

Records Notices” link at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>. The comments are posted without edit and are searchable by the name of the submitter.

## II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the FMCSRs. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant’s safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved absent such exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(1). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)). FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver’s medical certification.

## III. Background

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)). In 2008, FMCSA published Evidence Report, “Executive

Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety.”<sup>1</sup> The evidence report reached two conclusions regarding the matter of hearing loss and CMV driver safety: (1) no studies that examined the relationship between hearing loss and crash risk exclusively among CMV drivers were identified; and (2) evidence from studies of the private driver’s license holder population does not support the contention that individuals with hearing impairment are at an increased risk for a crash.

On February 1, 2013, FMCSA began granting exemptions, on a case-by-case basis, to individual drivers from the physical qualification standard regarding hearing in 49 CFR 391.41(b)(11) (78 FR 7479 (Feb. 1, 2013)). The Agency considers relevant scientific information and literature, the 2008 Evidence Report, “Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety,” any public comments received, and each individual’s driving record in deciding whether to grant the exemption.

The 11 individuals listed in this notice have requested an exemption from the hearing standard in 49 CFR 391.41(b)(11). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

## IV. Qualifications of Applicants

### *Kenneth Arrington*

Mr. Arrington, 35, holds a class C driver’s license in Texas.

### *Randy Bayley*

Mr. Bayley, 31, holds a class D driver’s license in New York.

### *Jerrod Cunningham*

Mr. Cunningham, 34, holds a class E driver’s license in Florida.

### *Tyler Dilks*

Mr. Dilks, 36, holds a class C driver’s license in Maryland.

### *Samuel Fewel*

Mr. Fewel, 36, holds a class D driver’s license in Oklahoma.

### *Derek Ghiotti*

Mr. Ghiotti, 56, holds a class C driver’s license in Oregon.

### *Rodolfo Gonzalez*

Mr. Gonzalez, 34, holds a class C driver’s license in Texas.

<sup>1</sup> <https://www.fmcsa.dot.gov/regulations/medical/hearing-vestibular-function-and-commercial-motor-vehicle-driver-safety-executive>.

### *Albert Herr*

Mr. Herr, 77, holds a class A commercial driver’s license (CDL) in Pennsylvania.

### *Kevin Luttrell*

Mr. Luttrell, 30, holds a class F driver’s license in Missouri.

### *Manuel Rivero Ninacevich*

Mr. Rivero Ninacevich, 36, holds a class E driver’s license in Florida.

### *Ricardo Rojo*

Mr. Rojo, 41, holds a class C driver’s license in California.

## V. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), FMCSA requests public comment from all interested persons on the exemption applications described in this notice. FMCSA will consider all comments received before the close of business on the closing date indicated under the **DATES** section of the notice.

### **Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2026–09388 Filed 5–11–26; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Hazardous Materials: Notice of Actions on Special Permits

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

**ACTION:** Notice of actions on special permit applications.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation’s Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has granted or denied the application described herein.

**DATES:** Comments must be received on or before June 11, 2026.

**ADDRESSES:** Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:** Donald Burger, Director, Office of

Hazardous Materials Safety Special Permits Program, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH-6, 1200 New Jersey Avenue Southeast, Washington, DC 20590-0001, (202) 366-4535.

**SUPPLEMENTARY INFORMATION:** Copies of the applications are available for inspection in the Records Center, East Building, PHH-6, 1200 New Jersey Avenue Southeast, Washington DC. This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal

hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).  
 Issued in Washington, DC, on May 6, 2026.  
**Donald P. Burger,**  
*Director, Special Permits Program.*

