

misting, and application of tackifier inside the stacks, or cleaning and removal of ash and other materials. The fall zones may have berms to reduce the lateral extent of the dust cloud. Also, a hardened berm near the base of the stack could act as a backstop to prevent rock and debris spreading from the base of the stacks during demolition.

- Some blasting may be required during the site preparation due to shallow rock. If blasting is required, the blasting contractor will complete a survey, develop a blast plan, and review with KIF as well as other TVA groups or projects who may have ongoing and unrelated projects in the area (*i.e.* Dam Safety and Civil Projects) to coordinate the limits of the vibration monitors/sensors for KIF generating units or other sensitive features. After obtaining site specific data provided by the blasting contractor, and if deemed necessary during development of the demolition plan, TVA would work with a documentation services company to prepare a vibration model simulating the effects of discharge of the explosives or vibrations due to the stack hitting the ground. If indicated by the results, imported fill, dirt binder, and geofabric could be used for mitigation of noise and vibration.

- During the construction planning process, TVA will determine mitigation measures to minimize potential effects to on-site power transmission equipment from vibrations caused by explosive demolition of the stacks. Use of such mitigation measures would address any power disruptions.

- Explosives will be managed under the direction of a licensed blaster, 24-hour security will be provided to monitor the explosives, and detailed security plans will be developed and provided to area emergency response agencies as part of measures that will be taken to mitigate potential effects on the safety of personnel and the public. TVA will comply with all Federal and State regulations applying to blasting and blast vibration limits regarding structures and underground utilities.

- Floodplains

- Construction of new transmission lines will adhere to the TVA subclass review criteria for transmission lines located in floodplains.

- KIF decommissioning and deconstruction debris will be disposed of outside 100- and 500-year floodplains.

- For any access roads within 100-year floodplains but not floodways, the roads will be constructed such that flood elevations would not increase more than one foot.

- For any roads within 100-year floodways, and to prevent an obstruction in the floodway, (1) any fill, gravel, or other modifications in the floodway that extend above the pre-construction road grade will be removed after completion of the project; (2) this excess material will be spoiled outside of the published floodway; and (3) the area will be returned to its pre-construction condition.

- Any switchyard(s) located in the floodplain will be located a minimum of one foot above the 100-year flood elevation at that location for a regular action, or a minimum of the 500-year flood elevation for a critical action, as well as be consistent with local floodplain regulations.

- The flood-damageable components of the solar panels, as well as other flood-damageable structures and facilities sited in floodplains, will be located at least one foot above the 100-year flood elevation at that location and will otherwise be consistent with local floodplain regulations.

- Outside the Kingston Reservation, in construction laydown areas, flood-damageable equipment or materials located within the 100-year floodplain will be relocated outside the floodplain during a flood.

- On the Kingston Reservation, in construction laydown areas, flood-damageable equipment or materials located within the 100-year floodplain will be relocated by the equipment owner to an area above elevation 750 during a flood.

- ETNG would implement the following mitigation measures to mitigate the impacts of construction and operation of the pipeline:

- ETNG would follow the Karst Hazards Mitigation Guidance Plan submitted to FERC on July 18, 2023, with ETNG's Certificate application, which provides practical solutions to address typical karst features, hydrotechnical hazards, and steep slopes, where site-specific mitigation plans are deemed unnecessary.

- ETNG would conduct pipeline blasting during daylight hours, as feasible, and will not begin until occupants of nearby buildings, stores, residences, places of business and farms have been notified.

- ETNG will install the natural gas pipeline lateral through trenching or directional drilling, and any excess fill resulting from this would be disposed of outside 100-year floodplains.

TVA has incorporated non-routine mitigation measures into Alternative A such as solar and battery storage facilities and hydrogen fuel blending capabilities. Once constructed and

operational, the renewable components will include the 3 to 4 MW solar facility and 100 MW lithium-ion BESS at the Kingston Reservation. Alternative A will be designed to be initially capable of blending 5 percent hydrogen at the time of construction, but would be capable of burning at least 30 percent hydrogen by volume with modification to the balance of the plant once a reliable hydrogen source is identified. If a reliable source of hydrogen is identified in the future, TVA would conduct additional analyses of supply routes, costs, storage requirements, or other needs to facilitate incorporation of hydrogen fuel and to determine the site-specific impacts associated with any future mitigation that is planned. These non-routine mitigation measures have been incorporated into Alternative A to plan for future regulatory requirements and operating conditions, which may necessitate the need for future mitigation efforts.

Authority: 40 CFR 1505.2.

Dated: April 2, 2024.

