

Issued in Washington, DC, on April 1, 1997.

Vanester M. Williams,

Clearance Officer, United States Department of Transportation.

[FR Doc. 97-8822 Filed 4-4-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Aviation Proceedings, Agreements Filed During the Week of March 28, 1997

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: OST-97-2264.

Date Filed: March 25, 1997.

Parties: Members of the International Air Transport Association.

Subject:

COMP Telex Mail Vote 865

Fares from Botswana

Intended effective date: April 1, 1997

Docket Number: OST-97-2276.

Date Filed: March 27, 1997.

Parties: Members of the International Air Transport Association.

Subject:

COMP Mail Vote 866 as amended
Advance Intended effective Date of
Mail Vote 835

(MV835 was given rubber-stamp
approval on 3/24/97).

Intended effective date: April 7, 1997

Paulette V. Twine,

Chief, Documentary Services.

[FR Doc. 97-8716 Filed 4-4-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. 97-018; Notice 1]

Notice of Receipt of Petition for Decision That Nonconforming 1991 Jeep Cherokee Multi-Purpose Passenger Vehicles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice of receipt of petition for decision that nonconforming 1991 Jeep Cherokee multi-purpose passenger vehicles (MPVs) cars are eligible for importation.

SUMMARY: This notice announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that a 1991 Jeep Cherokee

manufactured for the European market that was not originally manufactured to comply with all applicable Federal motor vehicle safety standards is eligible for importation into the United States because (1) It is substantially similar to a vehicle that was originally manufactured for sale in the United States and that was certified by its manufacturer as complying with the safety standards, and (2) it is capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is May 7, 1997.

ADDRESSES: Comments should refer to the docket number and notice number, and be submitted to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590. [Docket hours are from 9:30 am to 4 pm.]

FOR FURTHER INFORMATION CONTACT:

George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

Champagne Imports, Inc. of Lansdale, Pennsylvania ("Champagne") (Registered Importer 90-009) has petitioned NHTSA to decide whether 1991 Jeep Cherokee MPVs manufactured for the European market are eligible for importation into the United States. The

vehicle which Champagne believes is substantially similar is the 1991 Jeep Cherokee that was manufactured for sale in the United States and certified by its manufacturer, Chrysler Corporation, as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared the non-U.S. certified 1991 Jeep Cherokee to its U.S. certified counterpart, and found the two vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

Champagne submitted information with its petition intended to demonstrate that the non-U.S. certified 1991 Jeep Cherokee, as originally manufactured, conforms to many Federal motor vehicle safety standards in the same manner as its U.S. certified counterpart, or is capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that the non-U.S. certified 1991 Jeep Cherokee is identical to its U.S. certified counterpart with respect to compliance with Standard Nos. 102 *Transmission Shift Lever Sequence* * * *, 103 *Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic Brake Systems*, 106 *Brake Hoses*, 113 *Hood Latch Systems*, 116 *Brake Fluid*, 119 *New Pneumatic Tires*, 124 *Accelerator Control Systems*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 203 *Impact Protection for the Driver From the Steering Control System*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 209 *Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Retention*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, and 302 *Flammability of Interior Materials*.

Additionally, petitioner contends that the non-U.S. certified 1991 Jeep Cherokee complies with the Bumper Standard found in 49 CFR part 581.

Petitioner also contends that the vehicle is capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays:* (a) Substitution of a lens marked "Brake" for a lens with a noncomplying symbol on the brake failure indicator lamp; (b) installation of a seat belt warning lamp that displays the appropriate symbol; (c) recalibration of the speedometer/odometer from kilometers to miles per hour.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment:* (a)

Installation of U.S.-model headlamp assemblies; (b) installation of U.S.-model front and rear sidemarker/reflector assemblies; (c) installation of U.S.-model taillamp assemblies.

Standard No. 111 *Rearview Mirror*: Replacement of the convex passenger side rearview mirror.

Standard No. 114 *Theft Protection*: Installation of a warning buzzer microswitch in the steering lock assembly and a warning buzzer.

Standard No. 118 *Power Window Systems*: Rewiring of the power window system so that the window transport is inoperative when the ignition is switched off.

Standard No. 120 *Tire Selection and Rims*: Installation of a tire information placard.

