

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.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*  
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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2004-18946]

#### Notice of Receipt of Petition for Decision That Nonconforming 1998 Toyota 4-Runner Multipurpose Passenger Vehicles Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice of receipt of petition for decision that nonconforming 1998 Toyota 4-Runner multipurpose passenger vehicles are eligible for importation.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 1998 Toyota 4-Runner multipurpose passenger vehicles that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because (1) they are substantially similar to vehicles that were originally manufactured for importation into and sale in the United States and that were certified by their manufacturer as complying with the safety standards, and (2) they are capable of being readily altered to conform to the standards.

**DATES:** The closing date for comments on the petition is October 8, 2004.

**ADDRESSES:** Comments should refer to the docket number and notice number, and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW., Washington, DC 20590. (Docket hours are from 9 a.m. to 5 p.m.) Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act

Statement in the **Federal Register** published on April 11, 2000 (volume 65, number 70; pages 19477-78), or you may visit <http://dms.dot.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

#### 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**.

Sunshine Car Import ("SCI") of Ft. Myers, Florida (Registered Importer 01-289) has petitioned NHTSA to decide whether nonconforming 1998 Toyota 4-Runner multipurpose passenger vehicles are eligible for importation into the United States. The vehicles which SCI believes are substantially similar are 1998 Toyota 4-Runner multipurpose passenger vehicles that were manufactured for importation into, and sale in, the United States and certified by their manufacturer as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared non-U.S. certified 1998 Toyota 4-Runner multipurpose passenger vehicles to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

SCI submitted information with its petition intended to demonstrate that non-U.S. certified 1998 Toyota 4-Runner

multipurpose passenger vehicles as originally manufactured, conform to many Federal motor vehicle safety standards in the same manner as their U.S. certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 1998 Toyota 4-Runner multipurpose passenger vehicles are identical to their U.S. certified counterparts with respect to compliance with Standard Nos. 102 *Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect*, 103 *Windshield Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic and Electric Brake Systems*, 106 *Brake Hoses*, 111 *Rearview Mirrors*, 113 *Hood Latch System*, 114 *Theft Protection*, 116 *Motor Vehicle Brake Fluids*, 118 *Power-Operated Window, Partition, and Roof Panel Systems*, 119 *New Pneumatic Tires for Vehicles Other than Passenger Cars*, 124 *Accelerator Control Systems*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 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 Mounting*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, and 302 *Flammability of Interior Materials*.

The petitioner also contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: installation of entire U.S.-model instrument cluster.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: inspection of all vehicles and replacement of non U.S.-model components with U.S.-model components to ensure compliance with the standard.

Standard No. 120 *Tire Selection and Rims for Motor Vehicles Other than Passenger Cars*: a tire information placard must be installed to ensure compliance with the standard.

Standard No. 208 *Occupant Crash Protection*: (a) Installation of a seatbelt warning buzzer, warning lamp and associated wiring, and (b) inspection of all vehicles, and replacement of non U.S.-model components with U.S.-model components to ensure compliance with the standard.

The petitioner states that the passive restraint system used in these vehicles consists of dual front airbags and knee bolsters.

The petitioner also states that the vehicles have combination lap and shoulder belts at the outboard front and rear outboard seating positions as well as a rear center lap belt. These manual systems are automatic, self-tensioning, and are released by means of a single red push-button.

Standard No. 214 *Side Impact Protection*: inspection of all vehicles and installation, on vehicles that are not already so equipped, of door beams that are identical in materials and craftsmanship to U.S.-model components.

Standard No. 301 *Fuel System Integrity*: (a) Installation of a U.S.-model fuel filler cap, and (b) inspection of all vehicles and installation, on vehicles that are not already so equipped, of U.S. model components needed to achieve compliance with the standard.

The petitioner also states that all vehicles will be inspected prior to importation to assure compliance with the Theft Prevention Standard at 49 CFR part 541, and that antitheft devices will be installed, if necessary, to comply with that standard.

