

may be reviewed at this same location or at the Metropolitan Airports Commission, 6040 28th Avenue South, Minneapolis, MN 55450-2799.

Written comments on the Sponsor's request must be delivered or mailed to: Dakota-Minnesota Airports District Office, 6020 28th Avenue South, Room 102, Minneapolis, MN 55450-2706.

**FOR FURTHER INFORMATION CONTACT:** Simon Schmitz, Program Manager, 6020 28th Avenue South, Room 102, Minneapolis, MN 55450-2706. Telephone Number (612) 253-4640/ FAX Number (612) 253-4611.

**SUPPLEMENTARY INFORMATION:** In accordance with section 47107(h) of Title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

The site was part of a 1955 land conveyance from the Administrator of Veterans' Affairs to the Metropolitan Airports Commission. The subject property is located southeast of the United States Post Office and south of the Terminal 1 inbound and outbound roadways at Minneapolis-St. Paul International Airport, Minneapolis, Minnesota. The subject property was previously leased by Northwest Airlines as an office building with an attached hangar. The office building and hangar have since been demolished and the site does not currently have a designated use. The proposed non-aeronautical use of the property is a ground lease for the development of a hotel which will generate additional revenue for the airport. The Metropolitan Airports Commission intends to enter into a 75-year fair market value lease with a hotel developer. The proposed ground lease will provide for reappraisal of the fair market ground rent as frequently as every five (5) years. The disposition of proceeds from the lease 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 (64 FR 7696).

This notice announces that the FAA is considering the release of the subject airport property at the Minneapolis-St. Paul International Airport, Minneapolis, Minnesota, from its obligations to be maintained for aeronautical purposes. Approval does not constitute a commitment by the FAA to financially assist in the change in use of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA.

Following is a legal description of the subject airport property to be released at the Minneapolis-St. Paul International Airport, Minneapolis, Minnesota:

The Southwest Quarter of Section 29, Township 26 North, Range 23 West, Hennepin County, Minnesota.

Described as commencing at the northwest corner of Section 30, Township 28 North, Range 23 West, Hennepin County, Minnesota; thence South 00 degrees 25 minutes 00 seconds West, assumed bearing, along the west line of the Northwest Quarter of said Section 30 a distance of 705.21 feet; thence South 58 degrees 46 minutes 43 seconds East a distance of 7307.61 feet; thence North 31 degrees 14 minutes 07 seconds East a distance of 33.30 feet; thence South 58 degrees 45 minutes 53 seconds East a distance of 45.62 feet to the point of beginning; thence North 31 degrees 15 minutes 57 seconds East a distance of 726.77 feet; thence South 58 degrees 44 minutes 03 seconds East a distance of 681.60 feet; thence South 74 degrees 25 minutes 44 seconds West a distance of 996.38 feet to the point of beginning. Total Area: 5.69 acres (247,681 square feet).

Issued in Minneapolis, Minnesota, on June 7, 2016.

**Andy Peek,**

*Manager, Dakota-Minnesota Airports District Office, FAA, Great Lakes Region.*

[FR Doc. 2016-14803 Filed 6-21-16; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-[2015-0342]

#### Qualification of Drivers; Exemption Applications; Diabetes Mellitus

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA confirms its decision to exempt 91 individuals from its rule prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. The exemptions enable these individuals to operate CMVs in interstate commerce.

**DATES:** The exemptions were effective on April 1, 2016. The exemptions expire on April 1, 2018.

**FOR FURTHER INFORMATION CONTACT:**

Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, Department of Transportation, 1200

New Jersey Avenue SE., Room W64-113, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m. e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**I. Electronic Access**

You may see all the comments online through the Federal Document Management System (FDMS) at: <http://www.regulations.gov>.

**Docket:** For access to the docket to read background documents or comments, go to <http://www.regulations.gov> and/or 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., Monday through Friday, except Federal holidays.

**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).

**II. Background**

On March 1, 2016, FMCSA published a notice of receipt of Federal diabetes exemption applications from 91 individuals and requested comments from the public (81 FR 10703). The public comment period closed on March 31, 2016, and 5 comments were received.

FMCSA has evaluated the eligibility of the 91 applicants and determined that granting the exemptions to these individuals would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(3).

*Diabetes Mellitus and Driving Experience of the Applicants*

The Agency established the current requirement for diabetes in 1970 because several risk studies indicated that drivers with diabetes had a higher rate of crash involvement than the general population. The diabetes rule provides that "A person is physically qualified to drive a commercial motor vehicle if that person has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control" (49 CFR 391.41(b)(3)).

FMCSA established its diabetes exemption program, based on the Agency's July 2000 study entitled "A Report to Congress on the Feasibility of

a Program to Qualify Individuals with Insulin-Treated Diabetes Mellitus to Operate in Interstate Commerce as Directed by the Transportation Act for the 21st Century.” The report concluded that a safe and practicable protocol to allow some drivers with ITDM to operate CMVs is feasible. The September 3, 2003 (68 FR 52441), **Federal Register** notice in conjunction with the November 8, 2005 (70 FR 67777), **Federal Register** notice provides the current protocol for allowing such drivers to operate CMVs in interstate commerce.

