

medium-lift launches, including the construction of a launch pad and associated facilities. As part of the Proposed Action addressed in the EA, AAC would make improvements to the KLC to add both solid and liquid-propellant, medium-lift launch capability, and to operate the KLC in the future as a small-lift and medium-lift launch complex. Proposed construction at KLC includes six primary modifications: Construction of Launch Pad 3 (LP3), a vehicle processing facility, rocket staging facility, liquid fuel facility, mission control center and improvements to Pasagshak Point Road. Proposed launch operations would include up to six orbital small-lift launches and three medium-lift launches per year from the existing launch pads and from the proposed LP3; however, to be conservative in the analysis of potential environmental impacts, the EA assumes a maximum of nine medium-lift launches per year.

The EA addresses the potential environmental impacts of implementing the Proposed Action and the No Action Alternative. Under the No Action Alternative, the FAA would not modify AAC's Launch Site Operator License to include medium-lift launch capability and AAC would not proceed with the construction of medium-lift launch support infrastructure at KLC. Existing launch activities for up to nine orbital small-lift class launches per year from the existing launch pads would continue.

The impact categories considered in the EA include air quality; compatible land use; Department of Transportation Act: Section 4(f); fish, wildlife, and plants; hazardous materials, pollution prevention, and solid waste; historical, architectural, archaeological, and cultural resources; light emissions and visual impacts; natural resources and energy supply; noise; socioeconomic, environmental justice, and children's environmental health and safety risk; water quality; and wetlands. The EA also considers the potential cumulative environmental impacts.

The FAA has posted the Second Draft EA on the FAA Office of Commercial Space Transportation Web site: [http://www.faa.gov/about/office\\_org/headquarters\\_offices/ast/environmental/nepa\\_docs/review/documents\\_progress/kodiak\\_launch/](http://www.faa.gov/about/office_org/headquarters_offices/ast/environmental/nepa_docs/review/documents_progress/kodiak_launch/).

A paper copy and a CD version of the Second Draft EA may be reviewed for comment during regular business hours at the following libraries:

- Kodiak Public Library, 612 Egan Way, Kodiak, AK 99615

- University of Alaska Anchorage—Carolyn Floyd Library, 117 Benny Benson Drive, Kodiak, AK 99615
- Anchorage Municipal Library, 3600 Denali St., Anchorage, AK 99503

**DATES:** The FAA encourages all interested parties to provide comments concerning the scope and content of the Second Draft EA. To ensure that all comments can be addressed in the Final EA, comments on the draft must be received by the FAA no later than January 11, 2016. Comments should be as specific as possible and address the analysis of potential environmental impacts and the adequacy of the proposed action or merits of alternatives and the mitigation being considered. Reviewers should organize their comments to be meaningful and inform the FAA of their interests and concerns by quoting or providing specific references to the text of the Second Draft EA. Matters that could have been raised with specificity during the comment period on the Second Draft EA may not be considered if they are raised for the first time later in the decision process. This commenting procedure is intended to ensure that substantive comments and concerns are made available to the FAA in a timely manner so that the FAA has an opportunity to address them.

Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

**ADDRESSES:** Please submit comments in writing to Stacey M. Zee, Federal Aviation Administration, c/o ICF International, 9300 Lee Highway, Fairfax, VA 22031; or by email at [FAAKodiakEA@icfi.com](mailto:FAAKodiakEA@icfi.com).

Issued in Washington, DC on November 30, 2015.

**Daniel Murray,**  
Manager, Space Transportation Development Division.

[FR Doc. 2015-30731 Filed 12-4-15; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2012-0032]

#### Commercial Driver's License Standards: Application for Exemption; Daimler Trucks North America (Daimler)

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

**ACTION:** Notice of final disposition; grant of application for exemption.

**SUMMARY:** FMCSA announces its decision to grant Daimler Trucks North America's (Daimler) application for an exemption to allow a Daimler employee to drive commercial motor vehicles (CMV) in the United States without having a commercial driver's license (CDL) issued by one of the States. The driver, Michael Seitter, will test-drive Daimler vehicles on U.S. roads to better understand product requirements for these vehicles in "real world" environments and verify results. He holds a valid German commercial license but lacks the U.S. residency necessary to obtain a CDL issued by one of the States. FMCSA believes that the process for obtaining a German commercial license is comparable to or as effective as the U.S. CDL requirements and ensures that this driver will likely achieve a level of safety that is equivalent to or greater than the level of safety that would be obtained in the absence of the exemption.

**DATES:** This exemption is effective December 7, 2015 and expires December 7, 2017.

**ADDRESSES:** *Docket:* For access to the docket to read background documents or comments, go to [www.regulations.gov](http://www.regulations.gov) at any time or visit Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. The on-line FDMS is available 24 hours each day, 365 days each year.

