

Issued in Burlington, Massachusetts, on August 27, 1999.

**David A. Downey,**

*Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 99-23946 Filed 9-13-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Riverside County, California

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

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA is issuing this Notice of Intent to advise the public that an Environmental Impact Statement will be prepared for a proposed highway project in Riverside County, California.

**FOR FURTHER INFORMATION CONTACT:** C. Glenn Clinton, Team Leader, Program Delivery Team-South, Federal Highway Administration, 980 9th Street, Suite 400, Sacramento, CA 95814-2724, Telephone: (916) 498-5037.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the California Department of Transportation, will prepare an EIS on a proposal to replace the existing seismic deficient River Road Bridge over the Santa Ana River. The proposed bridge would be constructed on approximately the same alignment but at a higher elevation to avoid local flooding.

Alternatives under consideration include (1) taking no action, (2) alternatives reflecting various lengths of structure and fill, and (3) alternatives on or adjacent to the existing crossing. Within the limits of the study area for this project, various environmental resources and issues are known to exist. These include, but are not limited to: cultural, parkland, wetlands, floodway and floodplain, wildlife habitat, noise, seismic exposure, hazardous waste, and irrigation/drain systems.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. At least one public meeting will be held to solicit input from the local citizens on alternatives. In addition, a public hearing will be held. Public Notice will be given of the time and place of the meetings and hearing. The draft EIS will be available

for public and agency review and comment prior to the public hearing.

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 Document 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 1, 1999.

**C. Glenn Clinton,**

*Team Leader, Program Delivery Team-South, Sacramento, California.*

[FR Doc. 99-23951 Filed 9-13-99; 8:45 am]

BILLING CODE 4910-22-M

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-99-6021; Notice 1]

#### Explorer Van Company, Receipt of Application for Decision of Inconsequential Noncompliance and Safety-Related Defect

Explorer Van Company (Explorer), a division of the Bodor Corporation, is a corporation organized under the laws of the State of Indiana and is located in Warsaw, Indiana. Explorer has determined that it manufactured conversion vans that are in noncompliance with the agency's Federal Motor Vehicle Safety Standard (FMVSS) No. 120, Tire selection and rims for motor vehicles other than passenger cars, and 49 CFR Part 567, Certification, and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." Explorer has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance and defect are inconsequential to motor vehicle safety.

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

First, from February 1, 1998 to May 31, 1998, Explorer manufactured approximately 2,416 conversion vans that do not meet the requirements stated

in FMVSS No. 120, "Tire selection and rims for vehicles other than passenger cars." The certification label affixed to these Explorer's units pursuant to 49 CFR part 567 failed to comply with S5.3 of FMVSS No. 120 because of the omission of metric measurements, and the failure of Explorer to separately provide the metric measurements on another label, an alternative allowed by FMVSS No. 120.

Second, from January 1998 to August 1998, Explorer manufactured approximately 187 conversion vans that do not meet the requirements stated in FMVSS No. 120. On the vehicles' certification labels provided by Explorer, the tires on the rear axle have a specified inflation pressure of 41 psi, while the maximum inflation pressure indicated on the tires is 35 psi. Therefore, the maximum inflation pressure specified on the certification label exceeds the inflation pressure molded on the sidewall of the standard load tires. Per the safety standard, a vehicle manufacturer must not specify a higher inflation pressure for a tire than the maximum inflation pressure molded on that tire. This problem occurred because these vans were equipped with the wrong tires. To properly accommodate the weight of the conversion van, the vans were supposed to be equipped with extra load rated tires; however, they were equipped with standard load tires. Hence, each van has an inflation pressure specified on its certification label for extra load tires, but not for the standard load tires that are actually on it.

Third, from 1997 to 1999, Explorer manufactured approximately 68 conversion vans that do not meet the requirements stated in 49 CFR Part 567. On the vehicles' certification label, the GVWR of the vehicle was indicated to be 7,000 pounds; however, the vehicles' actual GVWR was found to be 7,214 pounds, which exceeds the specified GVWR by 214 pounds. Failure to provide a proper GVWR may constitute a safety-related defect.

Explorer supports its application for inconsequential noncompliance with the following statements:

1. METRIC AND ENGLISH INFORMATION: "All certification labels now in use by Bodor Corporation's Explorer Vans correctly specify the weights and pressures in metric and English, as required. There were a small number of "old style" labels remaining in inventory which were to have been destroyed and were inadvertently used by the production staff during a short period when the error was discovered . . . the

language is inconsequential to motor vehicle safety and should be exempted."

2. **TIRE PRESSURE INFORMATION:** "Due to a programming error, not more than 187 vehicles may potentially have incorrect tire pressure." "The tires are each individually clearly marked with the tire pressure information."

3. **GVWR LABELING:** "Bodor Corporation undertook a materials weight reduction program, and, further, no longer utilizes the [Ford] E-150 chassis for high-top conversions, favoring instead the E-250 model with an initial higher weight GVWR. The E-250 was previously not made available in [a] large enough quantity by Ford Motor Company for conversion purposes."