The petitioner additionally states that a vehicle identification plate must be affixed to the vehicles near the left windshield post 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 Management, Room PL-401, 400 Seventh St., SW., Washington, DC 20590. (Docket hours are from 9 a.m. to 5 p.m.) 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.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*  
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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Docket No. RSPA-04-18757]

#### Pipeline Safety: Petition for Waiver; Columbia Gas Transmission

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Notice; petition for waiver to install fiberglass reinforced polyethylene pipe.

**SUMMARY:** Columbia Gas Transmission (Columbia) has petitioned the Research and Special Programs Administration's Office of Pipeline Safety (RSPA/OPS) for a waiver of the pipeline safety regulations to install fiberglass reinforced polyethylene pipe in its high pressure natural gas storage field operations.

**DATE:** Persons interested in submitting written comments on the waiver proposed in this notice must do so by October 8, 2004. Late-filed comments will be considered so far as practicable.

**ADDRESSES:** You may submit written comments by mailing or delivering an original and two copies to the Dockets Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. The Dockets Facility is open from 10 a.m. to 5 p.m., Monday through Friday, except on Federal holidays when the facility is closed. Alternatively, you may submit written comments to the docket electronically at the following Web address: <http://dms.dot.gov>.

All written comments should identify the docket and notice numbers stated in the heading of this notice. Anyone who wants confirmation of mailed comments must include a self-addressed stamped postcard. To file written comments electronically, after logging on to <http://dms.dot.gov>, click on "Comment/Submissions." You can also read comments and other material in the docket at <http://dms.dot.gov>. General information about our pipeline safety program is available at <http://ops.dot.gov>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

#### FOR FURTHER INFORMATION CONTACT:

James Reynolds by phone at (202) 366-2786, by fax at (202) 366-4566, by mail at DOT, RSPA, OPS, 400 Seventh Street, SW., Washington, DC 20590, or by e-mail at [james.reynolds@rspa.dot.gov](mailto:james.reynolds@rspa.dot.gov).

**SUPPLEMENTARY INFORMATION:** Columbia has petitioned RSPA/OPS for a waiver from compliance with 49 CFR 192.53(c), 192.121, 192.123, and 192.619(a) to allow for installation and operation of fiberglass reinforced polyethylene pipe in its high pressure natural gas storage field operations. Columbia believes that fiberglass reinforced polyethylene pipe represents both a technological and economical alternative to conventional steel pipe currently used in high pressure gas storage fields. Columbia's petition and supporting materials are available in the docket.

Columbia seeks to demonstrate the viability of spooled composite products in regulated, high-pressure gas service and proposes to install approximately 4,200 feet of 4-inch Fiberspar® spooled, non-metallic composite line pipe in its Dundee Storage Field.

Columbia seeks approval to use the following design formula from API 15HR:

$$P_r = S_s \times S_f \times (R_o^2 - R_i^2) / (R_o^2 + R_i^2)$$

Where:

$P_r$  = Design Pressure Rating, psig

$S_s$  = 95 percent Lower Confidence Limit (LCL) of the Long-Term Hydrostatic Strength (LTHS) @ 20 years per ASTM D 2992, Procedure B, psig

$S_f$  = 0.67 service (design) factor per API 15 HR.

$R_o$  = radius of the pipe at the outside of the minimum reinforced wall thickness, inches

$R_i$  = radius of the pipe at the inside of the minimum reinforced wall thickness, inches

Columbia's Dundee Storage Field is located in Schuler County, New York. The storage field covers approximately 15,130 acres and includes 135 wells and 26.8 miles of 4-inch through 16-inch diameter pipeline operating at a maximum allowable operating (MAOP) pressure of 825 psig.

Within the storage field, Columbia has identified a group of five storage wells and six pipelines to serve as installation sites for the fiberglass reinforced polyethylene pipe. Because the five wells have a history of producing low levels of hydrogen sulfide ( $H_2S$ ), Columbia is proposing to replace the existing steel pipelines with Fiberspar® spooled line pipe.

The current location of the Dundee Storage Field is predominately abandoned hay fields with no dwellings or High Consequence Areas (HCA)