*Privacy Act:* In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**FOR FURTHER INFORMATION CONTACT:** Mrs. Pearl Robinson, Driver and Carrier

Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; Telephone: 202-366-4325, Email: [MCPSD@dot.gov](mailto:MCPSD@dot.gov), Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590-0001. If you have questions on viewing material in the docket, contact Docket Services, telephone (202) 366-9826.

#### SUPPLEMENTARY INFORMATION:

### I. Public Participation

#### *Viewing Comments and Documents*

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to [www.regulations.gov](http://www.regulations.gov) and insert the docket number, "FMCSA-2012-0032 in the "Keyword" box and click "Search." Next, click "Open Docket Folder" button and choose the document listed to review. If you do not have access to the Internet, you may view the docket online by visiting the Docket Management Facility in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

### II. Background

Since 2012, FMCSA has granted five Daimler drivers similar exemptions [May 25, 2012 (77 FR 31422); July 22, 2014 (79 FR 42626); August 29, 2014 (79 FR 516910); March 27, 2015 (80 FR 16511)]. Each of these drivers held a valid German commercial license but lacked the U.S. residency required to obtain a CDL. FMCSA has concluded that the process for obtaining a German commercial license is comparable to or as effective as the U.S. CDL requirements and ensures that these drivers will likely achieve a level of safety equivalent to or greater than the level that would be obtained in the absence of the exemption.

### III. Legal Basis

The Secretary of Transportation (the Secretary) has the authority to grant exemptions from any of the Federal Motor Carrier Safety Regulations (FMCSRs) issued under chapter 313 or § 31136 of title 49, United States Code, to a person(s) seeking regulatory relief (49 U.S.C. 31136(e) and 31315(b)). Prior to granting an exemption, the Secretary must request public comment and make a determination that the exemption is likely to achieve a level of safety that is equivalent to, or greater than, the level of safety that would be obtained in the absence of the exemption. Exemptions may be granted for a period of up to 2 years and may be renewed.

The FMCSA Administrator has been delegated authority under 49 CFR 1.87(e)(1) and (f) to carry out the functions vested in the Secretary by 49 U.S.C. chapter 313 and subchapters I and III of chapter 311, relating, respectively, to the CDL program and to CMV programs and safety regulation.

### IV. Daimler Application for Exemption

Daimler applied for the same CDL exemption for Michael Seitter as for the previous five German drivers. Notice of the application was published on September 10, 2015 (80 FR 54655). Only one comment was received to the docket and the commenter neither opposed nor supported the exemption for Mr. Seitter. A copy of the Daimler request is in the docket identified at the beginning of this notice. The exemption allows Mr. Seitter to operate CMVs to support Daimler field tests to meet future vehicle safety and environmental requirements and to promote the development of technology and advancements in vehicle safety systems and emissions reductions. He will typically drive for no more than 6 hours per day for 2 consecutive days, and 10 percent of the test driving will be on two-lane state highways, while 90 percent will be on interstate highways. The driving will consist of no more than 200 miles per day, for a total of 400 miles during a two-day period on a quarterly basis.

Section 383.21 requires CMV drivers in the United States to have a CDL issued by a State. Mr. Seitter is a citizen and resident of Germany. Only residents of a State can apply for a CDL. Without the exemption, Mr. Seitter would not be able to test-drive prototype CMVs on U.S. roads.

Mr. Seitter holds a valid German commercial license and is an experienced operator of CMVs. In the application for exemption, Daimler also submitted documentation showing his safe German driving record.

### V. Method To Ensure an Equivalent or Greater Level of Safety

According to Daimler, the requirements for a German-issued commercial license ensure that drivers meet or exceed the same level of safety as if these drivers had obtained a U.S. CDL. Mr. Seitter is familiar with the operation of CMVs worldwide and will be accompanied at all times by a driver who holds a U.S. CDL and is familiar with the routes to be traveled. FMCSA has determined that the process for obtaining a commercial license in Germany is comparable to that for obtaining a CDL issued by one of the States and adequately assesses the

driver's ability to operate CMVs safely in the United States.

### VI. FMCSA Decision

Based upon the merits of this application, including Mr. Seitter's extensive driving experience and safety record, and the fact that he has successfully completed the requisite training and testing to obtain a German commercial license, FMCSA concluded that the exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption, in accordance with § 381.305(a).

### VII. Terms and Conditions for the Exemption

FMCSA grants Daimler and Mr. Michael Seitter an exemption from the CDL requirement in 49 CFR 383.23 to allow Mr. Seitter to drive CMVs in this country without a U.S. State-issued CDL, subject to the following terms and conditions: (1) The driver and carrier must comply with all other applicable provisions of the Federal Motor Carrier Safety Regulations (FMCSRs) (49 CFR parts 350-399); (2) the driver must be in possession of the exemption document and a valid German commercial license; (3) the driver must be employed by and operate the CMV within the scope of his duties for Daimler; (4) at all times while operating a CMV under this exemption, the driver must be accompanied by a holder of a U.S. CDL who is familiar with the routes traveled; (5) Daimler must notify FMCSA in writing within 5 business days of any accident, as defined in 49 CFR 390.5, involving this driver; and (6) Daimler must notify FMCSA in writing if this driver is convicted of a disqualifying offense under § 383.51 or § 391.15 of the FMCSRs.

