Environmental Impact Statement (EIS) under Section 102(2)(C) of the National Environmental Policy Act (NEPA) as amended. It also includes a clause in Section 6 indicating that existing processes ''to the extent possible'' be used to fulfill the requirements of the order.

The DOT issued DOT Order 5660.1A on August 24, 1978. The DOT Order defines ''New construction'' as including any draining, dredging, channelizing, filling, diking, impounding, and related activities. It does not include routine repairs and maintenance of existing facilities. The DOT Order indicates that any project which will have a significant impact on wetlands will require preparation of an EIS. Paragraph 7f of the Order states ''In carrying out any activities (including small scale projects which do not require documentation) with a potential effect of wetlands, operating agencies should consider the following factors in implementing the Department policy relevant to a proposal's effect on the survival and quality of wetland: (1) Public health, safety and welfare, including water supply, water quality, recharge and discharge, and pollution; flood and storm hazards; and sedimentation and erosion; (2) Maintenance of natural systems, including conservation and long-term activity of existing flora and fauna, species habitat diversity and stability, hydrologic utility, fish and wildlife, timber, and food and fiber resources; and other uses of wetlands in the public interest, including recreational, scientific, and cultural use as well as transportation uses and objectives.''

On August 28, 1987, the Federal Highway Administration published new regulations implementing the National Environmental Policy Act codified in 23 CFR 771. Section 771.117 describes a class of actions that do not individually or cumulatively have a significant environmental effect and are excluded from the requirement to prepare an Environmental Assessment or Environmental Impact Statement.

The COE has promulgated regulations establishing several types of general permits, Nationwide Permits (NWPs), which are designed to regulate with little, if any, delay or paperwork certain activities having minimal impacts. These activities are authorized under an NWP only if that activity and the permittee satisfy all of the NWP's terms and conditions.

Applicability

This programmatic wetland finding may be applied in the following circumstances:

1. The project being evaluated is classified as a Categorical Exclusion under NEPA.

2. The only COE permit(s) required fits the description and satisfies all of the terms and conditions, including regional conditions of an NWP.

3. The New York State Department of Transportation has prepared a Design Approval Document containing:

A. A brief narrative describing the wetland(s) location, state and federal wetlands classifications, approximate wetland area, covertypes, and the area of proposed wetland impact;

B. A plan showing the wetland(s) location, approximate boundaries, and area within the project limits, and the area(s) of proposed wetland impact;

C. A brief discussion of the type and size of permanent and/or temporary direct and indirect impacts on the wetlands and its functions caused by draining, dredging, channelizing, filling, diking, impounding, and related activities considering factors described in Section five of EO11990;

D. A statement that there are no practicable alternatives to the construction in wetland(s) and brief supporting explanation describing the efforts to avoid impacts; and

E. A brief discussion of the practicable measures to minimize harm to the involved wetlands that will be incorporated into the design and construction of the project.

4. The project has been developed in accordance with the procedure for a public involvement/public hearing program approved by FHWA pursuant to 23 CFR 771.111(h)(1).

In accordance with Executive Order 11990, Section 2(a), I find that for all Federal-aid projects which meet the above conditions (1) that there is no practicable alternative to the proposed construction and (2) the proposed project includes all practicable measures to minimize harm to the involved wetlands which may result from the construction of the transportation project. Any Federal-aid transportation project impacting wetlands not meeting the above conditions shall require an individual wetland finding.

Comments or questions concerning this finding should be directed to the FHWA at the address provided above.

(Catalog of Federal 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)

Authority: 23 U.S.C. 315; 49 CFR 1.48.

Issued on: March 9, 1997.

[FR Doc. 97–13396 Filed 5–21–97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. PS–142; Notice 6]

Pipeline Risk Management Demonstration Project; Electronic Town Meeting

AGENCY: Office of Pipeline Safety, DOT.

ACTION: Notice.

SUMMARY: On Thursday, June 5, 1997, the Office of Pipeline Safety (OPS) will sponsor a satellite-based, town meeting video teleconference on the status of the Pipeline Risk Management Demonstration Program. The broadcast will show how communities can learn about demonstration projects in their area, and the potential benefits that may result. It will be aired from 2:00 p.m. to 5:00 p.m. Eastern Daylight Time, and will be easily accessible nationwide. We hope you will tune in, and perhaps even participate via call-in questions and comments. We also hope you will invite others in your organization and community to watch this broadcast as well. Meaningful community involvement and effective communication are critical elements in the success of the Demonstration Program.

DATES: The town meeting video teleconference will be aired on June 5, 1997, from 2:00 p.m. to 5:00 p.m. Eastern Daylight Time.

FOR FURTHER INFORMATION CONTACT: Eben M. Wyman, (202) 366–0918, or by e-mail (eben.wyman@rspa.dot.gov), regarding the subject matter of this Notice. Contact the Dockets Unit (202) 366–5046, for other material in the docket.

SUPPLEMENTARY INFORMATION: The Demonstration Program tests an innovative regulatory approach to achieving superior safety performance by allowing pipeline operators to customize safety activities. The June 5 electronic town meeting is a follow-on to the January 28, 1997, public meeting sponsored by OPS to familiarize government agencies, pipeline operators, and other interested parties with the Program. OPS hopes the June 5 broadcast will reach an even wider audience, including safety and environmental officials in communities likely to be affected by demonstration projects. OPS will present background

information about the Demonstration Program, and several candidate companies will describe the projects they are proposing.

