

during the development of the project. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing. The Draft EIS will be available for public and agency review and comment prior to the public hearing. A Scoping Meeting was held on August 18 and 19, 1993, in Washington, Pennsylvania. Federal, state, regional, county, and municipal agencies attended and participated.

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

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program)

J. Stephen Guhin,

*Assistant Division Administrator,
Pennsylvania Division, FHWA.*

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Environmental Impact Statement; Elk County, Pennsylvania

AGENCY: Federal Highway Administration (FHWA).

ACTION: Withdrawal of Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will not be prepared for a proposed highway project in Elk County, Pennsylvania.

FOR FURTHER INFORMATION CONTACT: David W. Cough, District Engineer, Federal Highway Administration, 228 Walnut Street, Room 558, Harrisburg, Pennsylvania 17101-1720, Telephone: (717) 782-3461 or James R. Bathurst, P.E., Design Services Engineer, Pennsylvania Department of Transportation, 1924-30 Daisy Street, Clearfield, Pennsylvania 16830, Telephone (814) 765-0437.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Pennsylvania Department of Transportation (PennDOT), will now prepare an Environmental Assessment and Engineering Basis Reports for a section of U.S. Route 219 in Elk County, Pennsylvania. Located in Johnsonburg, Pennsylvania, this two-mile project will improve the safety and relieve traffic congestion on this section of U.S. Route

219. The northern terminus and study area limits will be the existing two lanes of U.S. Route 219 just north of the Johnsonburg. The southern terminus and study area limits will be approximately one-half mile south of Pennsylvania Route 255.

Five alternatives are being evaluated during the course of the study. Based on existing and projected traffic volumes, all build alternatives will require a two-lane facility to accommodate the traffic volumes. The alternatives under consideration are upgrading the existing facility, transportation system management, two alternatives on new location west of existing U.S. Route 219, and the "NO BUILD" alternate. Mass transit and multi-modal design will not be considered on this project.

An active public participation program has been implemented on this project. A Citizens Advisory Committee has been actively involved throughout the design and environmental process. Public meetings have been held to ensure public input and participation.

The alternatives developed for this project have caused no public controversy on environmental grounds. Based upon the studies performed and consultation with both Federal and State Environmental Resource Agencies, an Environmental Assessment Evaluation will be performed to determine whether the subject project will have any significant impacts on the environment.

(Catalog of Federal Domestic Assistance Program Name 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding inter-government consultation on Federal Programs and activities apply to this program)

Manuel A. Marks,

Division Administrator,

Federal Highway Administration.

[FR Doc. 97-676 Filed 1-10-97; 8:45 am]

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National Highway Traffic Safety Administration

[Docket Nos. 96-102; Notice 2, 96-105; Notice 2, 96-107; Notice 2, 96-111; Notice 2, 96-112; Notice 2]

Decision that Certain Nonconforming Motor Vehicles are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of decision by NHTSA that certain nonconforming motor vehicles are eligible for importation.

SUMMARY: This notice announces the decision by NHTSA that certain motor vehicles not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for importation into and/or sale in the United States and certified by their manufacturers as complying with the safety standards, and they are capable of being readily altered to conform to the standards.

DATES: This decision is effective January 13, 1997.

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR Part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the Federal Register of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the Federal Register.

NHTSA received petitions from registered importers to decide whether the vehicles listed in Annex A to this notice are eligible for importation into the United States. To afford an opportunity for public comment, NHTSA published notice of these petitions as specified in Annex A. The reader is referred to those notices for a thorough description of the petitions. No comments were received in response to these notices. Based on its review of the information submitted by the

petitioners, NHTSA has decided to grant the petitions.

Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. Vehicle eligibility numbers assigned to vehicles admissible under this decision are specified in Annex A.

Final Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that each motor vehicle listed in Annex A to this notice, which was not originally manufactured to comply with all applicable Federal motor vehicle safety standards, is substantially similar to a motor vehicle manufactured for importation into and/or sale in the United States, and certified under 49 U.S.C. 30115, as specified in Annex A, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: January 8, 1997.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.

