Alternatives Considered

To address the effects of the existing dam structure, construction dike, and diversion channel on the river and its flow, three dam site stabilization options were evaluated. Under *Option 1—Maintain Current Status of the Dam Structures*, TVA would remove or minimize possible safety and environmental hazards on and around the dam and diversion channel site. Under *Option 2—Stabilize Existing Flood Profile*, TVA would modify the existing concrete and earthen components of the dam to stabilize the present control on flood flows. The concrete and earthen portions of the dam would be demolished and reshaped at a lower elevation to maintain existing upstream flood elevations and preserve downstream flood benefits. Under *Option 3—Restore Original Hydraulic Conditions*, TVA would remove enough of the concrete and earthen structures at the dam site to reestablish pre-construction hydraulic conditions along this part of the river. Option 2 was identified as TVA's preferred alternative.

Decision

TVA has decided to implement Option 2 because this would stabilize flood elevations at their current levels, address public safety concerns, and avoid substantial additional construction in the river. Option 1 would not address public safety concerns as effectively as Option 2. Under Option 1, the existing dam structure would be left largely intact and in place and have a continuing effect on the visual setting of the area. Option 3 would fully address public safety concerns and return the river to its pre-construction hydraulic level, but completely removing the dam structure would increase downstream flood elevations and have required considerable more work in the river with associated environmental impacts.

Environmentally Preferable Alternative

Except for aesthetic impacts, TVA has concluded that Option 1 is the environmentally preferred alternative because it would minimize potential adverse impacts to the pond and fringe wetlands which exist adjacent to the concrete part of the dam. However, Option 2 would more effectively address public safety concerns at the dam site. Under Option 2, the shape and height of the modified dam would also have less of a visual impact on the landscape. Although Option 2 could involve some work in the river, TVA has determined that the potential environmental impacts of Option 2 will be insignificant.

Environmental Mitigation

Standard construction, demolition, and best management practices would be followed in all aspects of the dam stabilization project to minimize noise, erosion, dust, and other potential impacts. Disturbed areas will be seeded and planted with native vegetation to help stabilize the site and to promote the re-establishment of the natural ecosystem.

Dated: May 17, 1999.

Ruben O. Hernandez,

Acting Executive Vice President, River System Operations and Environment.

[FR Doc. 99–13534 Filed 5–26–99; 8:45 am]

BILLING CODE 8120–08–U

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Request for Petitions To Accelerate Tariff Elimination Under Provisions of the North American Free Trade Agreement

AGENCY: Office of the United States Trade Representative.

ACTION: Notification of an opportunity to file petitions requesting accelerated tariff elimination under the North American Free Trade Agreement.

SUMMARY: Section 201(b) of the North American Free Trade Agreement Implementation Act of 1993 (''the Act'') grants the President, subject to the consultation and lay-over requirements of section 103(a) of the Act, the authority to proclaim any accelerated schedule for duty elimination that may be agreed to by the United States, Mexico, and Canada under Article 302(3) of the North American Free Trade Agreement (''the NAFTA''). This notice solicits new petitions requesting accelerated tariff elimination under the NAFTA, describes the procedures for filing petitions, and sets forth the procedure for further consideration of previously filed petitions. Similar notices are being published by the Governments of Canada and Mexico.

FOR FURTHER INFORMATION CONTACT: North American Affairs, Office of the United States Trade Representative, Room 522, 600 17th Street, NW, Washington, DC 20508; telephone: (202) 395–3412; fax: (202) 395–9517; email:naftaacceleration@ustr.gov.

SUPPLEMENTARY INFORMATION: Since 1989, five tariff acceleration exercises have been completed in North America. The first three were conducted under provisions of the United States-Canada Free Trade Agreement (USCFTA), and the most recent two, with the addition of Mexico, under the NAFTA. In response to the interest of their private sectors, the NAFTA governments have been successful in accelerating tariff elimination on approximately $4 billion in trade.

The NAFTA governments have agreed on the amended process outlined below for future tariff acceleration activity. These changes expand the role of interested parties in the initial petitioning stage, streamline the process for consideration of requests, and allow for further consideration of petitions filed during the second NAFTA accelerated tariff elimination exercise.

On January 1, 1998, the United States and Canada eliminated all remaining tariffs on goods subject to the NAFTA. Tariffs are being eliminated between the United States and Mexico and Canada and Mexico as set out in the NAFTA, with 6 annual reductions implemented to date. Given the tariff reductions and eliminations that have already occurred, the scope of potential future accelerated tariff reduction activity is more limited than that of prior exercises, and now involves only trade between Mexico and the United States and Mexico and Canada.

I. Petition Requirements for New Requests

(See II below for additional requirements for reconsidering requests included in the second NAFTA Accelerated Tariff Elimination Exercise).

