

June 1971). A 1964 California Driver Record Study prepared by the California Department of Motor Vehicles concluded that the best overall crash 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 17 applicants, none of the applicants were involved in crashes or convicted of moving violations in a CMV. All the applicants achieved a 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, FMCSA concludes their ability to drive safely can be projected into the future.

We believe that the applicants' intrastate driving experience and history provide 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 between them are more compact. 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/she has been performing in intrastate commerce. Consequently, 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 is granting the exemptions for the 2-year period allowed by 49 U.S.C. 31136(e) and 31315 to the 17 applicants listed in the notice of July 12, 2010 (75 FR 39725).

We recognize that the vision of an applicant may change and affect his/her ability to operate a CMV as safely as in the past. As a condition of the exemption, therefore, FMCSA will

impose requirements on the 17 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

FMCSA received no comments in this proceeding.

#### Conclusion

Based upon its evaluation of the 17 exemption applications, FMCSA exempts, Ramon Adame, Calvin D. Bills, Joel W. Bryant, Jonathan Carriaga, Michael R. Clark, James D. Drabek, Jr., Curtis E. Firari, Percy L. Gaston, Ronald M. Green, Richard Iocolano, Daniel W. Johnson, Albert E. Joiner, Richard L. Kelley, Charles E. Queen, Matias P. Quintanilla, Richard T. Traigle and Eugene E. Wright, from the vision requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above (49 CFR 391.64(b)).

In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for 2 years unless revoked earlier by FMCSA. The exemption will be revoked 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. 31136 and 31315.

If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on September 29, 2010.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

[FR Doc. 2010-25197 Filed 10-5-10; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35418]

#### **Jackson & Lansing Railroad Company—Trackage Rights Exemption—Norfolk Southern Railway Company**

Pursuant to a written Assignment of Trackage Rights and Other Joint Facility Agreements (Trackage Agreement) dated September 16, 2010, Norfolk Southern Railway Company (NSR) has agreed to grant non-exclusive overhead and local trackage rights to Jackson & Lansing Railroad Company (JAIL) over approximately 1.06 miles of NSR's Lansing Secondary<sup>1</sup> between milepost LZ 36.8 in Lansing, Mich., and milepost LZ 37.86 in North Lansing, Mich.<sup>2</sup>

This transaction is related to the concurrently filed notice of exemption in Docket No. FD 35411, *Jackson & Lansing Railroad Company—Lease and Operation Exemption—Norfolk Southern Railway Company*, wherein JAIL seeks to lease and operate 44.5 miles of rail property owned by NSR, consisting of 36.9 miles of the Lansing Secondary, 5.1 miles of the Lansing Manufacturers Railroad, 1.8 miles of the Lansing Industrial Track, and 0.7 miles of the Lansing Industrial Track. JAIL also will acquire 2.96 miles of incidental trackage rights over NSR's Michigan Main Line for interchange purposes with NSR at NSR's Jackson Yard. This transaction also is related to the concurrently filed notice of exemption in Docket No. FD 35410, *Adrian & Blissfield Rail Road Company—Continuance in Control*

<sup>1</sup> By Lease Agreement dated April 21, 1995, Consolidated Rail Corporation (Conrail) leased this trackage to CSX Transportation, Inc. (CSXT). By Trackage Rights Agreement (TRA) of the same date, CSXT granted local and bridge trackage rights back to Conrail. Upon acquisition of the Lansing Secondary from Conrail in 1998, NSR succeeded to Conrail's rights under both the Lease Agreement and the TRA. Now, pursuant to the Trackage Agreement, NSR, with CSXT's consent, assigns its rights under the TRA to JAIL.

<sup>2</sup> A redacted, executed trackage rights agreement between NSR and JAIL and an executed Trackage Agreement, along with CSXT's consent of the assignment, were filed with the notice of exemption. The unredacted version, as required by 49 C.F.R. § 1180.6(a)(7)(ii), was concurrently filed under seal along with a motion for protective order. The motion is being addressed in a separate decision.

