

vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2010 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Minnesota.

#### 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. 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 52441).<sup>1</sup> The revision must provide for individual assessment of drivers with diabetes mellitus, and be consistent with the criteria described in section 4018 of the Transportation Equity Act for the 21st Century (49 U.S.C. 31305).

Section 4129 requires: (1) Elimination of the requirement for 3 years of experience operating CMVs while being treated with insulin; and (2) establishment of a specified minimum period of insulin use to demonstrate stable control of diabetes before being allowed to operate a CMV.

In response to section 4129, FMCSA made immediate revisions to the diabetes exemption program established by the September 3, 2003 notice. FMCSA discontinued use of the 3-year driving experience and fulfilled the requirements of section 4129 while continuing to ensure that operation of CMVs by drivers with ITDM will achieve the requisite level of safety required of all exemptions granted under 49 U.S.C. 31136(e).

Section 4129(d) also directed FMCSA to ensure that drivers of CMVs with ITDM are not held to a higher standard than other drivers, with the exception of limited operating, monitoring and medical requirements that are deemed medically necessary. The FMCSA concluded that all of the operating, monitoring and medical requirements set out in the September 3, 2003 notice, except as modified, were in compliance with section 4129(d). Therefore, all of the requirements set out in the September 3, 2003 notice, except as modified by the notice in the **Federal Register** on November 8, 2005 (70 FR 67777), remain in effect.

<sup>1</sup> Section 4129(a) refers to the 2003 notice as a "final rule." However, the 2003 notice did not issue a "final rule" but did establish the procedures and standards for issuing exemptions for drivers with ITDM.

Issued on: October 8, 2010.

**Larry W. Minor,**

*Associate Administrator, Office of Policy and Program Development.*

[FR Doc. 2010-26056 Filed 10-14-10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Request for Public Comment, Morgantown Municipal Airport, Morgantown, WV

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Request for public comment.

**SUMMARY:** The Federal Aviation Administration is requesting public comment on the proposed release of 46.53 acres of land currently owned by the City of Morgantown, Sponsor for the Morgantown Municipal Airport, Morgantown, West Virginia. The parcel is located within the Sixth Ward District of the City of Morgantown, Morgantown, West Virginia. The site is a 47.00 acre portion of the larger Morgantown Municipal Airport property. The land is currently being used as a cross wind runway. It has been determined that this runway is no longer needed for safety or capacity. The property is not a vital part of, or necessary for the Sponsor's operation and development of the Morgantown Airport. Once released, the land will change to a non-aeronautical use and will be transferred to the West Virginia Army National Guard ("AR-WVARNG"). Thereafter, AR-WVARNG will construct or cause the construction of and operate a West Virginia Army National Guard Readiness Center on the property. The development of this property will also bring the construction of a roadway and utilities that will be needed for subsequent development of aviation facilities on a part of the airport that is now remote and without utilities or access. The airport land being released is not needed for airport development as shown on the Airport Layout Plan. Fair Market Value has been determined based upon an appraisal of the Property.

**DATES:** Comments must be received on or before November 15, 2010.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Connie Boley-Lilly, Program Specialist, Federal Aviation Administration, Beckley Airports Field Office, 176 Airport Circle, Room 101, Beaver, West Virginia 25813.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Dan Boroff, City Manager of the City of Morgantown, Sponsor of Morgantown Municipal Airport at the following address: Dan Boroff, City Manager, City of Morgantown, Sponsor for Morgantown Municipal Airport, 389 Spruce Street, Morgantown, West Virginia 26505.

#### FOR FURTHER INFORMATION CONTACT:

Connie Boley-Lilly, Program Specialist, Beckley Airport Field Office, (304) 252-6216 ext. 125, FAX (304) 253-8028.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the request to release property at the Morgantown Municipal Airport, Morgantown, WV. Under the provisions of AIR 21 (49 U.S.C. 47108 (h)(2)).

The Morgantown Municipal Airport is proposing the release of approximately 46.53 acres of fee simple release to accommodate the construction of a West Virginia Army National Guard Readiness Center on the property. The crosswind runway, currently occupying the property, has been determined to be no longer need for safety and capacity at the airport. The release and sale of this property will allow the Sponsor to develop the roadway and utilities which will benefit this property, the hangar site, and the landside development site. This release will enhance the development of private aviation and commercial development of the east side of the airport.

Issued in Beckley, West Virginia, on October 1, 2010.