These 91 applicants have had ITDM over a range of 1 to 43 years. These applicants report no severe hypoglycemic reactions resulting in loss of consciousness or seizure, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning symptoms, in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the past 5 years. In each case, an endocrinologist verified that the driver has demonstrated a willingness to properly monitor and manage his/her diabetes mellitus, received education related to diabetes management, and is on a stable insulin regimen. These drivers report no other disqualifying conditions, including diabetes-related complications. Each meets the vision requirement at 49 CFR 391.41(b)(10).

The qualifications and medical condition of each applicant were stated and discussed in detail in the March 1, 2016, **Federal Register** notice and they will not be repeated in this notice.

### III. Discussion of Comments

FMCSA received five comments in this proceeding. Brad Frazier, Ernie Sanchez, James Dowden, Gregory Skloda, and an anonymous commenter are in favor of granting the exemptions.

### IV. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes requirement in 49 CFR 391.41(b)(3) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce.

To evaluate the effect of these exemptions on safety, FMCSA considered medical reports about the applicants' ITDM and vision, and reviewed the treating endocrinologists' medical opinion related to the ability of the driver to safely operate a CMV while using insulin.

Consequently, FMCSA finds that in each case exempting these applicants from the diabetes requirement in 49 CFR 391.41(b)(3) is likely to achieve a level of safety equal to that existing without the exemption.

### V. Conditions and Requirements

The terms and conditions of the exemption will be provided to the applicants in the exemption document and they include the following: (1) That each individual submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) that each individual reports within 2 business days of occurrence, all episodes of severe hypoglycemia, significant complications, or inability to manage diabetes; also, any involvement in an accident or any other adverse event in a CMV or personal vehicle, whether or not it is related to an episode of hypoglycemia; (3) 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 (4) 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.

### VI. Conclusion

Based upon its evaluation of the 91 exemption applications, FMCSA exempts the following drivers from the diabetes requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above 949 CFR 391.64(b)):

Erich R. Adam (WI)  
Phillip W. Ballew (GA)  
Dennis B. Basmajian (PA)  
Glen A. Bayne (ND)  
Gary E. Bennett (NC)  
Harry Berrios (MA)  
Terry D. Bettcher (NE)  
Jeremy S. Beyerl (PA)  
Norvan D. Bilyeu (OK)  
Robert P. Blum (IA)  
Mario Boccio (FL)  
Christopher J. Branham (SC)  
Willard A. Brown (VA)  
Chanley W. Carter (FL)  
Trevor K. Chaplin (IA)  
Candace L. Coccimiglio (PA)  
Matthew C. Costa (MA)  
Wilfredo Costa (NY)  
Joseph F. Coyle (KY)  
Robert P. Crisp (SD)

Philip W. Cumbie (AL)  
John H. Cuppett (GA)  
Quentin W.S. Dasilva (PA)  
Randal L. DeBord (TN)  
Eudes N. De-Leon (PA)  
Eric H. DeVaughn (MD)  
Aleksandr Faynkikh (NY)  
Berry C. Feuerbacher (GA)  
Isaac W. Fitzgerald (UT)  
Alex C. Ford (IL)  
Robert C. Freeman (VA)  
Timothy D. Frye (NY)  
Samuel J. Gonzales (NM)  
Carlos Guzman-Pineda (WA)  
Steven R. Hatch (MI)  
William D. Herman (MN)  
Kyle W. Higgs (IL)  
Floyd E. Holt, Jr. (VA)  
Michael J. Jaques (MN)  
Randall L. Jastram (SD)  
Thomas M. Johnson (NM)  
Steven R. Jordan (NC)  
Kevin A. Kane (NY)  
Ryan B. Kincade (CA)  
Christopher S. Kuiper (MN)  
Herman M. Laggart (MO)  
William M. LaPrade (VA)  
Martin L. Layden (NY)  
John Malloy (PA)  
Bobby L. McCallister (WV)  
James W. McMenamin (PA)  
Daniel J. Milles, Jr. (FL)  
Miguel A. Molina (CO)  
Darin R. Mullins (NY)  
Douglas B. Murrell (IN)  
Joshua A. Myers (OH)  
Howard L. Nelson (IA)  
William C. Nelson (IA)  
Chris R. Niles (WA)  
Keith E. Osterbaan (MI)  
George R. Otis (MA)  
Bolaji B. Oyegbola (DC)  
Teddy D. Peller (AL)  
Jeffrey P. Peloquin (NC)  
Scott A. Pietruszynski (IL)  
Louis Polillo (NJ)  
John P. Reed, III (NJ)  
Valentin Reyna, Jr. (AZ)  
Randy D. Rinnels (IA)  
William A. Robinson (IA)  
Thomas W. Scott, Jr. (PA)  
Gregory J. Skloda (NY)  
Charles L. Spencer (NY)  
Ricky L. Spencer (ME)  
Roy E. Stroud (IA)  
Kenneth W. Terhune, Jr. (DE)  
Robert B. Thomas (PA)  
Raymond L. Torrez (MI)  
Bore Trivuncic (FL)  
William M. Turner (NJ)  
Timothy C. Urrutia (ID)  
Eloy O. Valdez (CA)  
James H. Vogt (IL)  
Ronald L. Voigt (MN)  
Michael P. Volpe (MA)  
James R. Watkins (UT)  
Anthony G. Wick (MA)  
Michael C.J. Wilcox (NY)  
Donald L. Winslow (ME)