*Exemption—Jackson & Lansing Railroad Company*, in which Adrian & Blissfield Rail Road Company seeks to continue in control of JAIL once JAIL becomes a Class III rail carrier.

The earliest the transaction may be consummated is October 20, 2010, the effective date of the exemption (30 days after the exemption was filed).

The purpose of the transaction is to improve service by establishing a rail link allowing JAIL to interchange traffic originating or terminating on NSR's Lansing Secondary line with CSXT at North Lansing.

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

This notice is filed under 49 CFR 1180.2(d)(7). 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 October 13, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35418, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on John D. Heffner, PLLC, and James H. M. Savage, Of Counsel, 1750 K Street, NW., Suite 200, Washington, DC 20006 (for JAIL), and David L. Coleman, General Attorney, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510-9241 (for NSR).

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: October 1, 2010.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2010-25109 Filed 10-5-10; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control

#### Additional Designation of Individuals and Entities Pursuant to Executive Order 13382

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The Treasury Department's Office of Foreign Assets Control ("OFAC") is publishing the names of four newly-designated individuals and twelve newly-designated entities whose property and interests in property are blocked pursuant to Executive Order 13382 of June 28, 2005, "Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters." OFAC also is publishing the names of 27 vessels identified as property blocked because of their connection to IRISL and is updating the entries of 71 already-blocked vessels to identify new names.

**DATES:** The designation by the Director of OFAC of the four individuals and twelve entities identified in this notice pursuant to Executive Order 13382 is effective on June 16, 2010.

**FOR FURTHER INFORMATION CONTACT:** Assistant Director, Compliance Outreach & Implementation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, tel.: (202) 622-2490.

#### SUPPLEMENTARY INFORMATION:

##### Electronic and Facsimile Availability

This document and additional information concerning OFAC are available from OFAC's Web site (<http://www.treas.gov/offices/enforcement/ofac>) or via facsimile through a 24-hour fax on-demand service, tel.: (202) 622-0077.

##### Background

On June 28, 2005, the President, invoking the authority, *inter alia*, of the International Emergency Economic Powers Act (50 U.S.C. 1701-1706) ("IEEPA"), issued Executive Order 13382 (70 FR 38567, July 1, 2005) (the "Order"), effective at 12:01 a.m. eastern daylight time on June 29, 2005. In the Order, the President took additional steps with respect to the national emergency described and declared in Executive Order 12938 of November 14, 1994, regarding the proliferation of weapons of mass destruction and the means of delivering them.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in the

United States, or that hereafter come within the United States or that are or hereafter come within the possession or control of United States persons, of: (1) The persons listed in the Annex to the Order; (2) any foreign person determined by the Secretary of State, in consultation with the Secretary of the Treasury, the Attorney General, and other relevant agencies, to have engaged, or attempted to engage, in activities or transactions that have materially contributed to, or pose a risk of materially contributing to, the proliferation of weapons of mass destruction or their means of delivery (including missiles capable of delivering such weapons), including any efforts to manufacture, acquire, possess, develop, transport, transfer or use such items, by any person or foreign country of proliferation concern; (3) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General, and other relevant agencies, to have provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, any activity or transaction described in clause (2) above or any person whose property and interests in property are blocked pursuant to the Order; and (4) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General, and other relevant agencies, to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the Order.

On June 16, 2010, the Director of OFAC, in consultation with the Departments of State, Justice, and other relevant agencies, designated four individuals and 12 entities whose property and interests in property are blocked pursuant to Executive Order 13382.

#### The List of Additional Designees is as Follows

##### Individuals

1. JAFARI, Mohammad Ali; (a.k.a. JAFARI-NAJAFABADI); c/o IRGC, Tehran, Iran; DOB 1957; POB Yazd, Iran; nationality Iran; Commander-in-Chief, IRGC (individual) [NPWMD] [IRGC].

2. NAQDI, Mohammad Reza; DOB circa 1952; alt DOB circa March 1961; alt DOB circa April 1961; POB Najaf, Iran; alt POB Tehran, Iran; Brigadier General and Commander of the IRGC Basij Resistance Force (individual) [IRGC] [NPWMD].