter into an agreement with FRRC to provide rail freight service over the line.

The transaction is expected to be consummated on July 1, 2000.[3]

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding 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. 34056, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Richard H. Streeter, Esq., Barnes & Thornburg, 1401 I Street, NW., Suite 500, Washington, DC 20005.

Board decisions and notices are available on our website at *www.stb.dot.gov.*

Decided: June 19, 2001.

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

Vernon A. Williams,

Secretary.

[FR Doc. 01–15986 Filed 6–25–01; 8:45 am]

BILLING CODE 4915–00–P

[1] MWRA, a governmental body, owns the line. FRRC, MWRA's wholly owned subsidiary, has the residual common carrier obligation with respect to the line.

[2] The line consists of approximately 1.83 miles of branch line and approximately 1.93 miles of spur and/or side track.

[3] FRT further states that, upon consummation, Quincy Bay Terminal Co., the current operator of the line, will cease all operations on the line. This change in operators is exempt under 49 CFR 1150.31(a)(3).

DEPARTMENT OF THE TREASURY

Fiscal Service

Surety Companies Acceptable on Federal Bonds: Termination—Millers Mutual Insurance Association

AGENCY: Financial Management Service, Fiscal Service, Department of the Treasury.

ACTION: Notice.

SUMMARY: This is Supplement No. 17 to the Treasury Department Circular 570; 2000 Revision, published June 30, 2000 at 65 FR 40868.

FOR FURTHER INFORMATION CONTACT: Surety Bond Branch at (202) 874–7102.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Certificate of Authority issued by the Treasury to the above named Company, under the United States Code, Title 31, Sections 9304–9308, to qualify as an acceptable surety on Federal bonds is terminated effective today.

The Company was last listed as an acceptable surety on Federal bonds at 65 FR 40891, June 30, 2000.

With respect to any bonds, including continuous bonds, currently in force with above listed Company, bond-approving officers should secure new bonds with acceptable sureties in those instances where a significant amount of liability remains outstanding. In