

**DEPARTMENT OF TRANSPORTATION****Coast Guard****[USCG-2000-8079]****Setting the Environmental Agenda of the Coast Guard for Oil Pollution—Prevention, Preparedness, and Response—in the 21st Century****AGENCY:** Coast Guard, DOT.**ACTION:** Notice of availability and request for public comments.

**SUMMARY:** The Coast Guard announces the availability of the Risk Assessment it conducted to help set its environmental agenda for oil spill prevention, preparedness and response in the 21st century. We request your comments on the Assessment.

**DATES:** Comments and related material must reach the Docket Management Facility on or before February 3, 2003.

**ADDRESSES:** To make sure that your comments and related material are not entered more than once in the docket, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility, (USCG-2000-8079), U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington, DC 20590-0001.

(2) By delivery to room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(3) By fax to the Docket Management Facility at 202-493-2251.

(4) Electronically through the Web site for the Docket Management System at <http://dms.dot.gov>.

The Docket Management Facility maintains the public docket for this notice. Comments and material received from the public, as well as the draft Programmatic Environmental Assessment (PEA), will become part of this docket and will be available for inspection or copying at room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket, including the PEA, on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, or the associated risk assessment, call Commander David Lersch, U.S. Coast Guard, telephone (202) 267-0421. If you have questions on viewing or submitting material to the docket, call Dorothy

Beard, Chief, Dockets, Department of Transportation, telephone 202-366-5149.

**SUPPLEMENTARY INFORMATION:****Request for Comments**

We encourage you to submit comments and related material on the Risk Assessment. If you do so, please include your name and address, identify the docket number for this notice (USCG-2000-8079) and give the reasons for each comment. You may submit your comments and material by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period.

**Proposed Action**

The Coast Guard has completed the first phase of the risk assessment it initiated during the fall of 2000 to help set its environmental agenda for oil pollution prevention, preparedness and response in the 21st century. One element of this study was the results of the Public Meeting held at Coast Guard Headquarters on December 12, 2000. We published a notice of this meeting and request for comments in the **Federal Register** on October 18, 2000 (65 FR 62408).

This project contains several elements addressing concept development, risk characterization and issue identification. The first portion identifies the nature and frequency of spills from key sources and determines how the sources and causes may vary in the next decade. The second portion analyzes the impacts associated with each source category. Together these two portions produce a risk characterization by source category. The last section provides an assessment of the overall effectiveness of various prevention, preparedness and response measures in mitigating the threat posed by the various source categories.

The Coast Guard is seeking public comment on the results of this study to help guide its planning for follow-on management analysis.

The assessment is located online at <http://www.uscg.mil/hq/g-m/mor/morgmor1new.htm>.

Dated: September 12, 2002.

**Jeffrey P. High,**

*Acting Assistant Commandant for Marine Safety, Security, and Environmental Protection.*

[FR Doc. 02-27489 Filed 11-1-02; 8:45 am]

BILLING CODE 4910-15-M

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration**

**[Docket Nos. FMCSA-99-5578, FMCSA-99-6156, FMCSA-99-6480, FMCSA-2000-7006, FMCSA-2000-7165, and FMCSA-2000-8203]**

**Qualification of Drivers; Exemption Applications; Vision**

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

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

**SUMMARY:** This notice publishes the FMCSA's decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 16 individuals.

**DATES:** This decision is effective November 9, 2002. Comments from interested persons should be submitted by December 4, 2002.

**ADDRESSES:** You can mail or deliver comments to the U.S. Department of Transportation, Dockets Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. You can also submit comments at <http://dms.dot.gov>. Please include the docket numbers that appear in the heading of this document in your submission. You can examine and copy this document and all comments received at the same Internet address or at the Dockets Management Facility from 9 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandra Zywockarte, Office of Bus and Truck Standards and Operations, (202) 366-2987, 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:****Exemption Decision**

Under 49 U.S.C. 31315 and 31136(e), the FMCSA may renew an exemption

from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of commercial motor vehicles in interstate commerce, 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." The procedures for receiving an exemption (including renewals) are set out in 49 CFR part 381. This notice addresses 16 individuals who have requested renewal of their exemptions in a timely manner. They are: Ronald W. Coe, Sr., James A. Creed, Earl D. Edland, Lloyd E. Hall, Steven H. Heidorn, Dale H. Hellmann, Danny E. Hillier, Gary L. Killian, James A. Kneece, Ronald L. Martsching, Garry R. Setters, Jimmy E. Settle, Jesse M. Sikes, Harold A. Slesman, Buford C. Varnadore, and Hubert Whittenburg. The FMCSA has evaluated these 16 petitions for renewal on their merits and decided to extend each exemption for a renewable 2-year period.

