Authority: 440 U.S.C. 3506(c); delegation of authority at 49 CFR 1.50.

Dated: September 19, 1996.

L. Robert Shelton,

*Acting Associate Administrator for Safety Performance Standards.*

[FR Doc. 96–27164 Filed 10–22–96; 8:45 am]

**BILLING CODE 4910–59–P**

## Research and Special Programs Administration

## Pipeline Safety User Fee Assessment Methodology

**AGENCY:** Research and Special Programs Administration, DOT.

**ACTION:** Notice of public meeting.

**SUMMARY:** The Research and Special Programs Administration (RSPA) invites representatives of industry, state and local government, and the public to an open meeting on pipeline safety user fee assessments. The purpose of this meeting is to gather information on the present assessment methods used by RSPA in determining pipeline safety user fees and to explore a broad range of other approaches for assessing user fees.

**DATES:** The meeting will be held on November 22, 1996, 9:00 a.m.–4:00 p.m.

**ADDRESSES:** The meeting will be held at the U.S. Department of Transportation 400 Seventh Street, S.W., Washington, D.C. Room 6200–04.

**FOR FURTHER INFORMATION CONTACT:** Marvin Fell, (202) 366–6205, U.S. Department of Transportation, RSPA 400 Seventh St., S.W., Washington, D.C. 20590 regarding the subject matter of this notice, or the Dockets Unit (202) 366–5046, regarding copies of this notice or other material referenced in this notice.

**SUPPLEMENTARY INFORMATION:** The Accountable Pipeline Safety and Partnership Act of 1996 Section 60127 requires that, ''[t]he Secretary of Transportation shall transmit to the Congress a report analyzing the present assessment of pipeline safety user fees solely on the basis of mileage to determine whether—

(1) That measure of the resources of the Department of Transportation is the most appropriate measure of the resources used by the Department of Transportation in the regulation of pipeline transportation; or

(2) Another basis of assessment would be a more appropriate measure of those resources:

(b) Considerations—In making the report, the Secretary shall consider a wide range of assessment factors and suggestions and comments from the public.''

Background

Under 49 U.S.C. 60103, gas and hazardous liquid pipeline operators pay annual user fees to fund the U.S. Department of Transportation's Pipeline Safety program. The Act provides that a fee shall be imposed on each person operating a pipeline transmission facility, a liquefied natural gas facility, or a hazardous liquid pipeline facility to which chapter 601 of 49 U.S.C. applies. The Act requires the Secretary of Transportation to establish a schedule of fees for pipeline usage that bear a reasonable relationship to the miles of pipeline, volume-miles, revenues or an appropriate combination thereof. In establishing the schedule, the Secretary must take into account the allocation of Departmental resources.

After discussions with the major trade associations representing these industries a consensus was reached that pipeline mileage provides the most reasonable basis for determining fees to be paid by operators of gas transmission lines and hazardous liquid pipeline facilities. For LNG facilities it was determined that storage capacity was the appropriate basis for a fee.

In order to reduce its administrative burden, RSPA decided to exempt small operators from the payment of user fees so that those operators would not be unduly burdened. Operators with less than 10 miles of gas transmission lines and 30 miles of hazardous liquid pipelines would therefore be exempt. Further, it was concluded that charging fees to local distribution companies (LDCs) would be administratively burdensome because many LDCs are small operators. The imposition of such fees could result in a double counting against LDCs because transmission operators would likely pass along the costs of these fees to LDCs as a cost of doing business.

In choosing to use pipeline mileage (and facility capacity in the case of LNG) RSPA chose an assessment method that minimizes the administrative expenses of collection. However, this method of assessment may not reflect how RSPA allocates its resources in regulating pipelines. For example, new construction inspections are not factored into mileage-based user fees. Presently, companies are charged the same fee regardless of accident history, although RSPA resources may be expended disproportionately on companies with poor safety records. The questions below address some of the issues concerning the present assessment methodology:

(1) Should RSPA charge a fee for new construction?