James J. Wolf, Jr. (PA)  
Kevin J. Yates (IL)

In accordance with 49 U.S.C. 31136(e) and 31315 each exemption is valid for two years unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (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. 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: June 13, 2016.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2016-0038]

#### Qualification of Drivers; Exemption Applications; Diabetes

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

**ACTION:** Notice of denials.

**SUMMARY:** FMCSA announces its denial of 78 applications from individuals who requested an exemption from the Federal diabetes standard applicable to interstate truck and bus drivers and the reasons for the denials. FMCSA has statutory authority to exempt individuals from the diabetes requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemptions does not provide a level of safety that will be equivalent to, or greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

**FOR FURTHER INFORMATION CONTACT:**

Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64-113, Washington, DC 20590-0001. Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

#### Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal diabetes standard for a renewable 2-year period if it finds “such an exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such an exemption.” The procedures for requesting an exemption are set forth in 49 CFR part 381.

Accordingly, FMCSA evaluated 78 individual exemption requests on their merits and made a determination that these applicants do not satisfy the criteria eligibility or meet the terms and conditions of the Federal exemption program. Each applicant has, prior to this notice, received a letter of final disposition on the exemption request. Those decision letters fully outlined the basis for the denial and constitute final Agency action. The list published in this notice summarizes the Agency’s recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reasons for denial.

The following applicant, Robert A. Pettella, withdrew his application from the application process.

The following 12 applicants met the diabetes requirements of 49 CFR 391.41(b)(3) and do not need an exemption:

Reuben T. Askew  
Steven E. Eastburn  
Quinzell Faison  
James Griffin  
Bayram A. Kabakci  
John C. Lasbury  
James M. Moore  
Saul N. Morales  
Jaime S. Ortiz  
Curtis W. Stanley  
Eric A. Williams  
Allen T. Wooten

The following 21 applicants were not operating CMVs in interstate commerce:

Felipe H. Abrego  
Michael D. Adamson  
Daniel J. Arena, Jr.  
David R. Brooks, Jr.  
Roger L. Harper  
Gary T. Hedrick  
Raymond Honaker  
Shaun F. Hutchinson  
Sondra R. Jones  
Kevin M. Kurpiewski  
Randy Lamb  
James P. Moran  
Jesse L. Mumford  
Jason M. Palermo  
John J. Raley II  
Leonard F. Robinson  
Donald G. Ross, Jr.  
Tracy A. Rowland

Rachelle M. Seaver  
Robert Taylor  
Robert Webb

The following 3 applicants had renal insufficiency:

Harold J. Bowen, Jr.  
Robert A. Rye  
John J. Steele

The following 7 applicants had more than one hypoglycemic episode requiring hospitalization or the assistance of others, or had one such episode but not had one year of stability following the episode:

Timothy W. Adams  
Robert A. Beaty  
Andrew S. Crawford  
Jesse J.D. Graber  
Ryan B. Silva  
Jimmy R. Toton  
Deborah C. Williams

The following 9 applicants had other medical conditions making the applicant otherwise unqualified under the Federal Motor Carrier Safety Regulations:

Nader M. Abdelrahman  
Richard G. Baker  
Patrick L. Beasley  
John T. Brecken  
Robert E. Davis  
Marlin L. Gabbard  
Marvin D. Mitchell  
David W. Presby  
Darrel J. Shafer

The following applicant, Tina M.M. Kent, was unable to have an endocrinologist state the applicant is able to operate a CMV from a diabetes standpoint.

The following applicant, Henry G.E. Martinez, currently resides in Puerto Rico. He is not eligible because a Federal exemption is for drivers operating only in the United States.

The following 3 applicants did not meet the minimum age criteria outlined in 49 CFR 391.41(b)(1) which states that an individual must be at least 21 years old to operate a CMV in interstate commerce:

Ervin L. Fulton, Jr.  
Henry G. McGinnis  
Samuel J. Opatz

The following 19 applicants were excepted from the diabetes standard based on 49 CFR 390.3(f):

Brian K. Aldrich  
Christopher A. Ball  
John A. Bowman  
Wilbert A. Cummings, Jr.  
Larry W. Davlin  
Theodore J. Hargraves  
Erick B. Hobson  
Stanley Holiday, Jr.  
Mark J. Huselstein  
Wesley T. Johnson