in 2010 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years; understands diabetes management and monitoring; has stable control of his diabetes using insulin; and is able to drive a CMV safely. Mr. Velasco meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2010 and certified that he does not have diabetic retinopathy. He holds a Class A CDL license from Maryland.

Joshua R. Wiery

Mr. Wiery, 39, has had ITDM since 1978. His endocrinologist examined him in 2010 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years; understands diabetes management and monitoring; has stable control of his diabetes using insulin; and is able to drive a CMV safely. Mr. Wiery meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2010 and certified that he has stable proliferative diabetic retinopathy. He holds a Class D operator’s license from Ohio.

Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comments on all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated in the date section of the notice.

FMCSA notes that section 4129 of the Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users requires the Secretary to revise its diabetes exemption program established on September 3, 2003 (68 FR 67777), remain in effect.

Issued on: August 20, 2010.

Larry W. Minor,
Associate Administrator for Policy and Program Development.

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION
Surface Transportation Board

[Docket No. FD 35386]

R.J. Corman Railroad Company/ Central Kentucky Lines, LLC—Trackage Rights Exemption—CSX Transportation, Inc.

Pursuant to a written supplemental agreement dated July 28, 2010, CSX Transportation, Inc. (CSXT) has agreed to grant additional limited overhead trackage rights 1 to R.J. Corman Railroad/Company/Central Kentucky Lines, LLC (RJCC) over a CSXT line of railroad extending between (1) milepost 00T 12.5 at HK Tower and milepost 00T 2.6 at Frankfort Avenue; and (2) milepost 00T 2.6 at Frankfort Avenue and milepost 000 6.4 at Osborne Yard in the vicinity of Big Ditch, all in the vicinity of Louisville, Ky., a distance of approximately 17 miles.2

The transaction may be consummated on or after September 10, 2010, the effective date of the exemption (30 days after the exemption is filed). The purpose of the amended trackage rights agreement is to allow RJCC to move ties, ballast and other track material efficiently in coordination with the movement of its aluminum unit trains.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in Norfolk and Western Railroad—Trackage Rights—Burlington Northern, Inc., 354 I.C.C. 605 (1978), as modified in Mendocino Coast Railway—Lease and Operate—California Western Railroad, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d). If the notice contains false or misleading information, the exemption is void ab initio. Petitions 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 effectiveness of the exemption. Stay petitions must be filed by September 3, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35386, must be filed with the Surface Transportation Board, 305 E Street, SW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Michael J. Barron, Jr., Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606. Board decisions and notices are available on our Web site at http://www.stb.dot.gov.


1 Applicant states that the earlier notices of exemption (FD 34624, FD 34623, and FD 35124) referred to the HK Tower being located at milepost 12.49. In this notice, it is referred to as being located at milepost 12.5, but applicant explains that it is in the same location as before.
DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Notice for Waiver of Aeronautical Land-Use Assurance; Rickenbacker International Airport, Columbus, OH

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of release of waiver with respect to land.

SUMMARY: The Federal Aviation Administration (FAA) is considering a proposal to change a portion of the airport from aeronautical use to non-aeronautical use and to authorize the release of 13.105 acres of airport property for the proposed development of bulk warehouse/distribution facilities as a component of the Rickenbacker Global Logistics Park. The land was acquired by the Rickenbacker Port Authority through two Quitclaim Deeds dated March 30, 1984 from the Administrator of General Services for the United States of America and May 11, 1999 from the United States of America, acting by and through the Secretary of the Air Force. The property is no longer needed for aeronautical use. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA. The disposition of proceeds from the disposal of the airport property will be in accordance with FAA’s Policy and Procedures Concerning the Use of Airport Revenue, published in the Federal Register on February 16, 1999.

DATES: Comments must be received on or before September 27, 2010 to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: Diane Morse, Program Manager, Detroit Airports District Office, 11677 South Wayne Road, Suite 107, Romulus, Michigan 48174. Telephone Number: (734)–229–2929, Toll Number: (734)–229–2950. Documents reflecting this FAA action may be reviewed at this same location or at Rickenbacker International Airport, Columbus, Ohio.

SUPPLEMENTARY INFORMATION: Following is a legal description of the property situated in the State of Ohio, County of Pickaway, Townships of Harrison and Madison, lying in Section 18, Township 10, Range 21, Congress Lands, being part of the remainder of the original 2995.065 acre tract conveyed as Tract 1 to Columbus Municipal Airport Authority by deed of record in Official Record 514, Page 2561, (all references are to the records of the Recorder’s Office, Pickaway County, Ohio) and being more particularly described as follows:

Legal Description of Property

Beginning at an angle point in the southerly line said 2995.065 acre (Tract 1) at the northwesterly corner of a 201.7757 acre tract conveyed to The Landings at Rickenbacker, LLC; Then the following six (6) courses and distances on, over and across the said 2995.065 acre (Tract 1):

- North 39°42’45″ West, a distance of 666.60 feet, to a point;
- North 53°46’55″ West, a distance of 821.06 feet, to a point;
- North 86°24’00″ West, a distance of 151.16 feet, to a point;
- North 03°24’05″ East, a distance of 607.19 feet, to a point;
- South 44°30’28″ East, a distance of 2298.53 feet, to a point on the northerly line of said 201.7757 acre tract;
- North 86°24’01″ West, a distance of 408.93 feet, along northerly line to the Point of Beginning, containing 13.105 acres, more or less, in Pickaway County.

The bearings in the above description are based on the bearing of North 86°24’01″ West, for the southerly line of the 2995.065 Acre (Tract 1) conveyed to Columbus Regional Airport Authority.

This description was prepared from record information from Recorder’s Office, Franklin and Pickaway Counties and is not for the use of the transfer of real property.

Stephanie R. Swann,
Acting Manager, Detroit Airports District Office FAA, Great Lakes Region.

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

August 24, 2010.

The Department of the Treasury will submit the following public information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. A copy of the submissions may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding these information collections should be addressed to the OMB reviewer listed and to the Treasury PRA Clearance Officer, Department of the Treasury, 1750 Pennsylvania Avenue, NW., Suite 11010, Washington, DC 20220.

DATES: Written comments should be received on or before September 27, 2010 to be assured of consideration.

Internal Revenue Service (IRS)

OMB Number: 1545–0823.

Type of Review: Extension without change to a currently approved collection.

Title: FI–221–83 (NPRM) FI–100–83 (Temporary Regulations) Indian Tribal Governments Treated as States For Certain Purposes.

Abstract: These regulations relate to the treatment of Indian tribal governments as States for certain Federal tax purposes. The regulations provide that if the governing body of a tribe, or its subdivision, is not designated as an Indian tribal government or subdivision thereof for purposes of sections 7701(a)(40) and 7871, it may apply for a ruling from the IRS.

Respondents: State, Local, and Tribal Governments.

Estimated Total Burden Hours: 25 hours.

OMB Number: 1545–1013.

Type of Review: Extension without change to a currently approved collection.

Title: Return of Excise Tax on Undistributed Income of Real Estate Investment Trusts.

Form: 8612.

Abstract: Form 8612 is used by real estate investment trusts to compute and pay the excise tax on undistributed income imposed under section 4981. IRS uses the information to verify that the correct amount of tax has been reported.

Respondents: Private Sector: Businesses or other for-profits.

Estimated Total Burden Hours: 196 hours.

OMB Number: 1545–1710.

Type of Review: Revision of a currently approved collection.

Title: Revenue Procedure 2005–60, Form 940 e-file Program.