listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice, and other documents germane to the application in person at the Houghton County Airport Committee.

Issued in Des Plaines, Illinois, on May 19, 1999.

Philip Smithmeyer,

Acting Manager, Planning/Programming Branch, Airports Division, Great Lakes Region.

[FR Doc. 99–13437 Filed 5–26–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application To Use the Revenue From a Passenger Facility Charge (PFC) at Rochester International Airport, Rochester, MN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at Rochester International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101–508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

DATES: Comments must be received on or before June 28, 1999.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Minneapolis Airports District Office, 6020 28th Avenue South, Room 102, Minneapolis, Minnesota 55450.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Steven W. Leqve, Airport Manager of the City of Rochester, Rochester, MN at the following address: Helgerson Drive Southwest, Rochester, MN 55902.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Rochester under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Sandra E. DePottey, Program Manager Airports District Office, 6020 28th Avenue South, Room 102, Minneapolis, MN 55450, 612–713–4350. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at Rochester International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101–508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On April 30, 1999 the FAA determined that the application to use the revenue from a PFC submitted by City of Rochester was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than July 30, 1999.

The following is a brief overview of the application.

PFC Application No.: 99–03–U–00–RST

Level of the PFC: $3.00.

Actual charge effective date: May 1, 1996.

Estimated charge expiration date: April 1, 1999.

Total approved net PFC revenue: $1,160,582.00.

Brief description of proposed project: Acquire land for extension of runway 2/20.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Non-scheduled Part 135 air taxis/commercial operators.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Rochester.

Issued in Des Plaines, Illinois on May 10, 1999.

Philip Smithmeyer,

Acting Manager, Planning/Programming Branch, Airports Division, Great Lakes Region.

[FR Doc. 99–13438 Filed 5–26–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–98–4008; Notice 2]

Grant of Application for A Decision of Inconsequential Noncompliance With Federal Motor Vehicle Safety Standard 108—Lamps, Reflective Devices and Associated Equipment

General Motors Corporation (GM) determined that certain 1998 GMC Sonoma pickup trucks, GMC Jimmy and Oldsmobile Bravada sport utility vehicles are equipped with daytime running lights (DRLs) that fail to meet the spacing requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108—*Lamps, Reflective Devices and Associated Equipment.* Pursuant to 49 U.S.C. 30118 and 30120, GM applied to the National Highway Traffic Safety Administration (NHTSA) for a decision that the noncompliance is inconsequential to motor vehicle safety. GM submitted a 49 CFR Part 573 noncompliance notification to the agency in accordance with 49 CFR 556.4(b)(6).

A notice of receipt of application was published in the **Federal Register** (63 FR 40781) on July 20, 1998. Opportunity was afforded for comments until September 21, 1998. One comment was received, from JCW Consulting (JCW). The comment opposed granting the petition.

GM stated that DRLs on the subject vehicles utilize the upper beam headlamps operating at reduced intensity, with a maximum intensity of approximately 6,700 candela per lamp. FMVSS No. 108 requires these DRLs to be located so that the distance from their lighted edge to the optical center of the nearest turn signal lamp is not less than 100 mm, with four exceptions that do not apply to these GM vehicles. However, one of the exceptions permitted vehicles manufactured before October 1, 1995 that used an upper beam headlamp as a DRL to have a spacing of less than 100 mm from the turn signal lamp if the turn signal were sufficiently bright that it could have been spaced less than 100 mm from a lower beam headlamp.

GM stated that 122,455 vehicles involved provide less than 100 mm clearance between the DRL and the turn signal and that as a result, they fail to meet FMVSS No. 108 requirements. GM believes that this noncompliance is inconsequential to motor vehicle safety for the following reasons:

1. The subject vehicles meet the requirements of CMVSS No. 108 (the

Canadian requirement) and the DRL requirements in FMVSS No. 108 for vehicles manufactured before October 1, 1995.

2. CMVSS No. 108 requires turn signals that are located less than 100 mm from a DRL to have increased intensities of 2½ times the minimum photometric values to help assure that the turn signals are readily visible. The subject vehicles have turn signals that are much brighter. When photometered, the subject turn signals were more than four times brighter than the minimum required intensities. This increased brightness helps in preventing turn signal masking by the DRL.

3. The method for determining the optical center of the turn signal is open to some interpretation. Traditionally, automobile manufacturers have used the filament axes as the determining factor. Transport Canada has supported this methodology. More recently some manufacturers have used the centroid of the lamp as the optical center. Depending on the method used, the turn signal of the subject vehicles is either 71mm (using the centroid) or 85 mm (using the filament axes) away from the DRL. Therefore the subject condition is within 15%, or using the more conservative figure, within 30% of the requirement. (Note: GM used the centroid method in this petition.)

4. Regardless of whether the distance is within 15% or 30% of the 100 mm requirement, the turn signal and the DRL are diagonal to each other. Therefore the closest lighted edge of the DRL is the corner of the lamp. (Note: Sketches submitted by GM are found in the petition which is filed in the docket). This portion of the lamp does not significantly contribute to the DRL beam pattern, and therefore does not have a significant potential to mask the turn signal.

