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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: August 25, 2016.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2016-21828 Filed 9-9-16; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2015-0116]

#### Denial of Exemption Applications; Epilepsy and Seizure Disorders

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

**ACTION:** Notice of denial.

**SUMMARY:** FMCSA announces its decision to deny applications from 11 individuals who requested an exemption from the Federal Motor Carrier Safety Regulations (FMCSRs) prohibiting persons with a clinical diagnosis of epilepsy or any other condition that is likely to cause a loss of consciousness or any loss of ability to operate a commercial motor vehicle (CMV) from operating CMVs in interstate commerce.

**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 W64-224, Washington, DC 20590-0001. Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

#### 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 <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

##### II. Background

On July 13, 2015, FMCSA published a notice announcing receipt of applications from 21 individuals requesting an exemption from the prohibition against persons with a clinical diagnosis of epilepsy or any other condition that is likely to cause a loss of consciousness or any loss of ability to operate a CMV in interstate commerce and requested comments from the public (80 FR 40127). The public comment period closed on August 12, 2015, and 10 comments were received.

FMCSA has evaluated the eligibility of these applicants and concluded that granting 11 of the 21 exemptions would not provide a level of safety that would be equivalent to or greater than, the level of safety that would be obtained by complying with the regulation 49 CFR 391.41(b)(8). A final notice announcing the decision to grant nine of 21 exemptions and providing a response to the 10 comments received was published on September 14, 2015 (80 FR 55170). One of the applicants in this notice withdrew his request for an exemption.

##### III. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption from the Federal epilepsy standard for a renewable two-year period if it finds “such exemption is likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption.”

The Agency’s decision regarding these exemption applications is based on an individualized assessment of each applicant’s medical information, including the root cause of the respective seizure(s) and medical information about the applicant’s seizure history, the length of time that has elapsed since the individual’s last seizure, the stability of each individual’s treatment regimen and the duration of time on or off of anti-seizure medication. The Agency considered the 2007 recommendations of the Agency’s Medical Expert Panel (MEP). The January 15, 2013 **Federal Register** notice (78 FR 3069) provides the current MEP recommendations which is the criteria the Agency uses to make decisions regarding seizure exemptions.

##### IV. Conclusion

The Agency has determined that these 11 applicants do not satisfy the criteria eligibility or meet the terms and conditions for a Federal exemption and granting these exemptions would not provide a level of safety that would be equivalent to or greater than, the level of safety that would be obtained by complying with the regulation 49 CFR 391.41(b)(8). Therefore, the applicants listed in this notice have been denied an exemption from the physical qualification standards in 49 CFR 391.41(b)(8).

Each applicant has, prior to this notice, received a letter of final disposition regarding his/her exemption request. Those decision letters fully outlined the basis for the denial and constitutes final action by the Agency. 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 drivers were listed previously in **Federal Register** Notice FMCSA-2015-0116 published on July 13, 2015:

**Leo Arnold Burns**—Mr. Burns has a history of a seizure disorder. His last seizure was in 2010. He takes anti-seizure medication. He does not meet the MEP guidelines at this time.

**Rodney Lee Ericson**—Mr. Ericson has a history of epilepsy. His last seizure was in 2010. He takes anti-seizure

medication. He does not meet the MEP guidelines at this time.

*Kristopher Alan Fraser*—Mr. Fraser has a history of epilepsy. His last seizure was in 2007. He takes anti-seizure medication with a change in dosage in October 2015. He does not meet the MEP guidelines at this time.

*Todd A. Fuller*—Mr. Fuller has a history of a single seizure in 2014. He takes anti-seizure medication. He does not meet the MEP guidelines at this time.

*Howard Pearce Hill*—Mr. Hill has a history of a seizure disorder. His last seizure was in 1990. He takes anti-seizure medication with a change in medication 2015. He does not meet the MEP guidelines at this time.

*Victor John Martinez*—Mr. Martinez has a history of epilepsy. His last seizure was in 2013. He underwent a left craniotomy and lobectomy in 2013. He takes anti-seizure medication. He does not meet the MEP guidelines at this time.

