

presentations no later than 3 business days before a meeting.

**ADDRESSES:** The meetings will be held at the General Aviation Manufacturers Association, 1400 K Street, NW., Suite 801, Washington, DC 20005.

**FOR FURTHER INFORMATION CONTACT:** Vanessa R. Wilkins, Federal Aviation Administration, Office of Rulemaking (ARM-207), 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-8029; fax (202) 267-5075.

**SUPPLEMENTARY INFORMATION:** Pursuant to 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App II), notice is here by given of two meetings of the Aviation Rulemaking Advisory Committee to discuss air carrier and general aviation maintenance issues. The meetings will be held on January 31 and February 20-21, 2002, from 9 a.m. to 5 p.m. at the General Aviation Manufacturers Association, 1400 K Street, NW., Suite 801, Washington, DC 20005.

On January 31, the committee will discuss ratings for aeronautical repair stations. On February 20, and 21, the committee will discuss quality assurance systems for aeronautical repair stations.

Attendance is open to the interested public, but will be limited to the space available. The FAA will arrange teleconference capability for individuals to participate by teleconference if we receive notification no later than 3 business days before each meeting. Arrangements to participate by teleconference can be made by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Callers outside the Washington metropolitan area will be responsible for paying long distance charges.

To present oral statements at a meeting, members of the public must make arrangements no later than 3 business days before the meeting. The public may present written statements to the committee at any time by providing 25 copies to the Assistant Executive Director, or by bringing the copies to the meeting. In addition, sign and oral interpretation can be made available at the meeting, as well as an assistive listening device, if requested no later than 10 business days before the meeting. Arrangements may be made by contacting the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC, on January 11, 2002.

**David E. Cann,**

*Assistant Executive Director, Aviation Rulemaking Advisory Committee.*

[FR Doc. 02-1483 Filed 1-16-02; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Lancaster County, Pennsylvania

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for the SR 30 Section S01 (US 30) corridor in East Lampeter Township, Salisbury Township, Leacock Township, and Paradise Township, Lancaster County, Pennsylvania.

**FOR FURTHER INFORMATION CONTACT:** Deborah Suci Smith, Environmental Specialist, Federal Highway Administration, 228 Walnut Street, Room 536, Harrisburg, Pennsylvania 17101-1720, Telephone: 717-221-3785, or Larry Graeff, Project Manager, Pennsylvania Department of Transportation 2140 Herr Street, Harrisburg, Pennsylvania 17103, Telephone 717-783-5119.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Pennsylvania Department of Transportation (PENNDOT) and the Lancaster County Planning Commission, will prepare an Environmental Impact Statement (EIS) to identify and evaluate alternatives to address transportation problems within the SR 30 Section S01 corridor. The proposed project study area runs approximately from the PA 896/U.S. 30 intersection on the west and the PA 897/U.S. 30 intersection on the east, including the intersection with PA 41.

Notices of Intent concerning this proposal were previously published in the **Federal Register**. The Notice published on February 27, 1987 described a two-phase approach to identify and evaluate alternatives that would provide a variable means of relieving traffic congestion on Traffic Route (T.R.) 23 and US 30 in Eastern Lancaster County, Pennsylvania. The Notice published on June 16, 1988 announced that separate Environmental Impact Statements to evaluate alternatives for the two projects would be prepared.

Improvements to the corridor are considered necessary to provide for the existing and project traffic demand. A needs study has been undertaken and a range of transportation alternatives, including but not limited to No-Build, Transportation Systems Management (TSM), widening the existing three-lane highways to five lanes, bypasses around communities, and constructing a four-lane limited access highway on new location will be considered. These alternatives will be developed consistent with land use strategies to address the identified transportation needs. The development of alternatives will be based on traffic demands, engineering requirements, environmental and socioeconomic constraints, the county's growth management plan, and public input. Public involvement and inter-agency coordination will be maintained throughout the development of the EIS.

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

(Catalog of Federal Domestic Assistant Program Number 20, 205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: January 15, 2002.

**James A. Cheatham,**

*Division Administrator, Federal Highway Administration, Harrisburg, Pennsylvania.*

[FR Doc. 02-1454 Filed 1-18-02; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Lehigh and Northhampton Counties, Pennsylvania; Cancellation of the Notice

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Cancellation of the notice of intent.

**SUMMARY:** This notice rescinds the previous Notice of Intent (issued May 8, 2000) to prepare an Environmental Impact Statement for a proposed highway project along U.S. Route 22 between its interchanges with Interstate 78 to the west and State Route 248 to

the east, a distance of approximately 31 km (19 miles).

**FOR FURTHER INFORMATION CONTACT:** David W. Cough, P.E., Director of Operations, Federal Highway Administration, Pennsylvania Division Office, 228 Walnut Street, Room 508, Harrisburg, PA 17101-1720, Telephone (717) 221-3411—OR—Donald Lerch, Assistant District Engineer, Pennsylvania Department of Transportation, District 5-0, 1713 Lehigh Street, Allentown, PA 18103, Telephone (610) 798-4131.

**SUPPLEMENTARY INFORMATION:** Additional traffic analyses have indicated that the proposed project consists of distinct sections based on traffic patterns, origins and destinations, safety and capacity needs. Environmental Assessments of Categorical Exclusion Evaluations will be prepared for each section, as appropriate, based on project scoping.

