

(19) Recreation areas and opportunities. Impacts of the alternatives on sites devoted to recreational activities should be assessed, including impacts on non-site-specific activities, such as hiking and bicycling, and impacts on non-activity-specific sites such as designated "open space". Where land acquired with Federal grant money such as Department of Housing and Urban Development "open space" funds or Bureau of Outdoor Recreation "land and water conservation" funds is involved, there should be evidence of consultation with the grantor agency concerning the proposed action, and of any approvals required by Section 6(f) of the Land and Water Conservation Fund Act (16 U.S.C. 4601-8(f)).

(20) Environmental Justice. The EIS should address environmental justice considerations as required by Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" and the DOT Order on Environmental Justice.

(21) Sites of historical, archeological, architectural, or cultural significance. In accordance with section 106 of the National Historic Preservation Act, 16 U.S.C. 470(f), the EIS shall identify all properties which may be affected by the alternatives that are included in or eligible for inclusion in the National Register of Historic Places. For a property not included in the National Register, the criteria for inclusion may be found in 36 CFR Part 60. There should be evidence of consultation with the appropriate State Historic Preservation Officer and in case of disagreement with the Department of the Interior as to whether a property is eligible for the National Register. The criteria of effect on historic properties found in 36 CFR Part 800 should be discussed with regard to each alternative. In the final EIS, there should be evidence of consultation, concerning the impacts of the proposed action on historic properties, with the appropriate State Historic Preservation Officer(s), and with State or local historical societies, museums, or academic institutions having special expertise. In the event that the FRA in consultation with the State Historic Preservation Officer finds that a proposed action will have an adverse effect on such property, there should also be evidence in the final EIS of subsequent consultation with the Advisory Council on Historic Preservation. A 4(f) determination may also be required in the EIS, as provided in section 12 of these Procedures.

(22) Construction impacts. The EIS should identify and assess the impacts

associated with the construction period of each alternative, if any.

(o) A summary of unavoidable adverse impacts of the alternatives and a description of mitigation measures planned to minimize each adverse impact. Impacts and mitigation measures should be identified in this table as either long-term, short-term, or construction-period. If a proposed action will have an adverse effect on a property included in or eligible for inclusion in the National Register of Historic Places, this part of the final EIS shall include a copy of any Memorandum of Agreement with, or other response to comments by, the Advisory Council on Historic Preservation, in accordance with 36 CFR Part 800. This part of the EIS should also include a summary of any irreversible or irretrievable commitments of resources and any foreclosures of future options that would be likely to result from the alternatives.

(p) A brief discussion of the relationship between local short-term uses of the environment affected by the alternatives, and the maintenance and enhancement of long-term productivity in that environment.

(q) Any 4(f) determination covering the same proposed action as the EIS.

(r) A compilation of all applicable Federal, State and local permits, licenses, and approvals which are required before the proposed action may commence. The final EIS should reflect that there has been compliance with the requirements of all applicable environmental laws and orders. If such compliance is not possible by the time of final EIS preparation, the EIS should reflect consultation with the appropriate agencies and provide reasonable assurance that the requirements can be met.

(s) In a final EIS, a compilation of all responsible comments received on the draft EIS, whether made in writing or at a public hearing, and responses to each comment. Comments may be collected and summarized except for comments by Federal agencies and where otherwise required by Federal law or regulation. Every effort should be made to resolve significant issues before the EIS is put into final form. The final EIS should reflect such issues, consultation and efforts to resolve such issues, including an explanation of why any remaining issues have not been resolved.

(t) An index, if possible and useful.

(u) Signature and date indicating the approval of the Administrator as required by section 13(c) of these Procedures.

15. Record of Decision

(a) General. The Program Office shall prepare a draft record of decision at the point in which the FRA is prepared to make a final decision on the proposed action. The timing of the agency's decision shall follow the requirements of CEQ 1506.10. The record of decision shall follow the same approval process as the final EIS, as described in section 13(c)(12) through (16) of these Procedures.

(b) Contents. The draft record of decision shall include a description of the proposed action and the environmental information specified in CEQ 1505.2 as well as proposed findings pursuant to section 4(f), the DOT Wetlands Order (DOT 5660.1A), and the DOT Floodplains Order (DOT 5650.2), as appropriate.

(c) Changes. If the Administrator, or his or her designee, wishes to take an action which was not identified as the preferred action in the final EIS, or proposes to make substantial changes in the mitigation measures or findings discussed in the draft record of decision, the revised record of decision shall be processed internally in the same manner as EIS approval, in accordance with section 13(c) of these Procedures.

16. Effective Date

These Procedures were effective as of July 30, 1979 and apply to all FRA actions undertaken after that date.

Dated: May 18, 1999.

Jolene M. Molitoris,
Administrator.

