supplies could encourage other pipelines to expand their systems. While no information is available at this time about the location or time frames of any such projects, expansion of these systems could result in more extensive environmental impacts than the Proposed Action because they would require the construction of additional pipelines, while the Proposed Action would not. Specific impacts from these other projects would be speculative, but would have to be identified and analyzed during the regulatory process for these other projects.

Under the second scenario, one or more Rocky Mountain refineries could close. These refineries are currently evaluating their ability to comply with new environmental requirements. To comply they must either invest in facility upgrades or obtain a source of higher quality petroleum that enables them to comply without major capital investment. The Proposed Action would expand access to a wide variety of high quality petroleum supply that complies with the new environmental objectives. The Express Pipeline also transports petroleum on a batched basis, which meets the smaller refiners' need for specialized petroleum. It is possible that one or more of these refineries could close under the No Action alternative.

Under the third scenario, an entirely new refined product pipeline could be constructed from Canada to the United States. The construction of an entirely new pipeline would likely result in more extensive environmental impacts than the installation of additional pump stations on the existing Express Pipeline. The specific impacts would be speculative and would have to be identified and evaluated during the regulatory process for these other projects.

Cummulative Effects

Cumulative effects are the impacts on the environment that result from an incremental impact of the Proposed Action when added to other past, present and reasonably foreseeable actions. Examples of such actions would include the past construction and operation of the Express Pipeline; other pipelines proposed for construction near the Express Pipeline; upgrades of existing highways in the vicinity of the proposed pump stations; and construction or upgrades of transmission lines in the vicinity of the proposed pump stations.

The Express Pipeline was constructed in 1996 and has been in operation since 1997. The Express Pipeline has provided positive economic benefits to local communities, local power providers, the States of Montana and Wyoming through ad valorem taxes, and improved petroleum supply to Montana refiners. Environmental impacts from construction of the pipeline have been largely mitigated, and there have been no major operational problems with the pipeline.

No other petroleum pipelines are known to be proposed for construction in the vicinity of the Express Pipeline. No substantial upgrades (*i.e.*, not including normal maintenance and resurface operations, which are short-term activities) are scheduled for any of the public highways in the vicinity of the proposed pump stations for the next two years. Thus there would be no conflicts with the Proposed Action in terms of use of temporary housing or short-term population increases. It is assumed that environmental impacts of any new highway construction projects would be addressed by separate analysis documents.

There are no known proposals to construct or upgrade electric transmission lines in the vicinity of the proposed pump stations, except for the transmission lines that would directly supply the proposed pump stations. It is assumed that environmental impacts of any transmission line projects would be addressed by separate analysis documents. If it assumed that the transmission lines that would supply electrical power to the proposed pump stations were constructed in the same time frame as the proposed pump stations, there could be increased short-term socioeconomic benefits to the States of Montana and Wyoming, as well as counties and local communities, but there could also be shortages of temporary housing for construction workers, depending on the number of workers employed for transmission line construction, and the season of construction.

Unavoidable Adverse Impacts

Construction of the Proposed Action would result in some short-term direct and indirect unavoidable impacts. Temporary impacts to wildlife and visual resources during construction could not be avoided. Soil and vegetation would be removed, and agricultural productivity would be lost, on a maximum of 1.24 acres at each proposed pump station over the life of the project, but restored per the mitigation measures described here-in. All such impacts would be mitigated as described above.

Conclusion

On the basis of the Final Environmental Assessment submitted by the sponsor, the Department's independent review of that assessment, information developed during the review of the application and Environmental Assessment, comments received by the Department from Federal and State agencies, and measures that Express and Terasen are prepared to undertake to prevent or mitigate potentially adverse environmental impacts, the Department has concluded that issuance of a Presidential Permit authorizing construction and operation of the proposed Express Pipeline capacity increase would not have a significant impact on the quality of the human environment within the United States. Accordingly, a Finding of No Significant Impact is adopted and an Environmental Impact Statement will not be prepared.

The Final Environmental Assessment addressing this action is incorporated by reference and is on file and may be reviewed by interested parties at the Department of State, 2201 C Street NW., Room 3535, Washington, DC 20520 (Attn: Mr. Pedro Erviti, Tel. 202–647–1291).

Dated: September 24, 2004.

Stephen J. Gallogly,

Director, Office of Energy & Commodity Policy, Bureau of Economic and Business Affairs, Department of State.

[FR Doc. 04–22241 Filed 10–1–04; 8:45 am]

BILLING CODE 4710–07–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Commercial Space Transportation Advisory Committee—Open Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Commercial Space Transportation Advisory Committee open meeting.