(2) Should RSPA charge a fee on LDCs to recognize that some of RSPA's resources are devoted to regulating these operators?

(3) Should RSPA consider accident history when computing fees?

(4) Should other risk based measures be considered?

(5) Should volume be considered in the fee calculation?

(6) Should throughput, i.e., volume-mileage, be considered?

(7) Should diameter of the pipeline be considered a cost factor?

(8) Should location be a factor in determining the user fee? Does a pipeline in a densely populated area or an environmentally sensitive area require greater oversight than a pipeline in a remote area that is not environmentally sensitive?

(9) Will RSPA need to require an annual report from liquid operators, which currently do not provide such reports, to collect information necessary for an alternative to the present assessment method? What could this mean to the administrative costs and paperwork burden of these operators?

RSPA seeks comments on these issues and any other concerns the public has on the assessment of user fees, including any ideas to improve the efficiency and cost effectiveness of collection.

Interested persons are invited to attend the meeting and present oral or written statements on the matters set for the meeting. Any person who wishes to speak should notify Marvin Fell at the above address. Please estimate the time that will be required for your presentation. RSPA reserves the right to limit the time of each speaker, if necessary, to ensure that everyone who requests an opportunity to speak is allocated sufficient time. Interested parties that are not scheduled to comment will have an opportunity to comment after all presentations are completed with the approval of the meeting officer.

Issued in Washington, D.C., on October 17, 1996.

Richard B. Felder,

*Associate Administrator for Pipeline Safety.*

[FR Doc. 96–27120 Filed 10–22–96; 8:45 am]

**BILLING CODE 4910–60–P**

## Toward A Metric America—A Dialogue Open to the Public

**AGENCY:** Research and Special Programs Administration, DOT.

**ACTION:** Notice of public meeting.

**SUMMARY:** Executive Order 12770 ''Metric Usage in Federal Government Programs'', dated July 25, 1991, requires that Federal agencies use metric measures in their business related activities as a means to implement the metric system of measurement as the preferred system of weights and measures for the United States. This Order designates the Department of Commerce as lead agency in the metrication process.

The Department of Commerce's Metric Program at the National Institute of Standards and Technology has been holding a series of regional dialogues to discuss the ongoing process of national metrication. One of these meetings will be at Southern Methodist University in Dallas, Texas on January 10–11, 1997. The Research and Special Programs Administration (RSPA) of the Department of Transportation has asked and received permission from the Department of Commerce to include a panel on metric implementation concerns facing the pipeline community. RSPA is specifically inviting interested parties from the pipeline community to attend this meeting which will provide a forum to discuss concerns about the impact of metricating the Department of Transportation's Pipeline Safety Regulations, 49 CFR Parts 190–199.

**DATES:** The regional metric dialogue meeting will be held on Friday, January 10, 1997 from 9:00 a.m.–4:00 p.m. and on Saturday, January 11, 1997 from 9:00 a.m.–1:30 p.m. The Pipeline Safety Regulation panel will be scheduled for January 10, at a time to be determined.

**ADDRESSES:** The meeting will be held at Southern Methodist University's Umphrey Lee Center in Dallas, Texas.

**FOR FURTHER INFORMATION CONTACT:** Marvin Fell, (202) 366–6205, U.S. Department of Transportation, RSPA, 400 Seventh St., S.W. Washington, D.C. 20590 regarding the subject matter of this notice, or the Dockets Unit (202) 366–5046, regarding copies of this notice or other material referenced in this notice. For information concerning national metrication issues, excluding pipelines, call the Department of Commerce at (301) 975–3690 or e-mail metric__prg@nist.gov or read the Department of Commerce's metric program world wide web site at http://www.nist.gov/metric or contact by fax (301) 948–1416.

