

DEPARTMENT OF TRANSPORTATION**Coast Guard****[CGD09-00-015]****Availability of Final Great Lakes Icebreaking Environmental Impact Statement****AGENCY:** Coast Guard, DOT.**ACTION:** Notice of Availability of Great Lakes Icebreaking Final Environmental Impact Statement (EIS).

SUMMARY: The Coast Guard announces the completion and availability of a final environmental impact statement analyzing icebreaking on the Great Lakes.

DATES: The Coast Guard expects to make a decision regarding icebreaking operations on the Great Lakes after the EIS has been available to the public for 30 days. The Coast Guard will publish a document announcing the decision in the **Federal Register**.

ADDRESSES: The Coast Guard's point of contact for the EIS is Mr. Frank Blaha at the U.S. Coast Guard Civil Engineering Unit, 1240 East Ninth Street Room 2179, Cleveland, Ohio 44199-2060, Telephone (216) 902-6258. A copy of the EIS will be sent to those individuals who submitted substantive comments on the draft EIS. Any other interested party may request a copy of the EIS by writing or calling the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia, 22161, (800) 553-6847 and asking for document number PB 2000-105-877.

SUPPLEMENTARY INFORMATION:**Proposed Action**

The Coast Guard proposes to continue icebreaking operations on the Great Lakes.

Discussion of Announcement

On December 21, 1936, the President ordered the Coast Guard to keep "open to navigation by means of icebreaking * * * channels and harbors in accordance with the reasonable demands of commerce." Executive Order 9,521 (1936) reprinted in 14 U.S.C. 81. Icebreaking is now one of the Coast Guard's primary duties. In the Great Lakes, most icebreaking has been performed in the same way, and by the same ship, since the Coast Guard Cutter MACKINAW was commissioned in 1944.

The National Environmental Policy Act (NEPA) was enacted in 1970. The law requires an EIS to be prepared when a proposed major federal action has a

significant environmental impact. 42 U.S.C. 4332(2)(C). A "proposal" exists under NEPA's regulations "at that stage in the development of an action when an agency * * * has a goal and is actively preparing to make a decision on one or more alternative means of accomplishing that goal." 40 CFR 1508.23. Environmental analyses of ongoing activities need only be discussed in an EIS when an operation undergoes a change which itself is a major federal action.

There is no proposal to make a major change in the Coast Guard's long-standing domestic icebreaking program on the Great Lakes. Instead, concerns were raised in 1993 by the U.S. Fish and Wildlife Service and the Michigan Department of Natural Resources that ship transits made possible by icebreaking could have an adverse environmental impact on wetlands, fish populations, and fish egg development. The Coast Guard met with representatives of these organizations and agreed to look into the matter. A resultant memorandum of understanding required the Coast Guard to "update its EIS as required by NEPA concerning its icebreaking activities in the Great Lakes and in the St. Marys River." We also agreed to conduct 3-5 years of monitoring studies on fish spawning and emergent wetlands. The studies have been completed and they clearly demonstrate that icebreaking does not have the adverse environmental consequences suspected in 1993.

The EIS being made public today relies on those studies and finds that icebreaking has no significant impact on the Great Lakes environment. Publishing this final EIS satisfies the Coast Guard's 1993 commitment to update its EIS concerning Great Lakes icebreaking. We expect to make a decision regarding icebreaking operations on the Great Lakes after the EIS has been available to the public for 30 days.

Dated: July 17, 2000.

James D. Hull,

Rear Admiral, U.S. Coast Guard, Commander, Ninth Coast Guard District

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DEPARTMENT OF TRANSPORTATION**Coast Guard****[USCG 2000-7672]****Establishment of Pilot Program to Exempt Certain Vessels From Inspection as Seagoing Motor Vessels****AGENCY:** Coast Guard, DOT.**ACTION:** Notice of pilot program.

SUMMARY: The Coast Guard establishes a pilot program to exempt certain seagoing motor vessels from the requirement that they be inspected. The program will give the Coast Guard an opportunity to assess whether current requirements for inspection are beneficial (and, if they are not, reduce or eliminate them), without jeopardizing safety. This notice announces implementation of the program, and establishes procedures for participation in the program.

DATES: Written requests for participation in the pilot program must arrive no later than November 13, 2000.

FOR FURTHER INFORMATION CONTACT: For questions on this Notice, contact LT Dean Firing, Domestic Vessel Compliance Division (G-MOC-1), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, telephone 202-267-0514, fax 202-267-4394, e-mail: DFiring@comdt.uscg.mil.