SUMMARY: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C. App. 2), notice is hereby given of a meeting of the Commercial Space Transportation Advisory Committee (COMSTAC). The meeting will take place on Wednesday, October 27, 2004, starting at 8 a.m. at the Federal Aviation Administration Headquarters Building, 800 Independence Avenue, SW., Washington, DC, in the Bessie Coleman Conference Center, 2nd Floor. This will be the fortieth meeting of the COMSTAC.

The proposed agenda for the meeting will include updates on current

commercial space transportation legislation, and an activities report from FAA's Associate Administrator for Commercial Space Transportation. An agenda will be posted on the FAA Web site at *http://ast.faa.gov.* Meetings of the COMSTAC Working Groups (Technology and Innovation, Reusable Launch Vehicle, Risk Management, and Launch Operations and Support) will be held on Tuesday, October 26, 2004. For specific information concerning the times and locations of the working group meetings, contact the Contact Person listed below.

Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should inform the Contact Person listed below in advance of the meeting.

FOR FURTHER INFORMATION CONTACT: Brenda Parker (AST–200), Office of the Associate Administrator for Commercial Space Transportation (AST), 800 Independence Avenue, SW., Room 331, Washington, DC 20591, telephone (202) 385–4713; e-mail *brenda.parker@faa.dot.gov.*

Issued in Washington, DC, September 28, 2004.

Patricia G. Smith,

Associate Administrator for Commercial Space Transportation.

[FR Doc. 04–22277 Filed 10–1–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Etowah County, AL

AGENCY: Federal Highway Administration (FHWA), Department of Transportation.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for a proposed highway project in Etowah County, Alabama. This Notice of Intent (NOI) supersedes a NOI for this proposed project that was issued by the FHWA in the **Federal Register** dated May 29, 2001 (Volume 66, Number 103) Public involvement and coordination activities on the original proposal have resulted in a change in the scope of the project that should better meet the needs of local community and impacted neighborhoods.

FOR FURTHER INFORMATION CONTACT: Mr. Joe D. Wilkerson, Division Administrator, Federal Highway Administration, 500 Eastern Boulevard, Suite 200, Montgomery, Alabama 36117, Telephone: (334) 223–7370.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the State of Alabama Department of Transportation, will prepare an Environmental Impact Statement (EIS) for Alabama Project HPP–1602 (539), old project number NHF–PE 94 (2). The proposal is to construct a limited access facility from the eastern terminus of Interstate Highway 759 (I–759) near George Wallace Drive to an interchange with U.S. Highway 431 and U.S. Highway 278 in the city of Gadsden, Alabama. The project will be a multi-lane roadway on new location. The proposal will allow traffic from I–759 to flow through the city of Gadsden.

Alternatives under consideration include (1) alternate route locations, (2) a no-action alternative, and (3) postponing the action.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies and to private organizations and citizens that have previously expressed or are known to have an interest in this proposal. A public involvement meeting and a public hearing will be held in the city of Gadsden. Public notice with be given of the time and place for the meeting and hearing. A formal scoping meeting will not be held.

To ensure 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 and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: September 21, 2004.

Joe D. Wilkerson,

Division Administrator, Montgomery, Alabama.

[FR Doc. 04–22181 Filed 10–1–04; 8:45 am]

BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition for Exemption from the Vehicle Theft Prevention Standard; Nissan North America, Inc.

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

ACTION: Grant of petition for exemption.

SUMMARY: This notice grants in full the petition of Nissan North America, Inc., (Nissan) for an exemption of a high-theft vehicle line, [whose nameplate is confidential], from the parts-marking requirements of the Federal motor vehicle theft prevention standard. This petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard. Nissan requested confidential treatment for the information and attachments it submitted in support of its petition. In a letter dated July 23, 2004, the agency granted the petitioner's request for confidential treatment of most aspects of its petition.

DATES: The exemption granted by this notice is effective beginning with the [confidential] model year.

FOR FURTHER INFORMATION CONTACT: Ms. Rosalind Proctor, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Ms. Proctor's telephone number is (202) 366–0846. Her fax number is (202) 493–2290.

SUPPLEMENTARY INFORMATION: In a petition dated June 23, 2004, Nissan North America, Inc. (Nissan), requested exemption from the parts-marking requirements of the theft prevention standard (49 CFR Part 541) for a vehicle line. The nameplate of the line and the model year of introduction are confidential. The petition has been filed pursuant to 49 CFR Part 543, *Exemption from Vehicle Theft Prevention Standard*, based on the installation of an antitheft device as standard equipment for an entire vehicle line. Based on the evidence submitted by Nissan, the agency believes that the antitheft device for the vehicle line is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the theft prevention standard (49 CFR Part 541).