5. Photometric values of the turn signal 71 mm from the subject DRL are not significantly different than a turn signal 100 mm from the subject DRL. To demonstrate this, on-vehicle evaluations of the turn signal output were made using a video-based photometer (digital CCD camera system). First, the photometric output of the turn signal was measured with the subject DRL activated. Then a portion of the DRL was blocked (to simulate the necessary spacing) at the corner nearest the turn signal (Note: a sketch illustrating this was included in the GM petition and is available in the public docket). The output of the turn signal was re-measured with the modified DRL activated. The zonal values of the turn signal changed an average of just 12.7%. The largest difference in turn signal output was found in zone 5, closest to the DRL and it only changed 17.5%.

6. Subjective evaluations were run using GM personnel whose jobs do not involve vehicle lighting. They were asked to rate the relative visibility of turn signals on the subject vehicles and other vehicles that meet the FMVSS No. 108 spacing requirement. The results shown in the bar graph in Figure 3 of the petition (which can be found in the docket) indicate that the visibility of the subject turn signals is substantially better than vehicles that just meet the minimum requirement. In addition the subject turn signals are rated nearly identical to vehicles modified to be fully compliant to the requirements, and rated only slightly lower than turn signals on the Chevrolet Blazer (which is a similar vehicle whose turn signal/DRL spacing meets the requirements of FMVSS No. 108).

7. The turn signals on the subject vehicles are 116 sq. cm., larger than typical turn signals found on similar vehicles. FMVSS No. 108 requires the functional lighted area of a front turn signal lamp on these vehicles to be a minimum of 22 sq. cm. Therefore, the subject turn signals provide 5.3 times the minimum area to meet the requirement. The larger size of the turn signal helps to minimize any potential for masking by the DRL.

GM believes that the subject noncompliance is inconsequential to motor vehicle safety, and petitioned that it be exempted from the notification and remedy provisions of the Safety Act for this specific noncompliance with FMVSS No. 108.

JCW Consulting (JCW), the lone commenter, opposed the grant of the petition. JCW stated that these vehicles use the DRL design with the ''most objectionable'' levels of glare (low voltage upper beam headlamps). JCW asserted that critical turn signal or hazard warning flasher recognition could be masked by these DRLs if the oncoming driver is very glare-sensitive. However, JCW presented no data to substantiate its opinion that turn signal masking will be a problem on these vehicles.

NHTSA has been sensitive to the need to prevent DRLs from masking turn signals. The agency conducted research specifically designed to investigate possible turn signal masking by DRLs (DOT HS 808 221, Daytime Running Lights and Turn Signal Masking). The agency used older drivers to represent the drivers most likely to be susceptible to turn signal masking by DRLs. One of the findings of this research was that it is possible to reduce turn signal masking by increasing turn signal intensity regardless of separation distance. Equivalent detection was found for turn signals separated from DRLs by only 50 mm with that of turn signals separated from DRLs by 100 mm, if the intensity of the 50 mm turn signal was increased to three times that of the 100 mm turn signal. Side-by-side and above-and-below headlamp and turn signal configurations were studied. For both configurations, larger headlamps and turn signals result in less masking than smaller headlamps and turn signals.

In this case, the vertical and horizontal dimensions of the turn signals on these GM vehicles are larger than most and provide 5.3 times the minimum required area. In addition, GM has measured the turn signals and found them to be four times brighter than the minimum required intensity. This is significant because NHTSA's research showed high turn signal intensity to be very important in preventing masking. GM's subjective evaluation tests also confirmed the effectiveness of higher turn signal intensity in preventing masking. Based on the evidence presented by GM, the agency does not deem this specific noncompliance on these vehicles to have a consequential effect on safety .

NHTSA wants to make clear that the issue in this proceeding is the adverse safety consequences from possible turn signal masking by this particular DRL-turn signal combination, not the glare levels from upper beam headlamp DRLs. NHTSA has an open rulemaking proposal to substantially reduce glare from DRLs. The notice of proposed rulemaking was published on August 7, 1998 (63 FR 42348). The agency will address the concerns expressed in JCW's comment about the high intensity and the high mounting height of the GM DRLs in that rulemaking.

In addition, NHTSA would like to provide some information in response to the statement in GM's petition regarding uncertainty as to how one determines the optical center of a turn signal. There should be no such uncertainty. The agency has answered a letter specifically asking whether the optical center of the turn signal lamp is the same as the filament position when measuring the spacing relationship between a turn signal lamp and a DRL (Caire, March 14, 1996). NHTSA's interpretation explains:

''To determine the optical center of the turn signal lamp, we must refer for an answer to SAE J588 NOV84, *Turn Signal Lamps For Use on Motor Vehicles Less than 2032MM in Overall Width.* The answer depends on the design of the turn signal lamp. If the lamp primarily employs a reflector (for

example, one of parabolic section) in conjunction with a lens, spacing is measured from the geometric centroid of the front turn signal function lighted area to the lighted edge of the lower beam headlamp (paragraph 5.1.5.4.2, SAE J588 NOV84). The ''geometric centroid'' is the ''optical center'' for purposes of Standard No. 108. If the front turn signal is a direct light source type design, that is a lamp that is primarily employing a lens and not a reflector to meet photometric requirements, spacing is measured from the light source to the lighted edge of the DRL. The filament center of the light source is the ''optical center'' for purposes of Standard No. 108. If the distance is less than 100 mm, the requirements of S5.3.1.7 apply and the minimum intensity of the turn signal must be at least 2.5 times that normally required.''