Interested persons are invited to submit written data, views, and arguments on the application described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation, Docket Management, Room PL-401, 400 Seventh Street, S.W., Washington, D.C., 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: October 14, 1999.

(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: September 8, 1999.

**L. Robert Shelton,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 99-23906 Filed 9-13-99; 8:45 am]

BILLING CODE 4910-59-P

## DEPARTMENT OF THE TREASURY

[Treasury Directive Number 32-12]

### Restrictions on Lobbying for Federal Grants, Cooperative Agreements, Loans, and Commitments To Insure or Guarantee a Loan

September 1, 1999.

1. **Purpose.** This directive establishes policy, procedures and responsibilities for implementing Office of Management and Budget (OMB) guidance on restrictions on lobbying for Federal grants, cooperative agreements, loans,

and commitments to insure or guarantee a loan.

2. **Scope.** This directive applies to all bureaus, Departmental Offices (DO), the Office of Inspector General (IG) and the Treasury Inspector General for Tax Administration.

3. **Policy.** It is the policy of the Department of the Treasury that persons, including those who represent corporations, partnerships, and other entities, who request or receive a covered Federal grant, cooperative agreement, loan or commitment to insure or guarantee a loan (see paragraph 6.a., below) must file the certification and disclosure forms on lobbying activities required by law.

#### 4. Background.

a. 31 U.S.C. 1352 prohibits recipients of Federal contracts, grants, loans, or cooperative agreements from using appropriated funds to influence, or attempt to influence, Government employees, and members of Congress or their staffs. The law specifies penalties for

b. Treasury has codified OMB's guidance on lobbying restrictions at 31 CFR part 21.

c. Treasury procedures on restrictions on lobbying for contracts are covered in Department of the Treasury Acquisition Regulation, subpart 1003.8, "Limitation on the Payment of Funds to Influence Federal Transactions."

#### 5. Definitions.

a. **Cooperative Agreement.** A legal instrument between a bureau or office and a person to work together for a common purpose. Substantial involvement is expected between the bureau or office and the person.

b. **Direct Loan.** This occurs when a bureau or office disburses funds to a borrower and enters into a contract with the borrower for repayment.

c. **Grant.** An award of financial assistance in the form of money, or property in lieu of money, by a bureau or office, or a direct appropriation made by law to any person.

d. **Guaranteed or Insured Loans.** This occurs when a third party lender makes a direct loan to a borrower; the bureau or office agrees to repay the lender all or a portion of the loan in case the borrower defaults.

e. **Person.** An individual, corporation, company, association, authority, firm, partnership, society, and State or local government, regardless of whether such entity is operated for profit or not for profit.

#### 6. Procedures.

a. The certification and disclosure requirements in 31 U.S.C. 1352 apply to:

(1) A Federal grant or cooperative agreement from Treasury in excess of \$100,000.

(2) A Federal loan or commitment to insure or guarantee a loan from Treasury in excess of \$150,000.

b. A person who requests or receives a covered Federal grant, cooperative agreement, or loan from Treasury must certify (see 31 CFR part 21 appendix A that the person has not made and will not make any payment prohibited by 31 U.S.C. 1352. Such a person must file SF LLL, "Disclosure of Lobbying Activities" (see 31 CFR part 21 appendix B) if that person has made or has agreed to make any payment from nonappropriated funds which would be prohibited under 31 U.S.C. 1352 if paid for with appropriated funds.

c. A person who requests or receives a covered commitment providing for the United States to insure or guarantee a loan must certify (see 31 CFR part 21 appendix A) as to whether the person has made or agreed to make any payment prohibited by 31 U.S.C. 1352. Such a person must file SF LLL, "Disclosure of Lobbying Activities" (see 31 CFR part 21 appendix B) if that person has made or has agreed to make any payment to influence or attempt to influence a Government officer or employee in connection with that loan insurance or guarantee.

d. The appropriate certification and, if required, disclosure form shall be filed with each submission that initiates agency consideration for, and upon award of, a grant, cooperative agreement, loan, or commitment to insure or guarantee a loan described above. Certifications and disclosure forms shall be filed with the appropriate bureau or office.

#### 7. Responsibilities.

a. **The Deputy Assistant Secretary (Administration), Heads of Bureaus, the Inspector General and the Treasury Inspector General for Tax Administration** as it relates to their respective bureaus and offices, shall ensure that each person who requests or receives a Federal grant, cooperative agreement, loan, or commitment to insure or guarantee a loan, is required to file the required certification and, if required, disclosure forms with the appropriate bureau or office.

b. **Treasury's Director of Procurement** will issue procedures to bureaus concerning lobbying for contracts.

#### 8. Authorities.

a. 31 U.S.C. 1352, "Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions."

b. OMB Interim Final Rule, 55 FR 6736 (1990).