Jeff Lyash,

President & Chief Executive Officer,
Tennessee Valley Authority.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2012-0332; FMCSA-2013-0121; FMCSA-2013-0122; FMCSA-2013-0123; FMCSA-2013-0124; FMCSA-2013-0125; FMCSA-2015-0327; FMCSA-2016-0003; FMCSA-2017-0057; FMCSA-2017-0059; FMCSA-2018-0137; FMCSA-2018-0138; FMCSA-2019-0111; FMCSA-2022-0032]

Qualification of Drivers; Exemption Applications; Hearing

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of renewal of exemptions; request for comments.

SUMMARY: FMCSA announces its decision to renew exemptions for 28 individuals from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these hard of hearing and deaf individuals to continue to operate CMVs in interstate commerce.

DATES: Each group of renewed exemptions were applicable on the dates stated in the discussions below

and will expire on the dates provided below. Comments must be received on or before May 8, 2024.

ADDRESSES: You may submit comments identified by the Federal Docket Management System Docket No. FMCSA–2012–0332, Docket No. FMCSA–2013–0121, Docket No. FMCSA–2013–0122, Docket No. FMCSA–2013–0123, Docket No. FMCSA–2013–0124, Docket No. FMCSA–2013–0125, Docket No. FMCSA–2015–0327, Docket No. FMCSA–2016–0003, Docket No. FMCSA–2017–0057, Docket No. FMCSA–2017–0059, Docket No. FMCSA–2018–0137, Docket No. FMCSA–2018–0138, Docket No. FMCSA–2019–0111, or Docket No. FMCSA–2022–0032 using any of the following methods:

- *Federal eRulemaking Portal:* Go to www.regulations.gov, insert the docket number (FMCSA–2012–0332, FMCSA–2013–0121, FMCSA–2013–0122, FMCSA–2013–0123, FMCSA–2013–0124, FMCSA–2013–0125, FMCSA–2015–0327, FMCSA–2016–0003, FMCSA–2017–0057, FMCSA–2017–0059, FMCSA–2018–0137, FMCSA–2018–0138, FMCSA–2019–0111, or FMCSA–2022–0032) in the keyword box and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, and click on the “Comment” button. Follow the online instructions for submitting comments.

- *Mail:* Dockets Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Washington, DC 20590–0001.

- *Hand Delivery:* West Building Ground Floor, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m. ET Monday through Friday, except Federal Holidays.

- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the “Public Participation” portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64–224, Washington, DC 20590–0001, (202) 366–4001, fmcsamedical@dot.gov. Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (Docket No. FMCSA–2012–0332, Docket No. FMCSA–2013–0121, Docket No. FMCSA–2013–0122, Docket No. FMCSA–2013–0123, Docket No. FMCSA–2013–0124, Docket No. FMCSA–2013–0125, Docket No. FMCSA–2015–0327, Docket No. FMCSA–2016–0003, Docket No. FMCSA–2017–0057, Docket No. FMCSA–2017–0059, Docket No. FMCSA–2018–0137, Docket No. FMCSA–2018–0138, Docket No. FMCSA–2019–0111, or Docket No. FMCSA–2022–0032), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to www.regulations.gov, insert the docket number (FMCSA–2012–0332, FMCSA–2013–0121, FMCSA–2013–0122, FMCSA–2013–0123, FMCSA–2013–0124, FMCSA–2013–0125, FMCSA–2015–0327, FMCSA–2016–0003, FMCSA–2017–0057, FMCSA–2017–0059, FMCSA–2018–0137, FMCSA–2018–0138, FMCSA–2019–0111, or FMCSA–2022–0032) in the keyword box and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, click the “Comment” button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. FMCSA will consider all comments and material received during the comment period.

B. Viewing Comments

To view comments go to www.regulations.gov. Insert the docket number (FMCSA–2012–0332, FMCSA–2013–0121, FMCSA–2013–0122, FMCSA–2013–0123, FMCSA–2013–0124, FMCSA–2013–0125, FMCSA–2015–0327, FMCSA–2016–0003, FMCSA–2017–0057, FMCSA–2017–

0059, FMCSA–2018–0137, FMCSA–2018–0138, FMCSA–2019–0111, or FMCSA–2022–0032) in the keyword box and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, and click “Browse Comments.” If you do not have access to the internet, you may view the docket online by visiting Dockets Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m. ET Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

C. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption requests. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov. As described in the system of records notice DOT/ALL 14 (Federal Docket Management System), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>, the comments are searchable by the name of the submitter.

II. Background

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption from the FMCSRs for no longer than a 5-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. The statutes also allow the Agency to renew exemptions at the end of the 5-year period. FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver’s medical certification.