Application No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
<b>Special Permits Data—Granted</b>			
8757-M .....	Milton Roy, LLC .....	173.201(c), 173.202(c), 173.203(c), 173.302a(a)(1), 173.304a(a)(1), 180.205.	To modify the special permit to authorize the current revision number for the packaging drawings including a new lower service pressure.
14267-M .....	United States Department of Energy.	173.417(a), 173.211, 173.244 .....	To modify the special permit to authorize an additional maximum quantity of other fissile radionuclides.
20646-M .....	Omni Tanker Pty. Ltd. ....	107.503(b), 107.503(c), 172.102(c)(3), 172.102(c)(7)(ii), 178.274(b), 178.274(c), 178.274(d).	To modify the special permit to authorize additional packaging construction specifications and additional hazardous materials.
20902-M .....	Eastern Upper Peninsula Transportation Authority.	176.164(e) .....	To modify the special permit to authorize additional hazardous material.
21691-N .....	Amtrol-Alfa, Metalomecânica, S.A.	173.304a .....	To authorize the manufacture, mark, sale and use of a non-DOT specification refillable welded steel cylinder for the transportation in commerce of the hazardous materials authorized by this special permit.
21784-M .....	Daicel Safety Systems (Jiangsu) Co., Ltd.	173.301(a), 178.65(c)(3), 173.302(a)(1).	To modify the special permit to authorize an additional airbag inflator.
22008-M .....	Beta Technologies, Inc. ....	172.101(j) .....	To modify the special permit to increase the authorized mass of the battery and to remove the CX300 reference.
22042-N .....	Jaguar Land Rover Limited	172.102(c)(2) .....	To authorize the transportation in commerce of lithium-ion batteries that exceed 35 kg net weight aboard cargo-only aircraft.
22106-N .....	Veolia ES Technical Solutions, LLC.	173.21(b), 173.51(a), 173.54(a), 173.56(b).	To authorize the one-time, one-way transportation of a forbidden explosive for disposal.
22137-N .....	Daicel Safety Systems Europe Sp. z o. o.	173.301(a)(1), 173.302(a)(1), 178.65(c)(3).	To authorize the manufacture, mark, sale, and use of non-DOT specification cylinders (pressure vessels) for use as components of automobile vehicle safety systems.
22149-N .....	Apex Technology, Inc. ....	173.185(a)(1), 173.301(f)(1) .....	To authorize the one-time, one-way transportation in commerce of non-DOT specification composite over-wrapped pressure vessels (COPV) that are not equipped with a pressure relief device and non-specification packagings (service manifold tube assembly) both containing Division 2.2 gases and are integrated into a spacecraft (i.e., the primary structure and core subsystem).
22152-N .....	Greif Packaging LLC .....	172.203(a), 172.301(c), 178.601(e) ..	To authorize the manufacture, mark, sale and use of UN 1A1 and 1A2 steel drums, which are subject to alternate testing procedures.
22155-N .....	Spire Missouri Inc. ....	171.8, 173.242(c), 177.834(h), 180.605(d).	To authorize the transportation in commerce of UN3336, mercaptans, liquid, flammable, n.o.s. or mercaptan mixture, liquid, flammable, n.o.s. within non-specification non-bulk and bulk packagings permanently attached to trailers.
22161-N .....	North Coast Container, LLC	172.203(a), 172.301(c), 178.601(e) ..	To authorize UN 1A1 and UN 1A2 steel drums that have had an alternative periodic retest performed to be used for the transportation in commerce of the hazardous materials identified in the special permit.
22199-N .....	Li-S Energy Limited .....	173.185(a)(1) .....	To authorize the transportation in commerce of low production lithium metal sulfur cells that have not been demonstrated by testing to pass all required tests as specified in the in the UN Manual of Tests and Criteria.
22231-N .....	Benelux Imaging B.V. ....	172.101, 172.301(c), 173.232(h)(2) ..	To authorize the transportation in commerce of magnetic resonance imaging (MRI) equipment (classified as UN3538) via cargo-only aircraft.
22253-N .....	MacDonald, Dettwiler and Associates Ltd.	173.301(f), 173.302a(a) .....	To authorize the transportation in commerce of non-DOT specification cylinders installed in a satellite.
22256-N .....	Brenntag Mid-South, Inc. ....	173.24(c) .....	To authorize the transportation in commerce of unauthorized packaging containing solid sodium hydroxide.

Application No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
22277-N .....	Michigan State Police .....	173.315(j)(1) .....	To authorize the transportation of multiple propane tanks, with varying amounts of propane in them, recovered from Michigan waterways due to severe statewide flooding.
<b>Special Permits Data—Denied</b>			
14867-M .....	GTM Manufacturing, LLC ....	173.302(a)(1), 173.304(a) .....	To modify the special permit to authorize extending the service life of the cylinders beyond 15 years.
21354-M .....	Resonac America, Inc. ....	171.23(a)(1), 171.23(a)(3) .....	To modify the special permit to authorize the cylinders to remain in service beyond five years.
22039-N .....	U.S. Bureau of Customs and Border Protection.	172.300, 172.400, 173.25, 175.75 ....	To authorize the shipment of radiation detection survey meters, manufactured under DOT-SP 13187, containing Division 2.2 compressed gases in the passenger compartment of commercial aircraft.
22082-N .....	W. A. Murphy, Inc. ....	177.835(c), 177.835(d), 177.848(e), 177.848(f).	To authorize the transportation in commerce of hazardous materials contained in a multi-purpose bulk truck (MBT) in combination with a pup trailer carrying additional blasting agents or emulsion.
22163-N .....	Critical Mineral Recovery, Inc.	173.185(b)(1), 173.185(f) .....	To authorize the transportation of fully deactivated, damaged lithium-ion cells without inner packaging as specified by 49 CFR §§ 173.185(b) and 173.185(f).
22237-N .....	American Mobile Research, Inc.	173.201, 173.302, 173.304 .....	To authorize the transportation in commerce of certain hazardous materials in non-DOT specification packaging.
<b>Special Permits Data—Withdrawn</b>			
22243-N .....	Atlantic Energy Partners ND LLC.	173.35 .....	To authorize the transportation of non-DOT specification intermediate bulk containers (IBC's) mounted on flat-bed trucks and trailers, with loading and unloading operations conducted via electrical pumping systems.
22254-N .....	Space Exploration Technologies Corp.	173.185(e)(7) .....	To authorize the transportation in commerce of custom designed prototype lithium batteries from select vendors overseas.
22257-N .....	Guidance Air Service, LLC ..	172.101(j)(2), 172.200, 172.301(c), 175.75.	To authorize the transportation in commerce of certain hazardous materials to remote areas of the United States by 14 CFR Part 133 cargo-only rotorcraft external load operations.

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Hazardous Materials: Notice of Applications for Modification to Special Permits**

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

**ACTION:** List of applications for modification of special permits.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety

has received the application described herein.

**DATES:** Comments must be received on or before May 27, 2026.

**ADDRESSES:** Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comment(s) is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:** Donald Burger, Director, Office of Hazardous Materials Safety Special Permits Program, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH-6, 1200 New Jersey Avenue Southeast, Washington, DC 20590-0001, (202) 366-4535.

**SUPPLEMENTARY INFORMATION:** Each mode of transportation for which a particular special permit is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: (1) Motor vehicle, (2) Rail freight, (3) Cargo vessel, (4) Cargo aircraft only, (5) Passenger-carrying aircraft.

Copies of the applications are available for inspection in the Records Center, East Building, PHH-6, 1200 New Jersey Avenue Southeast, Washington, DC or at <http://regulations.gov>.

This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on May 6, 2026.

**Donald P. Burger,**  
Director, Special Permits Program.