Annex A—Nonconforming Motor Vehicles Decided To Be Eligible For Importation

1. Docket No. 96-102
Nonconforming Vehicles: 1990-1993 Mercedes-Benz 300E 4Matic Passenger Cars
Substantially similar U.S.-certified vehicles: 1990-1993 Mercedes-Benz 300E 4Matic Passenger Cars
Notice of Petition published at: 61 FR 52992 (October 9, 1996)
Vehicle Eligibility Number: VSP-192
2. Docket No. 96-105
Nonconforming Vehicle: 1989 Honda Prelude
Substantially similar U.S.-certified vehicle: 1989 Honda Prelude
Notice of Petition published at: 61 FR 52993 (October 9, 1996)
Vehicle Eligibility Number: VSP-191
3. Docket No. 96-107
Nonconforming Vehicle: 1992 Mercedes-Benz 300TE Passenger Car
Substantially similar U.S.-certified vehicle: 1992 Mercedes-Benz 300TE
Notice of Petition published at: 61 FR 54252 (October 17, 1996)
Vehicle Eligibility Number: VSP-193
4. Docket No. 96-111
Nonconforming Vehicles: 1994, 1995, and 1996 Jaguar XJS Passenger Cars
Substantially similar U.S.-certified vehicles: 1994, 1995, and 1996 Jaguar XJS

Notice of Petition published at: 61 FR 56998 (November 5, 1996)
Vehicle Eligibility Number: VSP-195

5. Docket No. 96-112
Nonconforming Vehicles: 1990-1995 BMW 5 Series Passenger Cars
Substantially similar U.S.-certified vehicles: 1990-1995 BMW 5 Series
Notice of Petition published at: 61 FR 56997 (November 5, 1996)
Vehicle Eligibility Number: VSP-194

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[Docket No. 96-127; Notice 1]

Notice of Tentative Decision That Nonconforming 1986 Daimler Limousines Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Request for comments on tentative decision that nonconforming 1986 Daimler Limousines are eligible for importation.

SUMMARY: This notice requests comments on a tentative decision by the National Highway Traffic Safety Administration (NHTSA) that a 1986 Daimler Limousine that was not originally manufactured to comply with all applicable Federal motor vehicle safety standards is eligible for importation into the United States because it has safety features that comply with, or are capable of being altered to comply with, all such standards.

DATES: The closing date for comments on this tentative decision is February 12, 1997.

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards (FMVSS) shall be refused admission into the United States unless NHTSA has decided, either pursuant to a petition from the manufacturer or registered importer or on its own initiative, that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards. Where there is

no substantially similar U.S.-certified motor vehicle, 49 U.S.C. 30141(a)(1)(B) permits a nonconforming motor vehicle to be admitted into the United States if its safety features comply with, or are capable of being altered to comply with, all applicable Federal motor vehicle safety standards based on destructive test data or such other evidence as NHTSA decides to be adequate.

On May 9, 1996, NHTSA received from Champagne Imports, Inc. of Lansdale, Pennsylvania ("Champagne") (Registered Importer No. 90-009) a petition to decide whether a 1987 Daimler Limousine that was not originally manufactured to comply with all applicable Federal motor vehicle safety standards is eligible for importation into the United States. Champagne contended that this vehicle is eligible for importation under 49 U.S.C. 30141(a)(1)(A), on the basis that it is substantially similar to a 1985 Daimler Limousine that NHTSA determined to be eligible for importation through a notice published on July 20, 1992 at 57 FR 32051.

After reviewing the petition, NHTSA informed Champagne that the petition could not receive further consideration because the "substantially similar" vehicle it identified was not originally manufactured for import into and sale in the United States, as required under 49 U.S.C. 30141(a)(1)(A)(i), and was not of the same model year as the vehicle that was sought to be imported, as required under 49 U.S.C. 30141(a)(1)(A)(iii). In light of these circumstances, NHTSA advised Champagne to modify its petition to request that the vehicle be determined eligible for importation under 49 U.S.C. 30141(a)(1)(B), on the basis that its safety features comply with, or are capable of being altered to comply with, all applicable Federal motor vehicle safety standards.

Although Champagne did not formally modify the petition, it did submit to NHTSA a copy of a letter from Jaguar Cars (Jaguar), the United States representative of Jaguar Cars, Ltd., the vehicle's manufacturer. This letter identified the vehicle that Champagne seeks to import as, in actuality, a 1986 Daimler Limousine, and enumerated the Federal motor vehicle safety standards that the vehicle does not meet. Those are Standard Nos. 103 *Windshield Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 108 *Lamps, Reflective Devices, and Associated Equipment*, 110 *Tire Selection and Rims*, 114 *Theft Protection*, 202 *Head Restraints*, 203 *Impact Protection for the Driver from the Steering Control System*, 205