In consideration of the foregoing, NHTSA has decided that the applicant has met its burden of persuasion that the noncompliance described above is inconsequential to motor vehicle safety. Accordingly, its application is granted, and the applicant is exempted from providing the notification of the noncompliance required by 49 U.S.C. 30118, and remedy, required by 49 CFR 30120.

Authority: 49 U.S.C. 30118 and 30120; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: May 24, 1999.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 99–13536 Filed 5–26–99; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. RSPA–98–4029; Notice 3]

Pipeline Safety: One-Call Systems Study

AGENCY: Research and Special Programs Administration (RSPA); Office of Pipeline Safety (OPS).

ACTION: Notice of public meeting.

SUMMARY: This notice announces a two-part public symposium RSPA will conduct with the National Transportation Safety Board to report the progress in various efforts currently underway in damage prevention of underground facilities. Last year, RSPA established a study team to evaluate existing damage prevention methods to reduce the risk of damage to underground facilities, as called for by the Transportation Equity Act for the 21st Century (TEA–21). Members of the ''Common Ground'' Study Team will discuss this report at this symposium. OPS will discuss and take suggestions regarding criteria for awarding authorized grants provided in TEA–21 to one call centers. RSPA will also provide an update on current damage prevention projects, most notably those dealing with public education. The Damage Prevention Quality Action Team (DAMQAT), will report on the pilot test, results from the ''Call Before You Dig'' public education campaign and the next steps that will be necessary to make the campaign a nationwide effort.

DATES: The symposium will be held on Wednesday, June 30, 1999, from 9:00 am to 4:30 pm.

ADDRESSES: The symposium and ceremony will be held at the Marriott at Metro Center, 775 12th Street NW, Washington, DC 20005. Reservations can be made by calling (202) 737–2200. A block of rooms is being held under ''U.S. Department of Transportation/ Damage Prevention Public Meeting.''

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.

Information on Services for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the meetings, contact Eben Wyman at the address or phone number listed under **FOR FURTHER INFORMATION CONTACT** as soon as possible.

SUPPLEMENTARY INFORMATION:

1. Report on Damage Prevention Best Practices

The morning session of this symposium will focus on the ''Common Ground'' Damage Prevention Best Practices Study Team. RSPA's Office of Pipeline Safety established this team to identify effective underground facility damage prevention practices, consistent with TEA–21. Section 6105 of TEA–21 authorized DOT to undertake a study of damage prevention practices associated with existing one-call notification systems. The purpose of the study was to evaluate and identify damage prevention practices that are most effective in protecting the public, excavators, and the environment and in preventing disruptions to public services and damage to underground facilities. RSPA established the Common Ground Team to conduct the study. TEA–21 also authorized grant funding for Fiscal Years 2000–2001, subject to appropriations. The grants will be used as an incentive to improve operational efficiency and reliability of one-call systems. Such improvements will bring increased protection of all underground facilities and will benefit the general public. RSPA will provide comments on planning for the grant program in the afternoon session of this symposium, and RSPA and NTSB invite comments and suggestions on how these grants should be allocated.

The Common Ground Study identifies and evaluates existing practices related to damage prevention programs that are most effective in protecting the public, excavators, and the environment and in preventing disruptions and damage to public services and underground facilities. Study Team participants represent a broad range of utilities and distribution systems, highway departments, railroads, excavators, municipal governments, trade associations and academia. This report represents an unprecedented multi-industry, multi-disciplinary collaboration working toward the goal of improving the protection of all underground facilities.

The team will suggest many paths forward to continuous improvement and emphasize the need for data collection and evaluation in order to measure improvements. The team will discuss the criticality of communication among all the parties to construction around underground facilities and the need for collective responsibility for successful excavation: careful planning and design, appropriate and timely one-call center actions, accurate locating and marking, as well as careful digging of the soil. The report focuses on how to challenge the full spectrum of participants in the damage prevention process.

2. Presentation of National Public Education Campaign

The afternoon portion of the symposium will address other damage prevention initiatives, especially public education programs. RSPA established the joint government/industry Damage Prevention Quality Action Team (DAMQAT), in October 1996. DAMQAT's mission is to increase awareness of the need to protect underground facilities and to promote safe digging practices. DAMQAT is composed of representatives from federal and state government agencies, gas and hazardous liquid pipeline trade associations, a contractor, a one-call systems association, and the insurance and telecommunications industries. The