

Drive, Nashville, TN 37228, Telephone (615)736-5394.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Tennessee Department of Transportation, will prepare an environmental impact statement (EIS) on a proposal to construct a partial access-controlled four-lane divided facility from State Route 13 at the existing Cumberland Heights Drive intersection to the State Route 76/North Parkway interchange west of Liberty Church Road in Montgomery County, Tennessee. The proposed State Route 374 would be primarily on new location and will be approximately 10.8-12.2 kilometers (6.7-7.6 miles) in length, depending upon the choice of proposed alternative. Improvements to the corridor are considered necessary to provide for both present and projected traffic needs.

Options under consideration include: (1) Taking no action and (2) constructing a partial access-controlled four-lane divided facility on primarily new location. There are two major build alternatives being proposed.

Letters describing the proposed action and soliciting comments were sent to appropriate federal, state, and local agencies on September 23, 1996. A public hearing will be held at a future date. Public notice will be given of the time and place of this hearing. The Draft EIS will be available for public and agency review and comment. These activities are providing input regarding the scope of the EIS.

To insure that the full range of issues to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments and suggestions concerning the proposed action and the EIS should be directed to the FHWA at the address above.

(Catalogue of Federal Domestic assistance Program Number 20.205, Highway Research, Planning and Construction. The provisions of Executive Order 12372 regarding state and local clearinghouse review of federal and federally assisted programs and projects apply to this program.)

Issued On: October 30, 1996.

James E. Scapellato,  
Division Administrator Tennessee Division,  
Nashville, Tennessee.

[FR Doc. 96-28862 Filed 11-8-96; 8:45 am]

BILLING CODE 4910-22-M

## Maritime Administration

[Docket No. M-O25]

### Request for Public Comment on the Causes of Diversion of Cargo from U.S. East Coast Ports

**AGENCY:** Maritime Administration, United States Department of Transportation.

**ACTION:** Notification of open docket for public comment.

**SUMMARY:** On July 24, 1996, as part of a plan to help sustain long-term growth of the Port of New York/New Jersey, the Department of Transportation announced its intention to study the causes of cargo diversion from U.S. East Coast ports (i.e., the transshipment of U.S. waterborne imports and exports through nearby foreign ports) and to recommend any additional measures that are needed to enhance the international competitiveness of our East Coast ports.

Information is requested on the impact of the following domestic and foreign factors affecting the diversion of cargo from U.S. East Coast ports: shipper and carrier routing preferences; shifting international trade patterns; constraints on the U.S. transportation infrastructure; federal, state and local laws and regulations; port charges and other transportation-related fees; "Global Alliances" of ocean carriers and their impact on port calls and port rotations; landside and waterside interface problems and intermodal factors; aggressive port marketing initiatives; direct and indirect subsidies for port and intermodal infrastructure; and any other factors that impact on the flow of cargo through U.S. East Coast ports. Data on the volume, value and composition of diverted cargo, as well as any other information related to the subject, are also being sought.

The Department is also soliciting comments on measures that are needed to enhance the international competitiveness of our East Coast ports through the 21st Century.

**DATES:** Comments should be received by December 27, 1996. Comments that are received after that date will be considered to the extent possible.

**ADDRESSES:** To facilitate review, four copies of comments should be sent to: Secretary, Maritime Administration, Room 7210 United States Department of Transportation, 400 Seventh Street SW., Washington, DC 20590. Telefax number (202) 366-9206.

**FOR FURTHER INFORMATION CONTACT:** Bruce J. Carlton, Associate

Administrator for Policy, International Trade and Marketing, (202) 366-5772.

By Order of the Maritime Administrator.

Dated: November 6, 1996.

Joel C. Richard,

Secretary.

[FR Doc. 96-28921 Filed 11-9-96; 8:45 am]

BILLING CODE 4910-81-P

## National Highway Traffic Safety Administration

### Denial of Petition for a Defect Investigation

This notice sets forth the reason for the denial of a petition submitted to the National Highway Traffic Safety Administration (NHTSA) under 49 U.S.C. 30162(a)(2) (formerly section 124 of the National Traffic and Motor Vehicle Safety Act of 1966, as amended).

By letter dated June 26, 1996, Randall H. Mierzejewski of Manchester, New Hampshire, petitioned the Administrator of NHTSA for an investigation of seat belts in 1988 Subaru 4x4 DL Station Wagons.

NHTSA is the government agency authorized, under Chapter 301 of Title 49 of the United States Code, to order manufacturers to recall and repair vehicles or items of motor vehicle equipment when investigations indicate that they contain serious safety-related defects in design, construction or performance. Based upon the results of an investigation, the agency may seek a recall when such defects appear in a group of vehicles and are related to motor vehicle safety. The agency cannot act on isolated problems or disputes between individual owners and manufacturers.

NHTSA is also authorized under Chapter 301 to order manufacturers to recall and repair vehicles or items of motor vehicle equipment that do not comply with all applicable Federal motor vehicle safety standards at the time of their manufacture. However, inasmuch as the petitioner is alleging a problem relating to a rollover accident that occurred in November 1995 on a 1988 model year vehicle, i.e., several years after the vehicle's manufacture and first purchase, NHTSA did not treat the petitioner's request as a petition for an investigation of a possible noncompliance with a Federal motor vehicle safety standard.

Rather, the agency treated the request as a petition to commence an investigation that could result in an order to recall 1988 Subaru DL Station Wagons to remedy an alleged safety-related defect. While the petitioner lists