A. Petitions Must Be Jointly Submitted and Must Be Non-Controversial

Petitions must be submitted by interested parties in at least two of the NAFTA countries to their governments for accelerated duty elimination. That is, petitions must cover U.S.-Mexico and/or Canada-Mexico trade. Governments encourage petitioners to explore submitting petitions from all three countries. Documentation must be provided demonstrating producers in each of the relevant countries have reached a consensus to support mutual accelerated tariff elimination. An exception to the requirement for joint submissions can be made in cases where the equivalent subheadings are already provided duty-free treatment under MFN or NAFTA by one or both of the non-petitioning countries. In such cases, documentation is required only from the producer industries in those countries which have remaining duties in place. The governments will expect the petitioners to have contacted all

producers in the relevant countries and to have received no objections to the petitions as it is being submitted. Where industry associations exist that represent all producers, petitions or statements of support from these organizations are acceptable and in fact preferred. Governments will not consider a petition if they have information indicating that a consensus view does not exist.

B. Scope and Coverage of Petitions

Governments encourage interested parties to review the broadest appropriate range of tariff headings and to submit petitions that reflect a consensus reached after such a broad-based review. A single petition can thus include requests covering multiple tariff headings. Petitions should cover entire 8-digit tariff subheadings, and may also be submitted at the 6 or 4 digit level where the intent is to cover all subsidiary duties still in place.

C. Timing

All requests for accelerated tariff elimination must be received at the address below by July 1,1999, for earliest consideration. Requests received after that date will be considered annually with a closing date of March 1 until full implementation of the NAFTA tariff eliminations.

D. Review of Petitions

After petitions are accepted for consideration, each government will conduct the consultation and review process required under its domestic procedures. This is done with the expectation that no opposition will be found based on the joint nature of the petition submissions. The governments will consider and adopt modifications to the original petitions throughout this process for technical reasons, to consolidate duplicate petitions, to ensure parity of product coverage among the countries, or to accommodate minor objections which arise during review. However, requests that are controversial will not be acted on. When the internal review process is completed, governments will finalize an agreed list of articles to be considered for accelerated tariff elimination and begin the required domestic implementation procedures.

II. Petition Requirements for Further Consideration of Requests Submitted During the Second NAFTA Accelerated Tariff Elimination Exercise

Tariff subheadings that were published by the respective governments in 1997 for consideration and for which no agreement to accelerate duty elimination has yet been reached can be further considered where there is interest in doing so, as indicated by a petition filed pursuant to this notice. For the United States, the relevant headings are those that were published in the **Federal Register** of October 21, 1997, page 54671, and which were not included in the list of tariffs eliminated in the **Federal Register** notice of August 5, 1998, page 41951. The notices for Canadian subheadings appeared in the Gazette on October 18, 1997, and July 31, 1998, respectively, and for Mexico, the Diario notices of November 3, 1997, and June 26, 1998.

Petitions requesting further consideration for these subheadings must be submitted using the form in the annex, and the documentation showing the requests to be non-controversial in all the relevant NAFTA countries must be included. Such petitions must specifically address the opposition that arose that prevented a decision to implement accelerated duty elimination at that time.

III. Format of Petitions

A model petition format and the information requested is shown in the annex to this notice. In order to be considered, petitions for accelerated tariff elimination must conform to the model format and contain all essential data elements.

If a submission contains business confidential material, the specific material must be so identified in order to receive confidential treatment. In such cases, both a non-confidential and a business confidential version of the petition, each clearly marked as to its status, must be submitted. None of the information provided in sections A, B, and C of the petition may be designated business confidential.

A copy of the petition format and this notice can be obtained from North American Affairs staff, Office of the United States Trade Representative (USTR), 600 17th Street, NW, Washington, DC 20508, telephone (202) 395–3412. Petitioners are encouraged to submit requests to USTR via the Internet or on a properly formatted computer disk. The form and instructions for electronic submissions can be obtained, beginning June 1, 1999, from the USTR Internet home page: www.ustr.gov under the ''What's New'' heading.

IV. General Instructions

Numbered paragraphs below refer to fields in the model petition provided in the annex.

Section A. Scope and Petitioner Identification

1. Note format of submission—hard copy, computer disk, or via Internet e-mail.

2. Identify the countries that would be accelerating tariff elimination as a result of this petition. This must include at least two countries, except in cases where one or two parties have already eliminated all corresponding duties. All petitions should be fully reciprocal, that is, each participating country would be expected to accelerate duty elimination to the same degree.

3.–17. Contact Information. The petitioner contact will be the single entity notified by the United States government in cases where information beyond that required by the petition is needed. The contact need not be a producer organization. The petitioner contact would be responsible for disseminating information among participating organizations in that country. A private-sector producer organization contact should also be provided for *each* participating country.