*Sean Michael Monroe*—Mr. Monroe has a history of epilepsy. His last seizure was in 2011. He takes anti-seizure medication. He does not meet the MEP guidelines at this time.

*Robert H. Philley*—Mr. Philley has a history of a seizure disorder. His last seizure was in 2013. He takes anti-seizure medication. He does not meet the MEP guidelines at this time.

*David T. Pomianek, Jr.*—Mr. Pomianek has a history of epilepsy. His last seizure was in 2011. He takes anti-seizure medication. He does not meet the MEP guidelines at this time.

*Gregory Roy Schaefer*—Mr. Schaefer has a history of a single seizure in 2014. He takes anti-seizure medication. He does not meet the MEP guidelines at this time.

*Maciej Skrzyniarz*—Mr. Skrzyniarz has a history of a single seizure in 2014. He takes anti-seizure medication. He does not meet the MEP guidelines at this time.

Issued on: August 26, 2016.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### PHMSA-2007-0038, ConocoPhillips Alaska, Inc.; PHMSA-2016-0072, Magellan Midstream Partners, L.P.; PHMSA-2016-0073, New Fortress Energy-Tico Development Partners, LLC; Pipeline Safety: Requests for Special Permit

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA).

**ACTION:** Notice.

**SUMMARY:** Pursuant to the Federal pipeline safety laws, PHMSA is publishing this notice of three special permit requests we received from pipeline operators, seeking relief from compliance with certain requirements in the Federal pipeline safety regulations. This notice seeks public comments on the requests, including comments on any safety or environmental impacts. At the conclusion of the 30-day comment period, PHMSA will evaluate the requests and determine whether to grant or deny the special permits.

**DATES:** Submit any comments regarding these special permit requests by October 12, 2016.

**ADDRESSES:** Comments should reference the docket number for the specific special permit request and may be submitted in the following ways:

- *E-Gov Web site:* <http://www.Regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency.
- *Fax:* 1-202-493-2251.
- *Mail:* Docket Management System: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Docket Management System: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

*Instructions:* You should identify the docket number for the special permit request you are commenting on at the beginning of your comments. If you submit your comments by mail, please submit two copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at <http://www.Regulations.gov>.

*Note:* Comments are posted without changes or edits to <http://www.Regulations.gov>, including any personal information provided. There is a privacy statement published on <http://www.Regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

*General:* Ms. Kay McIver by telephone at 202-366-0113, or email at [kay.mciver@dot.gov](mailto:kay.mciver@dot.gov).

*Technical:* Mr. Steve Nanney by telephone at 713-628-7479, or email at [Steve.Nanney@dot.gov](mailto:Steve.Nanney@dot.gov).

**SUPPLEMENTARY INFORMATION:** PHMSA has received three special permit requests from pipeline operators seeking relief from compliance with certain Federal pipeline safety regulations. The requests include a technical analysis provided by the operator and has been filed at [www.Regulations.gov](http://www.Regulations.gov) under the assigned docket number. We invite interested persons to participate by reviewing these special permit requests at <http://www.Regulations.gov>, and by submitting written comments, data or other views. Please include any comments on potential environmental impacts that may result if these special permits are granted.

Before acting on these special permit requests, PHMSA will evaluate all comments received on or before the comment closing date. Comments will be evaluated after this date if it is possible to do so without incurring additional expense or delay. PHMSA will consider each relevant comment we receive in making our decision to grant or deny a request.

PHMSA has received the following special permit requests:

Docket No.	Requester	Regulation(s)	Nature of special permit
PHMSA-2007-0038.	ConocoPhillips Alaska Inc. (CPAI).	49 CFR 192.481 and 195.583	To authorize ConocoPhillips Alaska Inc (CPAI), in its capacity as Operator of the Kuparuk Transportation Company and the Oliktok Pipeline Company, to meet its obligations under the regulations to monitor atmospheric corrosion on above ground pipelines.