The physical qualification standard for drivers regarding hearing found in 49 CFR 391.41(b)(11) states that a person is physically qualified to drive a CMV if that person first perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5–1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers

to be qualified under this standard while wearing a hearing aid (35 FR 6458, 6463 (Apr. 22, 1970) and 36 FR 12857 (July 8, 1971), respectively).

The 28 individuals listed in this notice have requested renewal of their exemptions from the hearing standard in § 391.41(b)(11), in accordance with FMCSA procedures. Accordingly, FMCSA has evaluated these applications for renewal on their merits and decided to extend each exemption for a renewable 2-year period.

III. Request for Comments

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b), FMCSA will take immediate steps to revoke the exemption of a driver.

IV. Basis for Renewing Exemptions

In accordance with 49 U.S.C. 31136(e) and 31315(b), each of the 28 applicants has satisfied the renewal conditions for obtaining an exemption from the hearing requirement. The 28 drivers in this notice remain in good standing with the Agency. In addition, for commercial driver's license (CDL) holders, the Commercial Driver's License Information System and the Motor Carrier Management Information System are searched for crash and violation data. For non-CDL holders, the Agency reviews the driving records from the State Driver's Licensing Agency. These factors provide an adequate basis for predicting each driver's ability to continue to safely operate a CMV in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each of these drivers for a period of 2 years is likely to achieve a level of safety equal to that existing without the exemption.

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following groups of drivers received renewed exemptions in the month of April and are discussed below. As of April 2, 2024, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following 12 individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers:

Roger Boge (IA)
Johnny Brewer (OH)
Michael Bunjer (MD)

Stephen Daniels (KS)
James Gooch (MO)
Paul Klug (IA)
Dayton Lawson, Jr. (MI)
Calvin Payne (MD)
Kiley Peterson (IA)
Ronald Rumsey (IA)
Khon Saysanam (TX)
James Schubin (CA)

The drivers were included in docket numbers FMCSA–2013–0122, FMCSA–2013–0125, FMCSA–2015–0327, FMCSA–2016–0003, FMCSA–2017–0057, FMCSA–2017–0059, and FMCSA–2019–0111. Their exemptions are applicable as of April 2, 2024 and will expire on April 2, 2026.

As of April 11, 2024, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following seven individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers:

Nathaniel Borton (WI)
Lee Desoto (NM)
ZanDraya Pollock (UT)
Adem Rexhepi (IL)
Fernando Rizo (CA)
Arnold Vega (TX)
Larry West (TN)

The drivers were included in docket number FMCSA–2022–0032. Their exemptions are applicable as of April 11, 2024 and will expire on April 11, 2026.

As of April 21, 2024, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following 3 individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers: Andrew Alcozer (IL); Jacob Paullin (WI); and Ryan Pope (CA).

The drivers were included in docket numbers FMCSA–2013–0121, FMCSA–2013–0122, and FMCSA–2013–0123. Their exemptions are applicable as of April 21, 2024 and will expire on April 21, 2026.

As of April 23, 2024, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following two individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers: Donald Lynch (AR) and Zachary Rietz (AR).

The drivers were included in docket number FMCSA–2012–0332. Their exemptions are applicable as of April 23, 2024 and will expire on April 23, 2026.

As of April 24, 2024, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following four individuals have satisfied the renewal conditions for

obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers:

Oluwatobi Akinsanya (NJ)
Kwinton Carpenter (OH)
Kevin Dent (MS)
Andrey Shevchenko (MN)

The drivers were included in docket number FMCSA–2013–0124, and FMCSA–2018–0137, FMCSA–2018–0138. Their exemptions are applicable as of April 24, 2024 and will expire on April 24, 2026.

V. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) each driver must report any crashes or accidents as defined in § 390.5T; and (2) report all citations and convictions for disqualifying offenses under 49 CFR parts 383 and 391 to FMCSA; and (3) each driver prohibited from operating a motorcoach or bus with passengers in interstate commerce. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official. In addition, the exemption does not exempt the individual from meeting the applicable CDL testing requirements. Each exemption will be valid for 2 years unless rescinded earlier by FMCSA. The exemption will be rescinded 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(e) and 31315(b).

VI. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VII. Conclusion

Based upon its evaluation of the 28 exemption applications, FMCSA renews the exemptions of the aforementioned drivers from the hearing requirement in § 391.41(b)(11). In accordance with 49 U.S.C. 31136(e) and 31315(b), each exemption will be valid for 2 years unless revoked earlier by FMCSA.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2024–07386 Filed 4–5–24; 8:45 am]

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