SUPPLEMENTARY INFORMATION:**Background and Purpose**

Subsection 412(b) of the Coast Guard Authorization Act of 1998 [Public Law 105-383] granted the Secretary of Transportation discretionary authority to establish a pilot program exempting certain seagoing motor vessels from the inspection requirements under 46 U.S.C. 3301(7). Under certain conditions, seagoing motor vessels of 300 gross tons or more, as measured under 46 U.S.C. chapter 143 or 145, may participate in the program as long as they do not (a) carry any cargo or passengers for hire; (b) engage in commercial service, commercial fisheries, or oceanographic research; or (c) engage in other than "good-samaritan" towing.

Although no treaties require recreational vessels in general to be inspected or certified, 46 U.S.C. 3301(7) requires seagoing motor vessels of 300 gross tons or more to be inspected and certificated by the Coast Guard, regardless of their functions, flags, or uses. Owners and operators of commercial, research, and recreational seagoing motor vessels face the same

requirements. Subsection 3301(7) has discouraged potential owners of these large recreational vessels from building, and actual owners from registering, such vessels in the United States. We expect the prospect of exemption provided by the pilot program to encourage the building and registering of such vessels here by reducing or eliminating the burden of inspection, without compromising safety. Participating vessels must follow all other applicable Federal, State, and local requirements such as those on loadlines, manning, and pollution prevention.

Owners and operators of vessels who would like to participate in the pilot program must submit requests in writing to the Coast Guard. We will evaluate requests case by case, considering the unique characteristics of each vessel. We will continue to inspect vessels that do not participate in the program. Instead of Certificates of Inspection, participating vessels will receive exemption letters from Commandant (G-MOC).

Owners or operators of four vessels have submitted requests in writing to participate in the pilot program. We are considering their requests and will consider all others submitted to us on or before November 13, 2000.

Which Vessels May Qualify to Participate in the Pilot Program?

Seagoing motor vessels of 300 gross tons or more, as measured under 46 U.S.C. chapter 143 or 145, may qualify to participate in the program, as long as they do not (a) carry any cargo or passengers for hire; (b) engage in commercial service, commercial fisheries, or oceanographic research; or (c) engage in other than "good-samaritan" towing.

How Do I Get an Exemption?

Written requests for vessels to participate in the pilot program must arrive on or before November 13, 2000. Send them to: Commandant, U.S. Coast Guard (G-MOC), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001.

The Commandant (G-MOC) will determine case by case whether vessels may participate. You should furnish enough information in your request to let the Commandant determine this. We may ask for more information; but you should furnish at least this much:

(a) A detailed description of the vessel, including its identification number, owner, and flag.

(b) A statement describing the intended use of the vessel. You do not have to include this statement if the

vessel's Certificate of Documentation is endorsed only for recreation.

(c) A statement indicating that the vessel meets the qualifying conditions: does not carry any cargo or passengers for hire; engage in commercial service, commercial fisheries, or oceanographic research; or engage in other than "good-samaritan" towing.

(d) A statement indicating that the vessel meets requirements under 46 U.S.C. chapter 43 for recreational vessels, and related regulatory requirements for recreational boating. The vessel must also meet all other applicable statutes and rules such as those on loadlines, manning, and pollution.

How Do I Know Whether I Have Got an Exemption?

The Commandant (G-MOC) will notify you by letter if he approves your request. You will have to carry this letter onboard the vessel. An exemption will remain in effect as long as the vessel remains qualified. If the vessel's operating conditions do change, you must notify the Commandant (G-MOC) in writing within 30 days of their changing. The Commandant (G-MOC) will review them and determine whether the exemption is still valid.

When Will the Pilot Program Expire

Our authority to grant exemptions under this program expires November 13, 2000: Written requests to participate in the program must arrive on or before then. Any exemption granted will remain in effect as long as the vessel remains qualified. No vessel will remain qualified if it (a) carries any cargo or passengers for hire; (b) engages in commercial service, commercial fisheries, or oceanographic research; or (c) engages in other than "good-samaritan" towing.

Dated: July 19, 2000.

Joseph J. Angelo,

Director of Standards, Marine Safety and Environmental Protection.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-2000-24]

Petitions for Exemption, Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Ch. I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before August 16, 2000.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. _____, 800 Independence Avenue, SW., Washington, DC 20591.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Cherie Jack (202) 267-7271, Forest Rawls (202) 267-8033, or Vanessa Wilkins (202) 267-8029 Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR part 11).

Issued in Washington, DC, on July 21, 2000.

Gary A. Michel,

Acting Assistant Chief Counsel for Regulations.

Dispositions of Petitions

Docket No.: 28574

Petitioner: Federal Express Corporation
Section of the FAR Affected: 14 CFR 121.434(c)(1)(ii)

Description of Relief Sought/

Disposition: To permit FedEx to substitute a qualified and authorized check airman in place of an FAA