Section B. Tariff Heading Information

18.–19. The petition should provide a concordance for the two or three relevant countries indicating the respective tariff classifications of all products of interest. Petitions should indicate those headings which will already be duty free on or before January 1, 2000, and those items which, while necessary to show a full concordance, are not being requested for accelerated tariff elimination. Requests for accelerated tariff elimination should be listed at the 8-digit subheading level or above (i.e., 6- or 4-digit level). Requests at the 4- or 6-digit level can be considered, as long as the petitioners have agreed and are in fact proposing that all remaining tariffs contained within those classifications are being proposed for accelerated tariff elimination. The NAFTA governments will consider requests for immediate tariff elimination. Requests for tariff elimination on another accelerated timetable will only be considered in extraordinary circumstances and only when the additional administrative burdens and benefits associated with such action can be justified. To simplify petitions, if a large majority of tariff subheadings in a specific product category are proposed for accelerated tariff elimination with very few exceptions, the exceptions should be listed under 19.

Section C. Supporting Producer Organizations in Each Country

20. To be acted on, petitions must represent a consensus agreement among the producers of the relevant products in all participating countries. To be considered, petitions submitted by other than producer organizations must list in this section the individual producing firms or the industry associations representing such firms. Firms or associations which do not include producing firms must not be listed in this section, but can be included in Section D. This information will be used to verify petition support, as necessary.

Section D. Supplemental Information

21.–22. This section of the petition should be used to provide information supplementing that provided in numbers 1 through 20 (specify the relevant number(s) being supplemented), or any other relevant information that may assist in consideration of the petition. Petitions for further consideration must note here the opposition that arose during the prior exercise which prevented a decision to accelerate duty elimination at that time, and must provide information showing such opposition no longer exists.

V. Submission of Petitions

1. Electronic submissions: USTR prefers that petitions be submitted in electronic form, either interactively via the Internet, or by submission of computer disk. If disks are being submitted, only one hard copy of each petition should be enclosed, and this copy must indicate that an electronic version is being submitted. If multiple requests are being filed, they may be submitted on a single disk, with a hard copy list of all the covered HTS numbers. The form and instructions for electronic submissions can be obtained, beginning June 1, 1999, from the USTR Internet home page: www.ustr.gov under the ''What's New'' heading. Technical questions regarding electronic submission may be made by contacting the USTR computer operations office at (202) 395–3417 during business hours.

2. Paper submissions: Petitions must be type-written and submitted in 10 copies, in English, to: North American Affairs, Office of the United States Trade Representative, Room 522, 600 17th Street, NW, Washington, DC 20508, Attention: NAFTA Tariff Acceleration desk.

3. Petitions may submit hard copies in order to confirm receipt of electronic submissions. However, such hard copies must be marked to indicate an electronic version is also being filed.

VI. Consideration of Petitions

All petitions received by July 1, 1999, and containing complete and correct information as required in this notice will be reviewed and a decision made as to which articles will be proposed to the Government of Mexico for possible accelerated tariff elimination. As noted above, petitions for articles on which the duty is currently scheduled for elimination on or before January 1, 2000, in Annex 302.2 of the NAFTA, as modified, cannot be considered. Requests received after July 1, 1999, will be considered annually each March 1 until full implementation of the NAFTA tariff eliminations.

Petitions not containing complete and accurate information required cannot be considered.

Jon Huenemann,

Assistant United States Trade Representative for North American Affairs.

Annex—1999 Model Petition To Accelerate the Removal of Tariffs Under the North American Free Trade Agreement

Section A. Scope and Contact Identification

(A contact point should be provided as indicated below for each of the countries involved)

1. This petition is being submitted via: ☐ Internet e-mail ☐ Computer Disk ☐ Paper Original
2. Accelerated duty elimination is requested for: ☐ United States ☐ Mexico ☐ Canada
3. U.S. Petitioner Contact: _____
4. Address: _____
5. U.S. Private-Sector Contact: _____
6. Telephone: ( ) _____
7. E-mail address: _____
8. Mexico Petitioner Contact: _____
9. Address: _____
10. Mexican Private-Sector Contact: _____
11. Telephone: ( ) _____
12. E-mail address: _____
13. Canada Petitioner Contact: _____
14. Address: _____
15. Canadian Private-Sector Contact: _____
16. Telephone: (____) _____
17. E-mail address: _____

Section B. Tariff Heading Information

18. The product[s] are classified in the following 1999 tariff headings or subheadings:

United States	Mexico	Canada
(_____)	(_____)	(_____)
(_____)	(_____)	(_____)
(_____)	(_____)	(_____)

[List each tariff subheading and its equivalent in the relevant country or countries on a separate line. Indicate those already duty free with an asterisk [*] and those not being requested with brackets [☐].]

