

Government if, among other things, no Federal agency is interested in acquiring the asset for Federal use. Accordingly, FTA is issuing this Notice to advise Federal agencies that the Municipality of Dorado intends to transfer a Mini Publico Terminal, consisting of a two story building with parking on the first floor and a basketball court on the second floor. The facility is located at 202 North Street and Jesus T. Pinero Street, Dorado, Puerto Rico.

DATES: Any Federal agency interested in acquiring the land or facility must notify the FTA Region IV office of its interest by November 2, 1998.

ADDRESSES: Interested parties should notify the Regional Office by writing Ms. Susan E. Schruth, Regional Administrator, Federal Transit Administration, 61 Forsyth Street S.W., Suite 17T50, Atlanta, GA 30303-8917.

FOR FURTHER INFORMATION CONTACT: Mr. Brian A. Glenn, Program Manager, at 404/562-3519, or Ms. Pat Berkley, FTA Headquarters Office of Program Management at 202/366-6470.

SUPPLEMENTARY INFORMATION:

Background

49 U.S.C. Section 5334(g) provides guidance on the transfer of capital assets. Specifically, if a recipient of FTA assistance decides an asset acquired under this chapter at least in part with that assistance is no longer needed for the purpose for which it was acquired, the Secretary of Transportation may authorize the recipient to transfer the asset to a local governmental authority to be used for a public purpose with no further obligation to the Government. The Secretary may authorize a transfer for a public purpose other than mass transportation only if the Secretary decides:

49 U.S.C. Section 5334(g) Determinations

(A) The asset will remain in public use for not less than 5 years after the date of the transfer the asset is transferred;

(B) There is no purpose eligible for assistance under this chapter for which the asset should be used;

(C) The overall benefit of allowing the transfer is greater than the interest of the Government in liquidation and return of the financial interest of the Government in the asset, after considering fair market value and other factors; and

(D) Through an appropriate screening or survey process, that there is interest in acquiring the asset for Government use if the asset is a facility or land.

Federal Interest in Acquiring Land or Facility

This document implements the requirements of 49 U.S.C. Section 5334(g). Accordingly, FTA hereby provides notice of the availability of the land or facility further described below. Any Federal agency interested in acquiring the affected land or facility should promptly notify the FTA.

If no Federal agency is interested in acquiring the existing land or facility, FTA will make certain that the other requirements specified in 49 U.S.C. Section 5334(g)(1)(A) through (1)(D) are met before permitting the asset to be transferred.

Additional Description of Land or Facility

The twelve-year-old facility is a two story concrete structure with concrete block, steel and reinforced concrete columns and steel beams with a galvanized roof. The first floor has parking bays for 16 vehicles, with a coffee shop, two restrooms, storage area and a covered common area. The second floor has a basketball court, two restrooms and a storage area.

Issued on September 29, 1998.

Susan E. Schruth,
Regional Administrator.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-98-4453]

Dorsey Trailers, Inc., Receipt of Application for Decision of Inconsequential Noncompliance

Dorsey Trailers, Inc. (Dorsey), a manufacturer of trailers, is a corporation organized under the laws of the State of Delaware with headquarters in Atlanta, Georgia and manufacturing facilities in Elba, Alabama; Cartersville, Georgia; and Dillon, South Carolina. Dorsey has determined that its tire and rim label information, on some units, was not in full compliance with 49 CFR 571.120, Federal Motor Vehicle Safety Standard (FMVSS) No. 120, "Tire Selection and Rims for Vehicles Other Than Passenger Cars," and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." Dorsey has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that

the noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

Paragraph S5.3 of FMVSS No. 120 states that each vehicle shall show the information specified on the tire information level in both English and metric units. The standard also shows an example of the prescribed format.

Since the law went into effect on March 14, 1996, Dorsey manufactured and/or distributed 18,816 trailers that do not meet the requirements stated in the standard. Of these 18,816 units, 16,788 were produced in Elba between March 14, 1996 and August 27, 1998; 1,713 units were produced in Cartersville between March 14, 1996 and October 31, 1997; and 315 were produced in Dillon between July 1, 1996 and December 9, 1997. The certification label affixed to Dorsey's trailers pursuant to Part 567 failed to comply with S5.3 of FMVSS No. 120 because of the omission of metric measurements, and Dorsey did not separately provide the metric measurements on another label, an alternative allowed by FMVSS No. 120. The use of metric measurements is required by FMVSS No. 120, pursuant to Federal Motor Vehicle Safety Standards: Metric Conversion, 50 FR 13639, published on March 14, 1995, and effective on March 14, 1996.