During the coming months while OPS is evaluating candidate projects, stakeholders are encouraged to ask questions and provide information they feel is relevant. As part of the broadcast, a dramatization of the evaluation process will show the opportunities OPS will provide stakeholders for questions and comments about the projects, and how stakeholder input might impact the provisions of a project before it is approved. During the broadcast, viewers will have several opportunities to call in and ask questions to OPS staff and candidate companies. The call-in number will be provided numerous times throughout the broadcast.

The electronic town meeting will be broadcast by the Federal Emergency Management Agency's Emergency Education Network (EENET), which has been broadcasting for more than ten years and has an extensive audience in the fire and emergency management communities. By using EENET, OPS hopes to involve thousands of public safety and emergency management officials who routinely receive these programs. EENET sites use the widely available ''backyard satellite dish'' technology.

Here are the ways you can watch this broadcast:

—Contact your local television cable company and ask if they will carry this EENET video broadcast.
—Contact your local government cable access office for specific information. Many local governments have dedicated internal cable systems which carry programs such as these to their offices and other facilities.
—Use a local facility which has a TeleVision Receive-Only (''dish''). Many schools (elementary, secondary, and community colleges), hospitals, or local hotels and motels have these facilities.
—Rent a portable TeleVision Receive-Only (''dish'') and have it set up at your viewing place.
—Set up a TeleVision Receive-Only (''dish'') at your viewing facility.

The technical information necessary to align the receiver dish with one of the satellites is:

KU-Band Satellite

SBS 6
Transponder 9
Downlink Frequency: 11921 MHZ
Audio Frequency: 6.2/6.8
Location: 74 degrees West
Polarity: Horizontal

C-Band Satellite

Galaxy 3
Transponder 21
Downlink Frequency: 4120 MHZ
Audio Frequency: 6.2/6.8
Location: 95 degrees West
Polarity: Horizontal

The technical test the day before is from 1:00 p.m. until 2:00 p.m. Eastern Daylight Time.

For additional information, call EENET at 1–800–527–4893.

Issued in Washington, D.C. on May 16, 1997.

Cesar De Leon,

Deputy Associate Administrator for Pipeline Safety.

[FR Doc. 97–13506 Filed 5–21–97; 8:45 am]
BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. P–97–2W; Notice 2]

Liquefied Natural Gas Facilities Petition for Waiver; Northern Eclipse, Inc.

Northern Eclipse, Inc. (NE) 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 Northern Eclipse's proposed LNG storage facility at Fairbanks, Alaska.

The petitioner requested the waiver from compliance with the Class 1 impounding system based on the following reasons:

1. Fairbanks does not currently have natural gas service, and given the distance to gas fields and the size of the market, petitioner believes that LNG is the only feasible way to provide natural gas service in the community.

2. Fairbanks is a small town by a lower-48 states standards, however, due to international air transport and reliance of Alaskans on air travel, Fairbanks has an international airport (FIA) with a 11,050 foot long runway. In addition, Fairbanks has a similar runway for a U.S. military base (Fort Wainwright), and other smaller runways in the area. The 20,000 foot restriction requirement eliminates any reasonable site in Fairbanks for an LNG storage tank and it would not be economically feasible to build an impounding system which would withstand a direct impact from a 747, in order to provide gas service to the Fairbanks community.

3. NE does not propose to locate its storage tank in the approach/departure corridor for heavy aircraft. The areas under consideration are approximately two miles to the side of the FIA runway.

4. NE proposes the use of a shop fabricated, heavy outer wall storage tank of less than 70,000 gallon capacity, built to National Aeronautical and Space Administration specifications, and likely to survive even a direct impact from small aircraft.

5. Similar LNG storage tanks and dispensing facilities are routinely allowed at airports without impoundment as they are not subject to Part 193 requirements, but they pose precisely the same risk in the event of a collision, and due to their location at the airport pose a much greater risk of impact from an aircraft. To support this fact, NE provided pictures of an above ground NFPA 59A LNG storage tank at the Dallas/Fort Worth airport.

6. Part 193 contains special provisions for LNG tanks with less than a 70,000 gallon capacity. However, Section 193.2155(c) fails to reflect the vastly different risks posed by different sized LNG storage tanks. A small LNG tank like that proposed by NE poses no significant risk, and certainly no more than any other similar small energy storage tank, such as a propane tank or a non-Part 193 LNG tank.

7. During the December 9, 1996, meeting between NE and OPS on this issue, NE was informed that the origin of the distance of 20,000 feet from the airport was taken from the Federal Aviation Administration's (FAA) Regulations under 14 CFR Part 77, which define a critical area surrounding a large airport. According to NE, only Section 77.13(a)(2)(I) of 14 CFR Part 77, addresses 20,000 ft. restriction, which exists where there are runways of over 3,200 feet in length, and that section refers only to the heights of structures. NE believes that the FAA may be concerned with the height of the structure rather than the contents.

After reviewing the petition, RSPA published a notice inviting interested persons to comment on whether a waiver should be granted (Notice 1) (62 FR 10307; March 6, 1970). RSPA stated it was considering granting the requested waiver because of the unusual circumstances described at NE's proposed LNG facility, relatively low risk to the public safety due to a smaller tank, and the operators's use of a shop fabricated heavy outer wall built to