**Matthew P. DiGiulian,**

*Manager, Beckley Airport Field Office, Eastern Region.*

[FR Doc. 2010-25980 Filed 10-14-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35395]

#### Norfolk Southern Railway Company— Trackage Rights Exemption—Illinois Central Railroad Company

Pursuant to a written trackage rights agreement dated August 17, 2010, Illinois Central Railroad Company (IC) has agreed to grant overhead trackage rights to Norfolk Southern Railroad Company (NSR) over approximately 199.1 miles of rail line controlled by IC,<sup>1</sup> between: (1) Milepost 6.2 at Church,

<sup>1</sup> In a supplemental pleading filed October 6, 2010, NSR states that the portion of the involved

Ill., and milepost 70.0 at DuQuoin, Ill.; (2) milepost 71.0 at Eldorado Junction, Ill., and milepost 100.0 at Akin Junction, Ill.;<sup>2</sup> (3) milepost 62.9 at Akin Junction and milepost 40.7 at North Siding, Ill.; and (4) milepost 40.7 at North Siding and the IC's connection to the Western Tennessee Railroad at milepost 269.4 near Fulton, KY.<sup>3</sup>

The transaction may be consummated on or after October 29, 2010, the effective date of the exemption (30 days after the exemption is filed). The primary purpose of the trackage rights agreement is to enable NSR to route traffic over IC's rail lines for transportation beyond the endpoints of Church and the Western Tennessee Railroad connection.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Railway—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)(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 22, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35395, 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 Daniel G. Kruger, Attorney, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510.

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

Decided: October 12, 2010.

route is over tracks owned by Paducah & Illinois Railroad Company (P&I) and that NSR's use of that portion of the involved trackage rights is contingent upon NSR obtaining a separate agreement to operate over P&I's trackage. In the event that NSR obtains such an agreement, NSR states that it will file a notice of exemption.

<sup>2</sup> NSR has existing trackage rights over IC's line between milepost 70.0 at DuQuoin and milepost 71.0 at Eldorado Junction.

<sup>3</sup> A redacted, executed trackage rights agreement between IC and NSR was filed with the notice of exemption. Also, a motion for protective order was concurrently filed and will be addressed in a separate decision. On October 7, 2010, an unredacted version of the trackage rights agreement was filed under seal.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2010-26009 Filed 10-14-10; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Departmental Offices; Debt Management Advisory Committee Meeting

Notice is hereby given, pursuant to 5 U.S.C. App. 2, § 10(a)(2), that a meeting will be held at the Hay-Adams Hotel, 16th Street and Pennsylvania Avenue, NW., Washington, DC, on November 2, 2010 at 10 a.m. of the following debt management advisory committee:

Treasury Borrowing Advisory Committee of The Securities Industry and Financial Markets Association.

The agenda for the meeting provides for a charge by the Secretary of the Treasury or his designate that the Committee discuss particular issues and conduct a working session. Following the working session, the Committee will present a written report of its recommendations. The meeting will be closed to the public, pursuant to 5 U.S.C. App. 2, § 10(d) and Public Law 103-202, § 202(c)(1)(B)(31 U.S.C. 3121 note).

This notice shall constitute my determination, pursuant to the authority placed in heads of agencies by 5 U.S.C. App. 2, § 10(d) and vested in me by Treasury Department Order No. 101-05, that the meeting will consist of discussions and debates of the issues presented to the Committee by the Secretary of the Treasury and the making of recommendations of the Committee to the Secretary, pursuant to Public Law 103-202, 202(c)(1)(B).

Thus, this information is exempt from disclosure under that provision and 5 U.S.C. 552b(c)(3)(B). In addition, the meeting is concerned with information that is exempt from disclosure under 5 U.S.C. 552b(c)(9)(A). The public interest requires that such meetings be closed to the public because the Treasury Department requires frank and full advice from representatives of the financial community prior to making its final decisions on major financing operations. Historically, this advice has been offered by debt management advisory committees established by the several major segments of the financial community. When so utilized, such a committee is recognized to be an advisory committee under 5 U.S.C. App. 2, § 3.

Although the Treasury's final announcement of financing plans may not reflect the recommendations provided in reports of the committee, premature disclosure of the committee's deliberations and reports would be likely to lead to significant financial speculation in the securities market. Thus, this meeting falls within the exemption covered by 5 U.S.C. 552b(c)(9)(A).

Treasury staff will provide a technical briefing to the press on the day before the committee meeting, following the release of a statement of economic conditions and financing estimates. This briefing will give the press an opportunity to ask questions about financing projections. The day after the committee meeting, Treasury will release the minutes of the meeting, any charts that were discussed at the meeting, and the committee's report to the Secretary.

The Office of Debt Management is responsible for maintaining records of debt management advisory committee meetings and for providing annual reports setting forth a summary of Committee activities and such other matters as may be informative to the public consistent with the policy of 5 U.S.C. 552(b). The Designated Federal Officer or other responsible agency official who may be contacted for additional information is Fred Pietrangeli, Deputy Director for Office of Debt Management, (202) 622-1876.

Dated: October 6, 2010.

**Mary Miller,**

Assistant Secretary (Financial Markets).

[FR Doc. 2010-25769 Filed 10-14-10; 8:45 am]

**BILLING CODE 4810-25-M**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 8453-EX

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form