Dorsey supports its application for inconsequential noncompliance with the following statements:

1. The certification label contains the correct English unit information and has headings for the required metric data with voids in the area of the required data;

2. The omission of the metric data from Dorsey's 49 CFR 571.120 and 49 CFR 567 certification label is highly unlikely to have any effect whatsoever on motor vehicle safety since the correct English units are included on the label and since the nonconforming vehicles will probably be out of service before the American general public ceases to be familiar with the English system of measurement;

3. The metric requirements of 49 CFR 571.120 S5.3 were not mandated for safety reasons and, the second regulation governing certification label data, 49 CFR 567, has not yet been changed to require that metric data be shown and still states that GVWR and GAWR data be stated in pounds;

4. Each Dorsey manufacturing facility has now begun to provide all the

required data on certification labels since appropriate people at each location have been made aware of the requirement; and

5. Dorsey has not received any complaints from customers on the omission of the metric data from the certification labels and has not received any reports of accidents which were related to the omission of the metric data.

Interested persons are invited to submit written data, views, and arguments on the application described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation, Docket Management, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: November 2, 1998.

(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: September 28, 1998.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 98-26435 Filed 10-1-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Notice 98-9]

Educational Session on Bulk Packagings for Hazardous Materials

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of a public meeting.

SUMMARY: RSPA will hold a public meeting to discuss the requirements in the Hazardous Materials Regulations (HMR) applicable to the transportation of hazardous materials in certain bulk packagings, including DOT specification IM 101 and IM 102 portable tanks, intermediate bulk containers meeting UN performance standards, and DOT exemption bulk containers. All interested persons, including manufacturers, requalifiers, owners and

users of these bulk packagings are encouraged to participate.

DATES: The public meeting will be held on Tuesday, November 17, 1998, from 9:00 a.m. to 5:00 p.m.

ADDRESSES: The public meeting will be held at the Cajun Dome, 444 Cajun Dome Boulevard, Lafayette, Louisiana, 70506.

FOR FURTHER INFORMATION CONTACT: Ryan Posten, Office of Hazardous Materials Standards, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, 20590-0001, Telephone (202) 366-8553.

SUPPLEMENTARY INFORMATION: The offshore oil industry uses a wide variety of bulk packagings for the transportation of hazardous materials. RSPA has received a number of inquiries from industry members in the Gulf Coast area regarding the requirements in the HMR applicable to the transportation of hazardous materials, specifically liquids in hazard classes 3 and 8, in bulk packagings. The inquiries primarily relate to the manufacture, certification, requalification, inspection and use of packagings marked as meeting the DOT IM 101 and 102 specifications for portable tanks, UN performance standards for intermediate bulk containers, or the specific requirements for packagings authorized in DOT exemptions. At the meeting, RSPA will discuss requirements in the HMR both for: (1) design construction and certification of these containers, including internal discharge valves, structural integrity, safety relief devices, and third party inspection; and (2) use of these containers, including loading, unloading, and requalification.

RSPA is conducting this public meeting as part of its continuing efforts to improve understanding of the safety requirements for the use of bulk packagings for transportation of hazardous materials.

Issued in Washington, DC on September 28, 1998 under authority delegated in 49 CFR part 106, Appendix A.

Alan I. Roberts,

Associate Administrator for Hazardous Materials Safety.

[FR Doc. 98-26359 Filed 10-1-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33642 (Sub-No 1)]

Kyle Railroad Company—Acquisition and Operation Exemption—Omaha Public Power District

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: The Board, under 49 U.S.C. 10502, exempts from the acquisition and operation of certain rail lines described in STB Finance Docket No. 33642¹ to permit the acquisition and operation as agreed to by the parties pursuant to a five-year contract to expire on December 31, 2003.

DATES: The exemption will be effective on November 1, 1998. Petitions to reopen must be filed by October 22, 1998.

ADDRESSES: An original and 10 copies of all pleadings referring to STB Finance Docket No. 33642 (Sub-No. 1) must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of all pleadings must be served on petitioner's representative: Fritz R. Kahn, Suite 750 West, 1100 New York Avenue, N.W., Washington, DC 20005-3934.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar (202) 565-1600. [TDD for the hearing impaired (202) 565-1695.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call or pick up in person from: DC NEWS & DATA, INC., 1925 K Street, N.W., Suite 210, Washington, DC 20006. Telephone: (202) 289-4357. [Assistance for the hearing impaired is available through TDD services (202) 565-1695.]

Decided: September 29, 1998.

¹ On July 27, 1998, KR filed a notice of exemption under the Board's class exemption procedures at 49 CFR 1150.41. The notice covered the agreement by Omaha Public Power District to grant to Kyle Railroad Company temporary acquisition and operation of approximately 56.75 miles of rail line between milepost 56.30 at Collegeview, and milepost 6.10 at Arbor in Lancaster and Otoe, Counties, NE. See *Kyle Railroad Company—Acquisition and Operation Exemption—Omaha Public Power District*, STB Finance Docket No. 33642 (STB served Aug. 25, 1998). The exemption became effective and was scheduled to be consummated on or shortly after August 4, 1998.