

Executive Order also authorizes **Federal Register** notification of receipt of Presidential permit applications and for public comments on those applications. The functions assigned to the Secretary have been further delegated within the Department of State.

The Department of State published in the **Federal Register** a Notification of Receipt and Notice of Intent to prepare an Environment Assessment (EA) regarding the PMI Application for a permit on March 26, 2008 (73 FR 16090-01). That notification advised the public that the Department intended to prepare an EA on the application and solicited public comment. The Department's Notice of Availability of the draft EA and request for public comment was published in the **Federal Register** on April 29, 2008 (73 FR 23301-01), seeking comments by May 29, 2008. The Department received public comments in response to its two notices and has taken them into account in preparing the Final Environmental Assessment on the PMI Application.

As required by Executive Order 13337, PMI's pipeline application and a Draft Environmental Assessment were also transmitted to the relevant federal agencies for their review and comment on May 22, 2007. The Department of State received no objections from federal agencies regarding the issuance of a permit.

In accordance with the National Environmental Policy Act of 1969 ("NEPA"), 42 U.S.C. 4321-4370f, the Council of Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA, 40 CFR parts 1500-1508, and the Department's regulations for the implementation of NEPA, 22 CFR part 161, PMI has prepared a Final Environmental Assessment ("FEA") under the guidance and supervision of the Department, with full public participation, including a public meeting and ample opportunity for written and oral public comment on the project. Based on the FEA and the record created as part of the Department's evaluation of the PMI application, on August 16, 2008 the Department determined that "issuance of a Presidential Permit authorizing construction, connection, operation and maintenance of the proposed Frontera Juarez Pipeline would not have a significant impact on the quality of the human environment within the United States." Accordingly, the Department on that date adopted a "Finding Of No Significant Impact" (FONSI) and determined that an environmental impact statement will not be prepared on the PMI application.

FOR FURTHER INFORMATION CONTACT: The Final Environmental Assessment addressing this action is on file and may be reviewed by interested parties, along with the Finding of No Significant Impact, at the Department of State, 2200 C Street NW., Room 4843, Washington, DC 20520 (Attn: Mr. J. Brian Duggan, Tel. 202-647-1291). The above documents may also be requested by e-mail at DugganJB@state.gov.

Issued in Washington, DC on August 15, 2008.

Stephen J. Gallogly,

Director, Office of International Energy and Commodity Policy, Department of State.

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DEPARTMENT OF STATE

[Public Notice 6327]

Notice of Receipt of Application for a Presidential Permit To Operate and Maintain Pipeline Facilities on the Border of the United States

Notice is hereby given that the Department of State has received an application from Razorback L.L.C. for a Presidential permit, pursuant to Executive Order 13337 of April 30, 2004, to operate and maintain two pipelines for transporting petroleum products from Brownsville, Texas, to Matamoros, Mexico ("Matamoros pipelines"), crossing the international boundary line between the United States and Mexico at a point near Brownsville, Texas. On July 26, 1999, the Department of State (the "Department"), acting pursuant to delegated authority, issued a Presidential permit to the Penn Octane Corporation ("Penn Octane"), a California corporation with its principal place of business in Redmond, California, to "construct, maintain and operate" the Matamoros pipelines. According to the application, Rio Vista Operating Partnership L.P. ("Rio Vista") was the successor in interest to Penn Octane and Razorback acquired the Matamoros pipelines from Rio Vista on December 31, 2007, as part of a large asset acquisition.

According to the application, Razorback is a Delaware Limited liability company doing business in Texas as Diamondback Pipeline L.L.C. and is engaged in the interstate and intrastate transportation of liquid petroleum products by pipeline. Also, according to the application, Razorback is an indirect wholly owned subsidiary of TransMontaigne Partners, L.P., a Delaware Limited Partnership.

Razorback has, in written correspondence to the Department of State, committed to abide by the relevant terms and conditions of the permit previously issued by the Department to Penn Octane. Further, Razorback indicates in that correspondence that there have been no substantial changes in the operations of the Matamoros pipelines from those originally authorized by the Department and further states that the future operation of the pipeline will remain essentially unchanged from that previously permitted. Therefore, in accordance with 22 CFR 161.7(b)(3) and the Department's Procedures for Issuance of a Presidential Permit Where There Has Been a Transfer of the Underlying Facility, Bridge or Border Crossing for Land Transportation (70 FR 30990, May 31, 2005), the Department of State does not intend to conduct an environmental review of the application unless information is brought to its attention that the transfer potentially would have a significant impact on the quality of the human environment.

As required by E.O. 13337, the Department of State is circulating this application to concerned federal agencies for comment.

DATES: Interested parties are invited to submit, in duplicate, comments relative to this proposal on or before September 22, 2008 to J. Brian Duggan, Office of International Energy and Commodities Policy, Department of State, Washington, DC 20520. The application and related documents that are part of the record to be considered by the Department of State in connection with this application are available for inspection in the Office of International Energy and Commodities Policy during normal business hours.

FOR FURTHER INFORMATION CONTACT: J. Brian Duggan, Office of International Energy and Commodity Policy (EB/ESC/IEC/EPC), Department of State, Washington, DC 20520; or by telephone at (202) 647-1291; or by e-mail at DugganJB@state.gov.

Dated: August 15, 2008.

Stephen J. Gallogly,

Director, Office of International Energy and Commodity Policy, Department of State.

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