These exemptions are extended subject to the following conditions: (1) That each individual have a physical exam 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 and retain a copy of the certification on his/her person while driving for presentation to a duly authorized Federal, State, or local enforcement official. 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(e).

### Background

On September 23, 1999, the agency published a notice of final disposition announcing its decision to exempt 32 individuals, including 1 of these applicants for renewal, from the vision requirement in 49 CFR 391.41(b)(10) (64 FR 51568). The qualifications,

experience, and medical condition of the applicant were stated and discussed in detail at 64 FR 27027 (May 18, 1999). Two comments were received, and their contents were carefully considered by the agency in reaching its final decision to grant the exemption (64 FR 51568).

On January 3, 2000, the agency published a notice of final disposition announcing its decision to exempt 40 individuals, including 1 of these applicants for renewal, from the vision requirement in 49 CFR 391.41(b)(10) (65 FR 159). The qualifications, experience, and medical condition of the applicant were stated and discussed in detail at 64 FR 54948 (October 8, 1999). Two comments were received, and their contents were carefully considered by the agency in reaching its final decision to grant the exemption (65 FR 159).

On April 14, 2000, the agency published a notice of final disposition announcing its decision to exempt 34 individuals, including 1 of these applicants for renewal, from the vision requirement in 49 CFR 391.41(b)(10) (65 FR 20251). The qualifications, experience, and medical condition of the applicant were stated and discussed in detail at 64 FR 68195 (December 6, 1999). Two comments were received, and their contents were carefully considered by the agency in reaching its final decision to grant the exemption (65 FR 20251).

On September 21, 2000, the agency published a notice of final disposition announcing its decision to exempt 56 individuals, including 4 of these applicants for renewal, from the vision requirement in 49 CFR 391.41(b)(10) (65 FR 57230). The qualifications, experience, and medical condition of each applicant were stated and discussed in detail at 65 FR 20245 (April 14, 2000). Three comments were received, and their contents were carefully considered by the agency in reaching its final decision to grant the exemptions (65 FR 57230).

Also on September 21, 2000, the agency published a second notice of final disposition announcing its decision to exempt 60 individuals, including 4 of these applicants for renewal, from the vision requirement in 49 CFR 391.41(b)(10) (65 FR 57234). The qualifications, experience, and medical condition of each applicant were stated and discussed in detail at 65 FR 33406 (May 23, 2000). One comment was received, and its contents were carefully considered by the agency in reaching its final decision to grant the exemptions (65 FR 57234).

On October 9, 1998, the agency published a notice of final disposition announcing its decision to exempt 12

individuals from the vision requirement in 49 CFR 391.41(b)(10) (63 FR 54519). The qualifications, experience, and medical condition of each applicant were stated and discussed in detail at 63 FR 20385 (June 3, 1998). Three comments were received, and their contents were carefully considered by the agency in reaching its final decision to grant the exemptions (63 FR 54519). On November 3, 2000, the agency published a notice of renewal of exemption for 9 of the 12 individuals, including 5 of these applicants for renewal, from the vision requirement in 49 CFR 391.41(b)(10) (65 FR 66293). At the time of renewal, each applicant submitted evidence showing that the vision in the better eye continued to meet the standard specified at 49 CFR 291.41(b)(10) and that the vision impairment was stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the 2-year exemption period indicated each applicant continued to meet the vision exemption standards.

### Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than 2 years from its approval date and may be renewed upon application for additional 2-year periods. In accordance with 49 U.S.C. 31315 and 31136(e), each of the 16 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (63 FR 30285, 63 FR 54519, 64 FR 27027, 64 FR 51568, 64 FR 54948, 64 FR 68195, 65 FR 159, 65 FR 20245, 65 FR 20251, 65 FR 33406, 65 FR 57230, and 65 FR 57234), and 5 of the applicants have also satisfied the conditions for renewing an exemption (65 FR 66293). Each of these 16 applicants has requested timely renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the standard specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past 2 years indicates each applicant continues to meet the vision exemption standards. These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, the FMCSA concludes that extending the exemption for a period of 2 years is likely to achieve a level of safety equal to that existing without the exemption for each renewal applicant.

**Comments**

The FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31315 and 31136(e). However, the FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by December 4, 2002.

In the past FMCSA has received comments from Advocates for Highway and Auto Safety (Advocates) expressing continued opposition to the FMCSA's procedures for renewing exemptions from the vision requirement in 49 CFR 391.41(b)(10). Specifically, Advocates objects to the agency's extension of the exemptions without any opportunity for public comment prior to the decision to renew and reliance on a summary statement of evidence to make its decision to extend the exemption of each driver.