**SUPPLEMENTARY INFORMATION:** In order to fulfill its requirements under Executive Order 12270, RSPA plans to update its pipeline safety regulations (49 CFR Parts 190–199) by introducing the use of the metric system. RSPA is seeking public input to assist in converting its regulations from inch-pound measures to metric measures. The specific guidance RSPA is seeking includes answers to the questions detailed below. RSPA will consider the comments presented during the Dallas public meeting to prepare a Notice of Proposed Rulemaking (NPRM) on its transition to the metric system.

(1) What method should RSPA use in converting from inch-pound measures to metric measures? (A) Soft conversion (an exact mathematical conversion which gives the same degree of precision in either system of measures), showing both metric and inch-pound measures with the inch-pound units in parentheses, (B) Soft conversion with metric only, (C) Hard conversion (conversions which are made for a particular purpose to produce measures that are meaningful in practical application or to conform to international standard or convention) with metric only, (D) Hard conversion showing both metric and inch-pound measures, with the inch-pound units in parentheses.

(2) What technical problems would the pipeline industry face in implementing metric measures to comply with RSPA regulations?

(3) What are the costs and benefits of the four alternatives described in question 1?

(4) Will the metrication process unduly burden small entities? If yes, what could be done to reduce the burden on these entities?

(5) What impact will the metrication process have on state pipeline safety programs?

(6) What degree of precision should be maintained in the conversion from inch-pound to metric, i.e., accurate to one decimal place, two decimal places, or more than two decimal places?

(7) If RSPA decides to use a transition period during which its regulations will display both metric and inch-pound measures, how long should this interim period last before a complete conversion to metric measures only?

Interested persons are invited to attend the meeting and present oral or written statements on metric conversion issues. Any person who wishes to speak should notify Marvin Fell at the above address. Please estimate the time that will be needed to speak. RSPA reserves the right to limit the time of each speaker, if necessary, to ensure that everyone who requests an opportunity to speak is given one. Interested parties that are not scheduled to comment will have an opportunity to comment only after approval of the meeting officer.

Issued in Washington, D.C., on October 17, 1996.

Richard Felder,

*Associate Administrator for Pipeline Safety.*

[FR Doc. 96–27119 Filed 10–22–96; 8:45 am]

BILLING CODE 4910–60–P

## Surface Transportation Board

**[STB Ex Parte No. 578]**

## Adjustment of Civil Monetary Penalties for Inflation

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice.

**SUMMARY:** The Surface Transportation Board (the Board) finds that it is unnecessary at this time to amend its regulations to adjust the maximum civil monetary penalties for inflation under statutes within the jurisdiction of the Board.

**EFFECTIVE DATE:** October 23, 1996.

**FOR FURTHER INFORMATION CONTACT:** Anthony Jacobik, Jr., (202) 927–5827. [TDD for the hearing impaired: (202) 927–5721.]

**SUPPLEMENTARY INFORMATION:** Section 4 of the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note), as amended by the Debt Collection Improvement Act of 1996 (the Act) (Pub. L. 104–134, 110 Stat. 1321–358, 378), requires each Federal agency with statutory authority to assess a civil monetary penalty (CMP) to adjust each CMP by the inflation adjustment described in section 5 of the Act. Such adjustment is to be by regulation published in the Federal Register. The first inflation adjustment is required by October 23, 1996—180 days after the enactment of the Act on April 23, 1996. Thereafter, agencies are to make inflation adjustments by regulation at least once every four years.

The inflation adjustment is to be determined by increasing the maximum CMPs, or the range of minimum and maximum CMPs, as applicable, for each CMP by the percentage that the Consumer Price Index (CPI) for the month of June of the calendar year preceding the adjustment exceeds the CPI for the month of June of the last calendar year in which the amount of such penalty was last set or adjusted pursuant to law.

The ICC Termination Act of 1995, Public Law 104–88, 109 Stat. 803 (ICCTA), enacted December 29, 1995, and effective January 1, 1996, abolished the Interstate Commerce Commission and transferred certain regulatory functions to the Board. Because the CMPs under Board jurisdiction were not