For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[12]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 99–20301 Filed 8–5–99; 8:45 am]

BILLING CODE 8010–01–M

DEPARTMENT OF STATE

[Public Notice 3108]

Finding of No Significant Impact: Portland Pipe Line Corporation Pipeline at North Troy, VT

AGENCY: Department of State.

ACTION: Notice of a finding of no significant impact with regard to an application to convert, operate and maintain a pipeline to transport crude oil across the U.S.-Canada border.

SUMMARY: The Department of State has conducted an environmental assessment of the proposed conversion by Portland Pipe Line Corporation of an existing pipeline from natural gas service to crude oil service crossing the international boundary near North Troy, Vermont. Based on the environmental assessment, the Department of State has concluded that issuance of a Presidential Permit authorizing conversion of the existing pipeline will not have a significant effect on the existing vegetation and wildlife, water resources, land use, air quality and human populations within the United States. In reaching this conclusion, the Department of State considered several alternatives, including a no-action alternative. The return of the pipeline to crude oil transport would have no significant impact on the environment or population since no new construction or ground-disturbing activity is involved. The pipeline is constructed of steel and coated with coal tar to protect against corrosion. It is also cathodically protected with an impressed current system as a further protection against corrosion.

In accordance with the National Environmental Policy Act, 42 U.S.C. 4321 *et seq.*, Council on Environmental Quality Regulations, 40 CFR 1501.4 and 1508.13 and Department of State Regulations, 22 CFR 161.8(C), an environmental impact statement will not be prepared.

FOR FURTHER INFORMATION ON THE PIPELINE PERMIT APPLICATION, CONTACT: Bill Memler, Office of International Energy Policy, Room 3535, U.S. Department of State, Washington, DC, 20520, (202) 647–4557.

SUPPLEMENTARY INFORMATION: Portland Pipe Line Corporation, is a corporation formed under the laws of the State of Maine, with its principal place of business in South Portland, Maine. The proposed pipeline conversion involves a pipeline which is routed along an existing crude oil pipeline facility operated by Portland Pipe Line Corporation. Portland Pipe Line Corporation presently operates and maintains a 24-inch line for transporting crude oil between South Portland and the international boundary. The crude oil is transported and received by the applicant at a marine terminal in South Portland, Maine and is transferred at the US-Canada border into the pipeline owned and operated by MPL, which is regulated by the National Energy Board (NEB) of Canada.

Portland Pipe Line Corporation's earlier construction of the 18-inch pipeline transported crude oil successfully, safely and without any known detrimental environmental impact for throughout 35 years of service, period of 1951–1986. Since 1987, the 18-inch line has been operated in interstate natural gas transmission serve by Granite State Gas Transmission (Granite State) under the lease from Portland to Granite State. This current lease expires on April 30, 1999, with Portland to take custody of the line on June 1, 1999.

On April 7, 1999, the Department of State published a Notice of Application for a Presidential Permit in the **Federal Register**. No public comments were received and concerned agencies expressed no opposition to issuing the permit. A finding of no significant impact is adopted, and an environmental impact statement will not be prepared.

Dated: August 2, 1999.

Peter Bass,

Deputy Assistant Secretary of State, for Energy, Sanctions and Commodities.

[FR Doc. 99–20329 Filed 8–5–99; 8:45 am]

BILLING CODE 4710–07–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 28895]

Airport Privatization Pilot Program

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of acceptance for review: Preliminary application for Niagara Falls International Airport, Niagara Falls, New York.

SUMMARY: The Federal Aviation Administration (FAA) has completed its review of the Niagara Falls International Airport (IAG) preliminary application for participation in the airport privatization pilot program. The preliminary application is accepted for review, with a filing date of July 1, 1999. The Niagara Frontier Transportation Authority (NFTA), the airport sponsor, may select a private operator, negotiate an agreement and submit a final application to the FAA for exemption under the pilot program.

49 U.S.C. 47134 establishes an airport privatization pilot program and authorizes the Department of Transportation to grant exemptions from certain Federal statutory and regulatory requirements for up to five airport privatization projects. The application procedures require the FAA to publish a notice in the **Federal Register** after review of a preliminary application. The FAA must publish a notice of receipt of the final application in the **Federal Register** for public review and comment for a sixty day period. The IAG preliminary application is available for public review in the Federal Aviation Administration, Office of Chief Counsel, Attention: Rules Docket (AGC–200), Docket No. 28895, 800 Independence Avenue, SW., Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: Kevin C. Willis (202–267–8741) Airport Compliance Division, AAS–400, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591.

SUPPLEMENTARY INFORMATION:

Introduction and Background

Section 149 of the Federal Aviation Administration Authorization Act of 1996, Pub. L. 104–264 (October 9, 1996) (1996 Reauthorization Act), adds a new section 47134 to Title 49 of the U.S. Code. Section 47134 authorizes the Secretary of Transportation, and through delegation, the FAA Administrator, to exempt a sponsor of a public use airport that has received Federal assistance, from certain Federal requirements in connection with the privatization of the airport by sale or lease to a private party. Specifically, the Administrator may exempt the sponsor from all or part of the requirements to use airport revenues for airport-related purposes, to pay back a portion of Federal grants upon the sale of an airport, and to return airport property deeded by the Federal Government upon transfer of the airport. The Administrator is also authorized to exempt the private purchaser or lessee from the requirement to use all airport

[12] 17 CFR 200.30–3(a)(12).

revenues for airport-related purposes, to the extent necessary to permit the purchaser or lessee to earn compensation from the operations of the airport.

