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**John B. Carter,**

*Acting Manager, Harrisburg Airports District Office, Eastern Region.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement; Chittenden County, VT

**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 a proposed transportation project in Chittenden County, Vermont.

**FOR FURTHER INFORMATION CONTACT:** Kenneth R. Sikora, Jr., Environmental Program Manager, Federal Highway Administration, PO Box 568, Montpelier Vermont 05601, Telephone: (802) 828-4433.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Vermont Agency of Transportation (VTrans), will prepare an environmental impact statement (EIS) on a proposal to improve the transportation system from Interstate Route I-89 to the Towns of Williston and Essex and the Village of Essex Junction. The project study area is approximately 4 miles in length, and includes the corridor that would have been served by the previously proposed Chittenden County Circumferential Highway Project Construction Segments A and B. The Circumferential Highway Construction Segments G-J included in the Metropolitan Long Range Transportation Plan are not part of this proposed transportation project. The Circumferential Highway Construction Segments C-F have been partially constructed and open to traffic.

The EIS will identify transportation needs and deficiencies in the project study area, including mobility, access, system continuity, and safety. The range of transportation alternatives to be evaluated in the EIS will not be restricted to previously considered alternatives or the conclusions of previous studies. In addition, the EIS will specifically address the relationship between transportation and land use in and around the project study area.

The EIS will evaluate potential alternative transportation improvements to meet the existing and future demands

on the transportation system serving the aforementioned communities. Potential alternatives and combinations thereof will include but are not limited to (1) taking no action, *i.e.*, the No-Build Alternative; (2) strategies to better manage transportation demand; (3) improving public transportation facilities and services; (4) improving existing roadways, pedestrian walkways, and bikeways; and (5) constructing a new roadway connection between Route I-89 and Vermont Route 289 and other roadways. Design variations of potential alternatives will also be studied, as appropriate.

The EIS will be initiated with a scoping process. The scoping process will include a program of public outreach and agency coordination will be conducted over the next several months in order to elicit input on project purpose and need, potential alternatives, significant and insignificant issues, and collaborative methods for analyzing transportation alternatives and environmental impacts. As part of scoping, VTrans plans to hold several public meetings at different locations in Chittenden County and to contact and meet with local, state, and federal agencies and officials as well as private individuals and organizations concerned with the project. In addition, a public hearing will be held in connection with the circulation of the draft EIS. Public notice will be given of the time and place of the meetings and hearing.

The information gained during the scoping process will be widely disseminated and used to guide the development of the EIS. An internet website and other communication media will be developed early in the scoping process and used to provide public information and to receive comments. All comments and input received during the scoping and subsequent steps of the EIS process will be considered and documented. Beginning with scoping, continuous and regular public involvement and agency coordination will continue throughout the preparation of the EIS.

(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: November 19, 2004.

**Charles E. Basner,**

*Division Administrator, Montpelier, Vermont.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2004-19103; Notice 2]

#### The Goodyear Tire and Rubber Company, Grant of Petition for Decision of Inconsequential Noncompliance

The Goodyear Tire and Rubber Company (Goodyear) has determined that certain tires it produced in 2004 do not comply with S4.3(e) of 49 CFR 571.109, Federal Motor Vehicle Safety Standard (FMVSS) No. 109, "New pneumatic tires." Pursuant to 49 U.S.C. 30118(d) and 30120(h), Goodyear has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Notice of receipt of the petition was published, with a 30-day comment period, on October 8, 2004, in the **Federal Register** (69 FR 60459). NHTSA received no comments.

A total of approximately 3,793 tires are involved. These include approximately 1,075 Kelly Charger HPT 235/45R18 tires manufactured from May 18, 2004, to May 27, 2004, and approximately 2,718 Essenza 210 Type R 235/45R18 tires manufactured from July 15, 2004, to August 15, 2004. Paragraph S4.3 of FMVSS No. 109 requires "each tire shall have permanently molded into or onto both sidewalls \* \* \* (e) Actual number of plies in the sidewall, and the actual number of plies in the tread area if different." The affected tires are incorrectly labeled to state that there is one nylon ply in the tread area when the actual number of nylon plies is two.

Goodyear believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted, because the mislabeling of these tires creates no unsafe condition. Goodyear states that the tires meet or exceed all applicable FMVSS performance requirements. In addition, Goodyear says that all markings related to tire service, including load capacity and corresponding inflation pressure, are correct.

The Transportation Recall, Enhancement, Accountability, and Documentation (TREAD) Act (Public Law 106-414) required, among other things, that the agency initiate rulemaking to improve tire label information. In response, the agency published an Advance Notice of Proposed Rulemaking (ANPRM) in the