In accordance with 49 U.S.C. 31315 and 31136(e), the exemption will be valid for 2 years unless revoked earlier by the FMCSA. The exemption will be revoked if (1) Mr. Seitter fails to comply with the terms and conditions of the exemption; (2) the exemption results in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would be inconsistent with the goals and objectives of 49 U.S.C. 31315 and 31136.

### VIII. Preemption

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no State shall enforce any law or regulation applicable to interstate or intrastate commerce that conflicts with or is inconsistent with

this exemption with respect to a firm or person operating under the exemption.

Issued on: November 25, 2015.

**T.F. Scott Darling, III,**  
Acting Administrator.

[FR Doc. 2015-30804 Filed 12-4-15; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2010-0166]

#### Parts and Accessories Necessary for Safe Operation; Exemption Renewal for Bendix Commercial Vehicles Systems LLC

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

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

**SUMMARY:** FMCSA renews an exemption that enables motor carriers to mount lane departure warning system cameras and collision mitigation system cameras lower in the windshield of a commercial motor vehicle (CMV) than is currently permitted by the Agency's regulations. The Agency has concluded that granting this exemption renewal will maintain a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption. However, the Agency requests comments on this issue, especially from anyone who believes this standard will not be maintained.

**DATES:** This decision is effective November 18, 2015. Comments must be received on or before January 6, 2016.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) number FMCSA-2010-0166 by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- **Mail:** Docket Management Facility, U.S. Department of Transportation, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.
- **Hand Delivery:** Ground Floor, Room W12-140, DOT Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday through Friday, except Federal holidays.
- **Fax:** 1-202-493-2251.

**Instructions:** Each submission must include the Agency name and docket number for this notice. For detailed instructions on submitting comments and additional information on the

exemption process, see the "Public Participation" heading below. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the "Privacy Act" heading for further information.

**Docket:** For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or to Room W12-140, DOT Building, New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Federal Docket Management System (FDMS) is available 24 hours each day, 365 days each year. If you want acknowledgement that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

**Privacy Act:** In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**Public participation:** The <http://www.regulations.gov> Web site is generally available 24 hours each day, 365 days each year. You may find electronic submission and retrieval help and guidelines under the "help" section of the <http://www.regulations.gov> Web site as well as the DOT's <http://docketsinfo.dot.gov> Web site. If you would like notification that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgment page that appears after submitting comments online.

**FOR FURTHER INFORMATION CONTACT:** Mr. Luke W. Loy, Vehicle and Roadside Operations Division, Office of Bus and Truck Standards and Operations, MC-PSV, (202) 366-0676, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

#### SUPPLEMENTARY INFORMATION:

##### Background

Under 49 U.S.C. 31136(e) and 31315(b)(1), FMCSA may renew an exemption from the Federal Motor Carrier Safety Regulations for a two-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" (49 CFR 381.305(a)).

#### Basis for Renewing Exemption

On November 18, 2011 (76 FR 71619), FMCSA published a notice of final disposition granting exemption applications from Con-way, Takata, and Iteris to allow the placement of lane departure warning system sensors lower in the windshield than is currently permitted by the Agency's regulations. In 2011, Iteris completed the sale of its vehicle sensors business to Bendix Commercial Vehicles Systems LLC (Bendix), which continued to sell the Iteris-developed lane departure warning systems. In May 2013, Bendix applied for a renewal of the November 2011 exemption. On November 25, 2013, FMCSA published a notice renewing this exemption until November 18, 2015 (78 FR 70396). While the November 2011 exemption granted relief to motor carriers using only the Takata and Iteris lane departure warning systems, the November 2013 exemption renewal extended the scope of the exemption to encompass motor carriers using any lane departure warning system provided that the sensor that is mounted in the windshield is (1) the same size or smaller than the Takata and Bendix sensors, and (2) mounted in the windshield in accordance with the provisions of the original exemption. Bendix is seeking renewal of the 2013 exemption, and requests that the scope of the exemption be extended to include its comparably-sized camera-based collision mitigation system.

The FMCSA has determined preliminarily that it is appropriate to renew the exemption for another two-year period pending a review of public comments in response to the application. The Agency believes that granting the exemption renewal to continue allowing the placement of lane departure warning system sensors lower in the windshield than is currently permitted by the Agency's regulations will provide a level of safety that is equivalent to, or greater than the level of safety achieved without the exemption because (1) based on the technical information available, there is no indication that the lane departure warning system sensors would obstruct drivers' views of the roadway, highway signs and surrounding traffic; (2) generally, trucks and buses have an elevated seating position that greatly improves the forward visual field of the driver, and any impairment of available sight lines would be minimal; and (3) the location within the top two inches of the area swept by the windshield wiper and out of the driver's normal