On September 16, 1997, the Federal Aviation Administration issued a notice of procedures to be used in applications for exemption under Airport Privatization Pilot Program (62 FR 48693). A request for participation in the Pilot Program must be initiated by the filing of either a preliminary or final application for exemption with the FAA.

NFTA issued its RFP on July 1, 1999, for Niagara Falls International Airport, Niagara Falls, New York and has not selected a private operator. The filing date of this preliminary application is July 1, 1999, the date the preliminary application was received by the FAA. NFTA may select a private operator, negotiate an agreement and submit a final application to the FAA for exemption.

If FAA accepts the final application for review, the application will be published in the **Federal Register** for public review and comment for a sixty day period.

Issued in Washington, DC on July 30, 1999.

Paul Galis,

Acting Deputy Associate Administrator for Airports.

[FR Doc. 99–20293 Filed 8–5–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–98–4603; Notice 2]

Ford Motor Company; Grant of Application for Decision of Inconsequential Noncompliance

This notice grants the application by Ford Motor Company, of Dearborn, Michigan, to be exempted from the notification and remedy requirements of 49 U.S.C. 30118(d), and 30120(h) for a labeling noncompliance with 49 CFR 571.208, Federal Motor Vehicle Safety Standard (FMVSS) No. 208, ''Occupant Crash Protection.'' The basis of the application is that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published on January 26, 1999, and an opportunity afforded for comment (64 FR 3997).

Paragraph S4.5.1 (b)(3) of FMVSS 208 specifies ''Except for the information on an air bag maintenance label placed on the sun visor pursuant to S4.5.1(a) of this standard, no other information shall appear on the same side of the sun visor to which the sun visor warning label is affixed.''

The noncompliance was created when Ford implemented a sun visor label running change on February 13, 1998, on 4x4 models of the Ford F-Series, Ford Expeditions, and Lincoln Navigators, and on 4x2 Navigators equipped with moonroofs. The sun visors are supplied to Ford by Lear Corporation, 21557 Telegraph Road, Southfield, Michigan. Prior to the change, the air bag alert label specified in FMVSS 208 S4.5.1(c), along with the utility vehicle label required by 49 CFR 575.105(c)(1) on 4x4 models and the garage door opener transmitter label on the moonroof equipped Navigator 4x4 and 4x2 models, were all affixed to the driver sun visor on the side visible with the visor in the stowed position. The air bag warning label on these vehicles (required by S4.5.1 (b)(2)) was affixed to the opposite side of the visor. The label running change eliminated the air bag alert, and the air bag warning label was relocated in its place on the side of the visor visible when stowed. However, the utility vehicle label already located on that side of the visor on the 4x4 models, and the garage door transmitter label located on the side directly below the transmitter controls on the moonroof-equipped Navigator visors, were not relocated away from the air bag warning label. This created a noncompliance which was not corrected until May 21, 1998.

Ford supported its application for inconsequential noncompliance with the following reasons:

The transmitter label on the Navigator vehicles (a stick-on label which directs the customer to the Owner Guide for instructions on the operation of the transmitter controls on the visor) is not intended to be permanent, but is designed as a temporary label with the expectation that it will be removed early in the life of the vehicle. Because its early removal is intended, Ford believes the stick-on label will be removed by the customer, or by the dealer after review with the customer during delivery of the vehicle. Ford suggests there is no need for a field action to remove the label.

In summary, Ford believes that the presence of the utility vehicle label or the garage door opener transmitter located two inches or more from the air bag warning label, does not constitute ''information overload,'' nor does it present any risk to motor vehicle safety. Ford requests that the agency find this noncompliance to be inconsequential to motor vehicle safety, and accordingly that Ford be exempted from the notice and remedy requirements of the stature.

No comments were received on the application.

The agency published a final rule, (64 FR 11724) modifying the rollover warning currently required for certain utility vehicles (49 CFR Section 575.105) to require a more noticeable, understandable warning label and modifying the sun visor air bag warning label requirement, S4.5.1(b)(3) of FMVSS 208, to permit the utility vehicle label to be placed on the same side of the sun visor. The agency stated at 11730:

> In response to comments and in light of the results of its literature review, the agency is allowing the utility vehicle label to be placed on either (1) the driver's side sun visor (ether side) or (2) the driver's side window. The agency believes that this will allow manufacturers two alternatives if it is not possible to place both the air bag label and the utility vehicle label on the same side of the sun visor. Allowing manufacturers to put the utility vehicle label on either side of the sun visor, they could choose to put the air bag label on the front, increasing its prominence, if it is not possible to put both labels on the front. Based on its research, allowing both labels on the sun visor should not result in information overload because: (1) There are only 2 hazards being warned about; (2) actions that would avoid both rollover and air bag hazards can be avoided from the driver's seating position; and (3) both hazards have the same degree of seriousness.

Clearly, the action by Ford of placing both the air bag warning label and the rollover warning label on the same side of the sun visor is consistent with the agency's recent final rule, which requires that a rollover alert label, similar to the air bag alert label, be placed on the front of the sun visor if the utility vehicle label is put on the back of the sun visor.

Accordingly, for the reasons expressed above by Ford and stated by the agency in the March 9, 1999 labeling final rule, which amended S4.5.1(b)(3)) FMVSS No. 208, the petitioner has met its burden of persuasion that the noncompliance herein described is inconsequential to motor vehicle safety, and the agency grants Ford's application for exemption from notification of the noncompliance as required by 49 U.S.C. 30118 and from remedy as required by 49 U.S.C. 30120.

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

Issued on: August 2, 1999.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 99–20351 Filed 8–5–99; 8:45 am]

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