Standard No. 208 *Occupant Crash Protection*: (a) Installation of a U.S. model seat belt in the driver's position, or a belt webbing actuated microswitch inside the driver's seat belt retractor; (b) installation of an ignition switch actuated seat belt warning lamp and buzzer. The petitioner states that the vehicle is equipped with a combination lap and shoulder restraint that adjusts by means of an automatic retractor and releases by means of a single push button in each front designated seating position, with a combination lap and shoulder restraint that releases by means of a single push button in each rear outboard designated seating position, and with a lap belt in the rear center designated seating position.

Standard No. 301 *Fuel System Integrity*: Installation of a rollover valve in the fuel tank vent line.

The petitioner also states that a vehicle identification number plate must be affixed to the vehicle to meet the requirements of 49 CFR part 565.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, SW., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: April 2, 1997.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 97-8823 Filed 4-4-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. RSPA-97-2236; Notice 1]

Liquefied Natural Gas Facilities Petition for Waiver; Pine Needle LNG Company

Pine Needle LNG Company (Pine Needle) has petitioned the Research and Special Programs Administration (RSPA) for a waiver from compliance with 49 CFR 193.2155(c), Liquefied Natural Gas (LNG) storage tank impounding system. Section 193.2155(c) requires a Class 1 impounding system whenever an LNG storage tank is located within 20,000 feet from the nearest runway serving large aircraft. The petition applies to the Pine Needle's proposed LNG storage facility in the northwest Guilford County, North Carolina.

The petitioner's rationale for the waiver from compliance rests on the following reasons:

1. A horizontal distance between the nearest Pine Needle LNG tank and the nearest point of the Landmark Airpark runway is approximately 19,500 feet. This is 500 feet less than the 20,000 foot offset required for compliance with § 193.2155(c).

2. A vertical clearance of an aircraft over the top of the Pine Needle earthen containment dikes would be 1023 feet, after factoring in a minimum airport approach/departure ratio of 20:1 to/from Landmark Airpark and the elevation differences between the Landmark Airpark runway and the Pine Needle location. This exceeds the minimum requirements under the Federal Aviation Administration (FAA) regulations.

3. Correspondence between FAA and the Landmark Airpark developer describes operation of the Landmark Airpark as being limited to private aircraft under visual flight rules (VFR) conditions.

4. The turf runway surface and 2600-foot runway length would likely preclude large aircraft, as defined by 14 CFR Part 1.1, from using the Landmark Airpark.

5. Pine Needle owns, leases or controls all properties within the exclusion zones required under 49 CFR 193.2057 and 193.2059. There is presently no development within the prescribed exclusion zones. Pine Needle will allow no development within the required exclusion zones which would be inconsistent with the requirements of §§ 193.2057 and 193.2059.

6. The Class 2 impounding system proposed for the Pine Needle LNG storage tanks would remain intact in the event of a large aircraft impact, and with a design volume of 150% of tank capacity would meet the volumetric requirements of § 193.2181(a).

7. The earthen dikes, in combination with hilly terrain and the undeveloped safety exclusion zones around the facility would adequately provide for hazard containment.

Because of the unusual circumstances described above at Pine Needle's proposed LNG facility, located 19,500 feet from the nearest point of the Landmark Airpark runway, suitable for landing smaller aircrafts and any larger aircrafts that could reasonably use this facility, relatively low risk to the public safety due to combination of Class 2 earthen dikes in a hilly terrain with 150% volumetric capacity, and undeveloped safety exclusion zones around facility owned and controlled by the Pine Needle, RSPA believes that granting a waiver from the requirements of 49 CFR 193.2155(c) would not be inconsistent with pipeline safety, nor would it lessen public safety in this case. The operator must comply with all other requirements of Part 193. Therefore, RSPA proposes to grant the waiver.

Interested parties are invited to comment on the proposed waiver by submitting in duplicate such data, views, or arguments as they may desire. Comments should identify the docket number and the RSPA rulemaking number. Comments should be addressed to the Docket Facility, U.S. Department Of Transportation, plaza 401, 400 Seventh Street SW., Washington, DC 20590-0001.

All comments received before May 7, 1997 will be considered before final action is taken. Late filed comments will be considered so far as practicable. No public hearing is contemplated, but one may be held at a time and place set in a notice in the **Federal Register** if required by an interested person desiring to comment at a public hearing and raising a genuine issue. All comments and other docketed material will be available for inspection and copying in room 401 Plaza between the