The issues raised by Advocates were addressed at length in 66 FR 17994 (April 4, 2001). The FMCSA continues to find its exemption process appropriate to the statutory and regulatory requirements.

Issued on October 29, 2002.

**Brian M. McLaughlin,**

*Associate Administrator, Policy and Program Development.*

[FR Doc. 02-27992 Filed 11-1-02; 8:45 am]

**BILLING CODE 4910-EX-M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Transit Administration**

**Job Access and Reverse Commute Program Announcement of Project Selection**

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of Transportation (DOT) Federal Transit Administration (FTA) announces the selection of projects to be funded under

Fiscal Year 2002 appropriations for the Job Access and Reverse Commute (JARC) Program, authorized by Section 3037 of the Transportation Equity Act for the 21st Century (TEA-21). A total of \$125 million was available for the JARC Program in FY 2002, the guaranteed funding level under TEA-21. In the Congressional conference committee report language accompanying the appropriations bill, \$109.3 million was designated for projects in specific areas. However, the General Accounting Office, in a December 2001 report to Congress, concluded that FTA could only select and fund projects through a national competition as specified in the JARC legislation. Accordingly, FTA required all applicants for FY 2002 JARC funding, including those designated in Congressional report language, to submit a project proposal application to be evaluated, scored, and ranked against all others. Subsequently, however, in the FY 2003 Supplemental Appropriations Act (H.R. 4775), signed into law on August 2, 2002, Congress authorized and instructed FTA to fund all projects designated in the report language upon receipt of an application. A number of applications for projects in congressionally-designated areas were submitted in FY 2002 and FTA has obligated \$13 million for those projects. The list of congressionally-designated areas was included in FTA's 2002 Annual Apportionment Notice, published in the **Federal Register** on January 2, 2002. That notice can be found at: <http://www.fta.dot.gov/library/legal/federalregister/2002/fr1202a.pdf>.

Because FTA solicited applications for both 2002 and 2003 funding, we will be prepared to announce projects selected for FY 2003 funds as soon as these funds become available.

Local agencies and authorities and private non-profit organizations are eligible to apply for JARC Program funds. Local agencies and authorities include states, local governments, metropolitan planning organizations, public transit agencies and tribal organizations. A Job Access project is

one that provides new or expanded transportation service designed to fill gaps that exist for welfare recipients and other low-income individuals to and from jobs and other employment-related services. A Reverse Commute project facilitates the provision of new or expanded public mass transportation services for the general public from urban, suburban, and rural areas to suburban work sites. Capital and operating costs for such projects are eligible.

**FOR FURTHER INFORMATION CONTACT:** The appropriate FTA Regional Administrator for grant-specific issues; or Sue Masselink, Office of Program Management, 202-366-2053 for general information about the JARC Program.

**SUPPLEMENTARY INFORMATION:** After setting aside the \$109.3 million for Congressional earmarks, a total of \$15.7 million was available for allocation by FTA. In FY 2002, the total amount requested from applicants other than those with Congressional earmarks was \$43 million. Among these applicants, 49 requested \$23 million for 108 continuation projects and 39 requested \$20 million for 77 new projects. In order to encourage the creation of partnerships at the local level and afford a reasonable period in which to establish and sustain service, FTA announced in the solicitation notice that it would give funding priority to continuation projects. Because of the limited funding available for competitive allocation by FTA, only 76 of the 108 proposed continuation projects were selected for funding, and none of the 77 proposed new projects were funded. The 76 projects selected were submitted by 39 applicants, and are being funded at a total of \$16,765,367. The \$15.7 million in available FY 2002 funds, together with a small balance of unobligated and uncommitted funds from prior years, will be used to fund the selected projects. The following continuation projects rated most meritorious in the evaluation process have been selected for funding:

Region	State	Agency	Amount
I	MA	Massachusetts Office of Transportation and Construction .....	\$1,064,223
	MA	Massachusetts Bay Transportation Authority .....	803,810
	MA	Pioneer Valley Transportation Authority .....	300,000
	NH	City of Nashua .....	149,302
II	NY	New York Metropolitan Transportation Council .....	396,941
	NY	Central NY Regional Transportation Authority .....	104,167
	NY	Capital District Transportation Authority .....	232,250
III	PA	Southeastern PA Transit Authority (SEPTA) .....	116,300
IV	FL	Jacksonville Transportation Authority .....	1,569,750
	GA	Georgia Department of Transportation .....	200,000
	NC	North Carolina Department of Transportation .....	122,000