[FR Doc. 99-13262 Filed 5-25-99; 8:45 am]
BILLING CODE 4910-62-U

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Office of Hazardous Materials Safety; Notice of Applications for Exemptions

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of Applicants for Exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous materials Safety has received the applications described herein. Each mode of transportation for which a particular exemption is requested is

indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

DATES: Comments must be received on or before June 25, 1999.

ADDRESS COMMENTS TO: Records Center, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption application number.

FOR FURTHER INFORMATION: Copies of the applications (See Docket Number) are available for inspection at the New Docket Management Facility PL-401, at the U.S. Department of Transportation,

Nassif Building, 400 7th Street, SW, Washington, DC 20590.

This notice of receipt of applications for new exemptions is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on May 20, 1999.

J. Suzanne Hedgepeth,

Director, Office of Hazardous Materials Exemptions and Approvals.

NEW EXEMPTIONS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
12250-N	RSPA-1999-5793	New Mexico State Highway & Transportation Hwy., Santa Fe, NM.	49 CFR 173.415	To authorize the transportation in commerce of a Type A packaging, Class 7 without required documentation of tests and engineering evaluation on file showing the construction methods, packaging design, and materials of construction. (mode 1)
12251-N	RSPA-1999-5494	Four Seasons Environmental, Greensboro, NC.	49 CFR 180.405	To authorize the transportation in commerce of flammable liquids, n.o.s., Class 3, in non-DOT specification cargo tanks. (mode 1)
12258-N	RSPA-1999-5602	JL Shepherd & Associates, San Fernando, CA.	49 CFR 171.18, 171.19, 171.20.	To authorize the transportation in commerce of a specially designed device containing Radioactive material, Class 7. (mode 1)
12259-N	RSPA-1999-5601	GlaxoWellcome Research, Triangle Park, NC.	49 CFR 173.196	To authorize the transportation in commerce of etiologic agents (infectious substances) in alternative packagings. (mode 1)
12260-N	RSPA-1999-5600	Dodson International Air, Douglasville, GA.	49 CFR 172.101(9b), 172.204(c), 173.27(b)(2) & (3), 175.30(a)(1).	To authorize the transportation in commerce of certain Division 1.1, 1.2, 1.3 and 1.4 explosives which are forbidden or exceed quantities authorized for transportation. (mode 4)
12261-N	RSPA-1999-5599	Medical Equipment & Maintenance Co., Rockville, MD.	49 CFR 173.196	To authorize the transportation in commerce of an alternative secondary packaging for use in transporting infectious substances (etiologic agents). (mode 1)
12263-N	RSPA-1999-5597	Orbital Sciences Corp., Dulles, VA.	49 CFR 172, Subparts C, D, E, F & G.	To authorize the transportation in commerce of a specially designed device containing various hazardous materials to be transported as essentially unregulated. (mode 4)
12266-N	RSPA-1999-5636	Toyota Motor Sales, U.S.A., Torrance, CA.	49 CFR 172.301(c), 173.4(a)(4) and (a)(10).	To authorize the transportation in commerce of small quantities of flammable liquids, Class 3, in non-refillable containers enclosed in sealed polyethylene bags with overpacks. (mode 1)
12268-N	RSPA-1999-5638	Nalco Chemical Co., Naperville, IL.	49 CFR 173.202, 173.203	To authorize the transportation in commerce of empty non-DOT specification packaging containing residual of certain Class 8 materials. (mode 1)
12269-N	RSPA-1999-5639	Solutia Inc., St. Louis, MO.	49 CFR 173.31(f)	To authorize continued use of DOT 111A100W tanks for in-plant storage inventory of hazardous substances designed as Environmentally Sensitive Chemicals without required head protection and metal jacket. (mode 2)
12274-N	RSPA-1999-5707	Snow Peak USA, Inc., Lake Oswego, OR.	49 CFR 173.304(d)(3)(ii), 178.33.	To authorize the transportation of Liquefied petroleum gas in non-refillable, non-DOT specification inside containers conforming to the DOT Specification 2P except for size, testing requirements, marking and maximum charging pressure. (modes 1, 2, 3, 4)

[FR Doc. 99-13247 Filed 5-25-99; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF TRANSPORTATION**Research and Special Programs Administration****Office of Hazardous Materials Safety; Notice of Applications for Modification of Exemption****AGENCY:** Research and Special Programs Administration, DOT.**ACTION:** List of applications for modification of exemptions.**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's

Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the applications described herein. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Request for modifications of exemptions (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) are described in footnotes to the application number. Application numbers with the suffix "M" denote a modification request. These

applications have been separated from the new applications for exemptions to facilitate processing.

DATES: Comments must be received on or before (15 days after publication).