19. As an alternative to completing question 18, list in 18 the items produced by the petitioning industry at a 6- or 4-digit level and list in 19 the 8-digit items not being included in this request:

(_____)	(_____)	(_____)
(_____)	(_____)	(_____)

Section C. Supporting producer organizations in each country

The following producing firms and/or industry associations have been contacted and agreed to support or not oppose this request (copy this page as necessary to list additional organizations):

Name	Contact Person	Phone/Fax & e-mail

20.a. In the United States:

(_____) (_____) (_____)
(_____) (_____) (_____)

20.b. In Mexico:

(_____) (_____) (_____)
(_____) (_____) (_____)

20.c In Canada:

(_____) (_____) (_____)
(_____) (_____) (_____)

Section D. Supplemental Information

21. Information regarding further consideration of requests published in 1997:
22. Other supplemental information:
Signature of person filing the petition: (_____) Date: (_____)
Organization: (_____) Title or position: (_____)

[FR Doc. 99–13552 Filed 5–26–99; 8:45 am]
BILLING CODE 3190–01–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. 301–118]

Mexican Practices Affecting High Fructose Corn Syrup (HFCS)

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of results of section 302 investigation.

SUMMARY: The United States Trade Representative (USTR) has conducted an investigation initiated under section 302(a) of the Trade Act of 1974, as amended (the Trade Act) (19 U.S.C. 2412(a)), with respect to certain acts, policies and practices of the Government of Mexico that affect access to the Mexican market for high fructose corn syrup (HFCS). The USTR initiated this investigation on May 15, 1998, in response to a petition filed by the Corn Refiners Association, Inc. Because the matters investigated suggest that the Government of Mexico unreasonably encouraged and supported an agreement between representatives of the Mexican sugar industry and the Mexican soft drink bottling industry to limit the soft drink industry's purchases of HFCS, the USTR has determined that it would be appropriate to explore further the nature and consequences of Mexican Government involvement in this matter and to continue consultations with the Government of Mexico on issues related to trade in HFCS, with the aim of securing fair and equitable market opportunities for U.S. producers.

ADDRESSES: Office of the United States Trade Representative, 600 17th Street, NW, Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT: John Melle, Senior Director, North American Affairs, (202) 395–3412 or Demetrios Marantis, Assistant General Counsel, (202) 395–3581.

SUPPLEMENTARY INFORMATION: On April 2, 1998, the Corn Refiners Association, Inc. filed a petition pursuant to section 302(a) of the Trade Act alleging that certain acts, policies and practices of the Government of Mexico affecting HFCS are actionable under section 301 of the Trade Act because they are unreasonable and deny fair and equitable market opportunities for U.S. exporters of HFCS. In particular, the petition alleged that, with the support and encouragement of the Government of Mexico, representatives of the Mexican sugar industry and the Mexican soft drink bottling industry entered into an agreement in September 1997 to limit the soft drink industry's purchases of HFCS. According to the petition, the purpose and effect of this agreement was to restrict both the volume of HFCS imports from the United States and the purchases of HFCS by the U.S. companies that have made investments in Mexican production facilities. The petition further alleged that the Government of Mexico actively supports this agreement, which has reduced U.S. exports of HFCS to Mexico and therefore burdens and restricts U.S. commerce.

On May 15, 1998, the USTR determined that an investigation should be initiated under section 302(a) of the Trade Act. Section 304(a) of the Trade Act requires the USTR to issue a determination in cases, such as this, which do not involve a trade agreement, within twelve months after the date on which the investigation is initiated.

The matters investigated suggest that the Government of Mexico unreasonably encouraged and supported an agreement between representatives of the Mexican sugar industry and the Mexican soft drink bottling industry to limit the soft drink industry's purchases of HFCS. Press reports indicate that Mexican Government officials have applauded the conclusion of this agreement and endorsed the goal of avoiding an increase in imports of HFCS; and the Government of Mexico has not refuted these allegations. Therefore, the USTR has determined that it would be appropriate to explore further the nature and consequences of Mexican Government involvement in this matter. In this regard, the United States will, as a high priority, continue consultations with the Government of Mexico on issues related to trade in HFCS, with the aim of securing fair and equitable market opportunities for U.S. producers.

Demetrios J. Marantis,
Acting Chairman, Section 301 Committee.

[FR Doc. 99–13489 Filed 5–26–99; 8:45 am]
BILLING CODE 3190–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Monthly notice of PFC approvals and disapprovals. In April 1999, there were 10 applications approved. This notice also includes information on one application, approved in March 1999, inadvertently left off the March 1999 notice. Additionally, 11 approved amendments to previously approved applications are listed.

SUMMARY: The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990 Public Law 101–508) and part 158 of the Federal Aviation Regulations (14 CFR part 158). This notice is published pursuant to paragraph d of § 158.29.