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

**James A. Cheatham,**  
FHWA Division Administrator, Harrisburg, PA.  
[FR Doc. 02-1544 Filed 1-17-02; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

[Docket No. RSPA-00-7021 (PD-23(RF))]

### Research and Special Programs Administration Federal Motor Carrier Safety Administration; Morrisville, PA Requirements for Transportation of "Dangerous Waste"

**AGENCY:** Research and Special Programs Administration (RSPA) and Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Decision on petition for reconsideration of administrative determination of preemption.

**PETITIONER:** Borough of Morrisville, Pennsylvania.

**LOCAL LAWS AFFECTED:** Morrisville, Pennsylvania Ordinance No. 902.

**APPLICABLE FEDERAL REQUIREMENTS:** Federal hazardous material transportation law, 49 U.S.C. 5101 *et seq.*, and the Hazardous Materials Regulations (HMR), 49 C.F.R. Parts 171-180.

**MODES AFFECTED:** Highway.

**SUMMARY:** The Borough's petition for reconsideration is denied, and RSPA

and FMCSA reaffirm their determination that Federal hazardous material transportation law preempts the following provisions in Ordinance No. 902 of the Borough of Morrisville, Pennsylvania:

1. The definitions of "infectious waste," "hospital waste," and "dangerous waste" in Section 01 and the use of the term "dangerous waste" throughout the ordinance.

2. The designation of Route 1 (between the Delaware River Toll Bridge and the boundary line with the Township of Falls) as the only street in the Borough that may be used by trucks transporting dangerous waste, in Section 02.

3. The requirement that each truck transporting dangerous waste carry and have available "the manifest required for transportation of such waste under the Resource Conservation and Recovery Act, or federal or state regulations implementing that Act," in Section 05(a).

**FOR FURTHER INFORMATION CONTACT:** Frazer C. Hilder, Office of the Chief Counsel, Research and Special Programs Administration (Tel. No. 202-366-4400), or Joseph Solomey, Office of the Chief Counsel, Federal Motor Carrier Safety Administration (Tel. No. 202-366-1374), U.S. Department of Transportation, Washington, DC 20590-0001.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

###### A. Preemption Determination

Med/Waste, Inc. and its subsidiary, Sanford Motors, Inc. (collectively "Med/Waste"), applied for a determination that Federal hazardous material transportation law preempts provisions in Ordinance No. 902 of the Borough of Morrisville, Pennsylvania ("Borough"): (1) defining "infectious waste," "hospital waste," and "dangerous waste"; (2) limiting trucks transporting dangerous waste within the Borough to Route 1; and (3) requiring trucks carrying dangerous waste to carry and have available for inspection the uniform manifest required for hazardous wastes. RSPA and FMCSA published the text of Med/Waste's application and a responding letter from the Borough in the **Federal Register** and invited interested parties to submit comments. 65 FR 20258 (April 14, 2000). Comments were received from Med/Waste, Sanitec, the Medical Waste Institute ("Institute"), Biosystems, and American Waste Industries, Inc. The Borough did not submit further comments.

On July 17, 2001, RSPA and FMCSA published in the **Federal Register** their determination on Med/Waste's application in PD-23(RF), 66 FR 37260. RSPA and FMCSA found that Federal hazardous material transportation law preempts:

(1) the definitions of "infectious waste," "hospital waste," and "dangerous waste" in Section 01 of Ordinance No. 902 because these terms are used to create a scheme for designating and classifying hazardous material that is not substantively the same as in the HMR; and the term "dangerous waste" because it is used and defined throughout the ordinance in a manner that is substantively different from the use of the word "dangerous" in the HMR;

(2) the limitation that trucks transporting dangerous waste may only travel on Route 1 within the Borough, in Section 02 of Ordinance No. 902, because the Borough failed to comply with FMCSA's standards in 49 CFR part 397 when it adopted a routing limitation; and

(3) the requirement in Section 05(a) of Ordinance No. 902 that a uniform hazardous waste manifest must be carried on any truck transporting dangerous waste within the Borough because that requirement is not substantively the same as requirements in the HMR for the "preparation, execution, and use of shipping documents," which do not require the use of any specific form for shipments of regulated medical waste (or other materials that are not hazardous wastes).

In Part I.B. of their July 17, 2001 determination, RSPA and FMCSA discussed Federal regulation of the transportation of medical waste as a hazardous material since 1972 and the fact that "regulated medical wastes must be distinguished from (and are not within the category of) 'hazardous wastes.'" 66 FR at 37261. These agencies noted that the HMR specifically state that "A hazardous waste is not subject to regulation as a regulated medical waste," 49 CFR 173.134(b)(2); and that the Pennsylvania Department of Transportation has adopted as State law the HMR in 49 CFR parts 171-173 and 178-180 and FMCSA's Federal Motor Carrier Safety Regulations in 49 CFR parts 388 and 397.

In Part II of their determination, RSPA and FMCSA discussed the standards for making determinations of preemption under the Federal hazardous material transportation law. 66 FR at 37261-62. As explained there, unless DOT grants a waiver or there is specific authority in another Federal law, a local (or other