ADDRESS COMMENTS TO: Records Center, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption number.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 7th Street SW, Washington, DC.

Application No.	Docket No.	Applicant	Modification of exemption
8723-M		Dyno Nobel, Inc., Salt Lake City, UT ¹	8723
10821-M		BFI Waste Systems of North America, Inc., Atlanta, GA ²	10821
10826-M		BFI Waste Systems of North America, Inc., Atlanta, GA ³	10826
10832-M		Autoliv ASP, Inc., Ogden, UT ⁴	10832
10874-M		BFI Waste Systems of North America, Inc., Atlanta, GA ⁵	10874
11248-M		HAZMATPAC, Houston, TX ⁶	11248
11380-M		Baker Atlas, Houston, TX ⁷	11380
11447-M		SAES Pure Gas, Inc., San Luis Obispo, CA ⁸	11447
11485-M		Zeneca, Inc., Wilmington DE ⁹	11485
11537-M		Los Angeles Chemical Company, South Gate, CA ¹⁰	11537
11537-M		Hasa, Inc., Santa Clarita, CA ¹¹	11537
11537-M		Hawkins Chemical, Inc., Minneapolis, MN ¹²	11537
11769-M		Great Western Chemical Company, Portland, OR ¹³	11769
11881-M	RSPA-1997-2132	Wampum Hardware Company, New Galilee, PA ¹⁴	11881
11903-M	RSPA-1997-2604	Comptank Corporation, Bothwell, Ontario, CA ¹⁵	11903
11986-M	RSPA-1998-3171	Department of Defense (MTMC), Falls Church, VA ¹⁶	11986
12063-M	RSPA-1998-3827	The Hydrocarbon Flow Specialist, Morgan City, LA ¹⁷	12063
12074-M	RSPA-1998-3841	Van Hool NV, B-2500 Lier Koningshooikt, BE ¹⁸	12074
12118-M	RSPA-1998-4210	Taylor-Wharton Gas Equipment, Theodore, AL ¹⁹	12118
12143-M	RSPA-1998-4477	Suburban Propane, Anchorage, AK ²⁰	12143
12232-M	RSPA-1999-5204	Bell Helicopter, Hurst, TX ²¹	12232
12255-M	RSPA-1999-5579	TI/Martin JAVELIN Joint Venture, Lewisville, TX ²²	12255

¹ To modify the exemption to allow for an additional design for the emulsion tote bin for bulk shipments of certain Division 1.5 explosives and/or Division 5.1 oxidizers.

² To modify the exemption to relieve the marking requirements of inner packages, inside roll off containers, when transporting regulated medical waste from a single offeror.

³ To modify the exemption to eliminate the quantity requirement for puncture-resistant sharps containers and film thickness of plastic bags as inner containers for use in transporting regulated medical waste.

⁴ To modify the exemption to provide for additional facilities and Class 9 material.

⁵ To modify the exemption to eliminate the quantity requirement for puncture-resistant sharps containers and film thickness of plastic bags as inner containers for use in transporting regulated medical waste.

⁶ To modify the exemption to allow for passenger-carrying aircraft as an additional mode of transportation for the transportation of certain hazardous materials in specially designed combination type packagings without required labelling and placarding in limited quantities.

⁷ To modify the exemption to allow for design changes of the non-DOT specification cylinder for the transportation of certain compressed hydrocarbon gases.

⁸ To modify the exemption to allow for regulatory changes to the design, fabrication and marking of the pressure vessel as set forth in the requisite design code in the country of final destination for the transportation of certain Division 4.2 hazardous materials.

⁹ To modify the exemption to provide for Division 4.3 as an additional class of material for tank cars authorized to remain standing with unloading connections attached when no product is being transferred, provided that a minimal level of monitoring is maintained.

¹⁰ To modify the exemption to authorize Class 3 hazardous materials and those hazardous materials currently authorized to be shipped in UN31H2 IBCs that are securely mounted to a flatbed trailer, but not removed from the vehicle prior to loading or unloading of the container.

¹¹ To modify the exemption to increase packaging capacities not exceeding 610 gallons for the transportation of certain Class 8 materials in IBCs that are securely mounted to a flatbed trailer, but not removed from the vehicle prior to loading or unloading of the container.

¹² To modify the exemption to provide for additional Class 8 materials in IBCs that are securely mounted to a flatbed trailer, but not removed from the vehicle prior to loading or unloading of the container.

¹³ To modify the exemption to provide for Division 5.1 as an additional class of material and allow for UN-marked compatible IBCs having capacities not exceeding 550 gallons without removing the IBC from the vehicle on which it is transported.

¹⁴ To modify the exemption to provide for passengers and their respective vehicles to be permitted on the vessel during the transport of explosives for quarry operations.