

tractor-trailer combinations for 15 years, accumulating 1.5 million miles. He holds a Class A CDL from Washington. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Richard A. Peterson*

Mr. Peterson, 51, has a prosthetic left eye due to a traumatic injury sustained as a child. The best corrected visual acuity in his right eye is 20/15. Following an examination in 2008, his optometrist noted, "In my medical opinion, Mr. Peterson has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Peterson reported that he has driven straight trucks for 32 years, accumulating 80,000 miles, and tractor-trailer combinations for 32 years, accumulating 160,000 miles. He holds a Class A CDL from Oregon. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Philip NMI. Polcastro*

Mr. Polcastro, 53, has had a prosthetic left eye since childhood. The visual acuity in his right eye is 20/20. Following an examination in 2007, his ophthalmologist noted, "Therefore, Mr. Polcastro has sufficient vision to operate a commercial vehicle." Mr. Polcastro reported that he has driven straight trucks for 34 years, accumulating 102,000 miles, and tractor-trailer combinations for 28 years, accumulating 84,000 miles. He holds a Class A CDL from New York. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Chad M. Quarles*

Mr. Quarles, 34, has had amblyopia in his left eye since childhood. The best corrected visual acuity in his right eye is 20/20 and in the left, 20/80. Following an examination in 2008, his optometrist noted, "I feel that Mr. Quarles has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Quarles reported that he has driven straight trucks for 3 years, accumulating 58,500 miles. He holds a Class D operator's license from Alabama. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Daniel S. Rebstad*

Mr. Rebstad, 45, has had amblyopia in his left eye since childhood. The best corrected visual acuity in his right eye is 20/20 and in the left, 20/100. Following an examination in 2008, his

optometrist noted, "My professional opinion is he has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Rebstad reported that he has driven tractor-trailer combinations for 14 years, accumulating 1.7 million miles. He holds a Class A CDL from Florida. His driving record for the last 3 years shows no crashes and one conviction for a moving violation in a CMV, failure to obey traffic signs.

*Charles R. Sylvester*

Mr. Sylvester, 51, has a prosthetic left eye due to a choroidal melanoma diagnosed in 2004. The visual acuity in his right eye is 20/20. Following an examination in 2007, his optometrist noted, "In my opinion, Mr. Sylvester has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Sylvester reported that he has driven tractor-trailer combinations for 18 years, accumulating 1.3 million miles. He holds a Class A CDL from North Carolina. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*James L. Williams*

Mr. Williams, 64, has had amblyopia in his right eye since childhood. The best corrected visual acuity in his right eye is 10/100 and in the left, 20/25. Following an examination in 2008, his optometrist noted, "Therefore, it is my opinion that Mr. Williams has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Williams reported that he has driven tractor-trailer combinations for 11 years, accumulating 1.1 million miles, and buses for 1 year, accumulating 500 miles. He holds a Class A CDL from Michigan. His driving record for the last 3 years shows no crashes and one conviction for a moving violation, speeding in a CMV. He exceeded the speed limit by 10 mph.

**Request for Comments**

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. The Agency will consider all comments received before the close of business August 6, 2008. Comments will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. The Agency will file comments received after the comment closing date in the public docket, and will consider them to the extent practicable. In addition to late comments, FMCSA will also continue to

file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should monitor the public docket for new material.

Issued on: June 27, 2008.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

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**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[STB Docket No. AB-577 (Sub-No. 1X)]

**Mohall Railroad, Inc.—Abandonment Exemption—in Walsh County, ND**

Mohall Railroad, Inc. (MRI) has filed a verified notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 7.06-mile line of railroad known as the Voss line, extending from milepost 137.09 at Voss to milepost 130.03 at Forest River, in Walsh County, ND. The line traverses United States Postal Service Zip Codes 58261 and 58233.

MRI has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) all overhead traffic has been rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements of 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on August 6, 2008, unless stayed pending reconsideration. Petitions to stay that do

not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by July 17, 2008. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by July 28, 2008, with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to MRI's representative: Michael J. Barron, Jr.,

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,300. See 49 CFR 1002.2(f)(25).

Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

MRI has filed an environmental and historic report addressing the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by July 11, 2008. Interested persons may obtain a copy of the EA by writing to SEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 245-0305. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), MRI shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by MRI's filing of a notice of consummation by July 7, 2009, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire. Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: June 27, 2008.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings

**Anne K. Quinlan,**

*Acting Secretary.*

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