DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–99–6034; Notice 1]

General Motors Corporation; Receipt of Application for Decision of Inconsequential Noncompliance

General Motors Corporation (GM), of Warren, Michigan, has determined that a number of 1998 bi-fueled compressed natural gas (CNG) Chevrolet Cavaliers do not meet the requirements of S5.3 and S5.4 of 49 CFR 571.303, Federal Motor Vehicle Safety Standard (FMVSS) No. 303, ''Fuel System Integrity of Compressed Natural Gas Vehicles,'' and has filed an appropriate report pursuant to 49 CFR part 573, ''Defects and Noncompliance Reports.'' GM has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—''Motor Vehicle Safety'' on the basis that the noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgement concerning the merits of the application.

FMVSS No. 303, S5.3 requires that CNG vehicles shall be permanently labeled, near the vehicle refueling connection, with the information specified in S5.3.1 and S5.3.2 of this section. The information shall be visible to a person standing next to the vehicle during refueling, in English, and in letters and numbers that are not less than 4.76 mm (3⁄16 inch) high. S5.3.1 requires the statement: ''Service pressure _____kPa (_____psig),'' and S5.3.2 requires the statement ''See instructions on fuel container for inspection and service life.''

S5.4 requires that, when a motor vehicle is delivered to the first purchaser for purposes other than resale, the manufacturer shall provide the purchaser with a written statement of the information in S5.3.1 and S5.3.2 in the owner's manual, or, if there is no owner's manual, on a one-page document. The information shall be in English and in not less than 10 point type.

GM has notified the National Highway Traffic Safety Administration that in model year 1998, it manufactured 385 bi-fueled CNG Chevrolet Cavaliers that did not fully comply with the labeling requirements specified in 49 CFR 571.303. GM stated that the noncompliance consists of deviations from the wording required on the CNG vehicle label and in the owner's manual.

GM supported its application for inconsequential noncompliance by stating that an out-of-date version of FMVSS No. 303, which did not contain specific requirements, was used by the supplier that prepared the label and owner's manual supplement. As a result the CNG vehicle label applied near the refueling connection, and the owner's manual for the subject vehicles, did not contain the exact statements required by FMVSS No. 303, S5.3 and S5.4.

GM stated that the refueling valve label clearly states the operating pressure and refers the user to the owner's manual for information about tank service life. GM also placed an additional label under the hood, on the fan shroud, that would be visible during more frequent routine service, such as fluid check and oil changes. This additional label again specifies the service pressure and the tank expiration date. GM further stated that the owner's manual indicates the service life, inspection information, and also provides a form to record the expiration date. GM believes that the labels and owner's manual supplement provided with these vehicles are responsive to and consistent with the rationale and intent of the requirements, even though the exact words required by the standard are not used.

The required words and actual words are shown as follows:

FMVSS paragraph	Required label wording	'98 CNG Cavalier label wording
S5.3	SERVICE PRESSURE 24820 kPa (3600 psig)	3600 PSI SYSTEM OPERATING PRESSURE.
S5.3	SEE INSTRUCTIONS ON FUEL CONTAINER FOR INSPECTION AND SERVICE LIFE.	SEE CNG OWNERS MANUAL SUPPLEMENT FOR FUEL TANK SERVICE LIFE.
FMVSS paragraph	**Required owner's manual wording**	**'98 CNG Cavalier owner's manual wording**
S5.4	SERVICE PRESSURE 24820 kPa (3600 psig)	This system operates at pressures up to 3600 PSI (24.8 MPa). (p. iv) The CNG fuel system is designed to use a fill pressure of 3,600 psi (24.8 MPa). (P. 6–3)
S5.4	SEE INSTRUCTIONS ON FUEL CONTAINER FOR INSPECTION AND SERVICE LIFE.	THE CNG FUEL TANK HAS A SERVICE LIFE OF 15 YEARS.

GM stated the following:

GM believes that the labels and owner's manual supplement information provided with these vehicles are responsive and consistent with the rationale and intent of the requirements, even though the exact words required by the standard are not used. The actual labels and the owner's manual supplement provide equivalent information required by FMVSS 303, S5.3 and S5.4. The CNG refueling valve label clearly states the operating pressure and refers the user to the owner's manual for information about tank service life. Both the refueling valve and the underhood labels include the service expiration date and the owners manual indicates the service life, inspection information, and provide a form to record the expiration date.

Additionally, virtually all CNG refueling stations incorporate an overfill protection system. Also, the subject vehicles are equipped with a CNG container validated up to 200 percent of the service pressure without leakage as required by FMVSS 304, S7.2.2 for such containers. GM has not received any reports of injuries or property damage associated with overfilling of these vehicles and believes it is extremely remote that these deviations from FMVSS 303 label and owner's manual requirements could contribute to an injury or property damage incident.

For all of these reasons, GM believes that this noncompliance is inconsequential to motor vehicle safety. Accordingly, GM petitions that it be exempted from the remedy and recall provisions of the Motor Vehicle Safety Act in this case.

Interested persons are invited to submit written data, views, and arguments on the application of described above. Comments should refer

to the docket number and be submitted to: U.S. Department of Transportation Docket Management, Room PL–401, 400 Seventh Street, SW, Washington, DC 20590. It is requested, but not required, that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: September 7, 1999.

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

Issued on: August 2, 1999.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 99–20350 Filed 8–5–99; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. RSPA–99–6045]

Pipeline Safety: Report of the Cost-Benefit Analysis Framework Working Group

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

ACTION: Notice of public meeting and request for comments.

SUMMARY: This notice announces a one day public meeting to be conducted by RSPA's Office of Pipeline Safety to review the final report of the Cost-Benefit Analysis Framework Working Group. This informal working group, consisting of representatives of the gas and hazardous liquid pipeline industry, the Federal government, and academics, developed a framework for use by RSPA to identify and compare the economic costs and benefits of alternative safety actions that could affect the regulated pipeline industry. RSPA invites representatives of the pipeline industry, state and local government, and the public to attend this meeting, make presentations, ask questions, and submit comments to the docket.

DATES: The public meeting will begin at 9:00 am on September 29, 1999, and end no later than 5:00 pm. Persons wishing to make a short presentation may pre-register by contacting Marvin Fell at (202) 366–6205 to be placed on the speakers list. Persons not pre-registered will be allowed to make comments after the registered speakers have completed their presentations.

ADDRESSES: The public meeting will be held at the U.S. Department of Transportation, Nassif Building, 400 Seventh Street, SW., Room 8236–40, Washington, DC. Non-federal employee visitors are admitted into the DOT headquarters building through the southwest entrance at Seventh and E Streets, SW.

Information on Services for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting contact Marvin Fell at (202) 366–6205.

FOR FURTHER INFORMATION CONTACT: Marvin Fell, (202) 366–6205, or by e-mail (marvin.fell@rspa.dot.gov), regarding this notice. The report, A Collaborative Framework for Office of Pipeline Safety Cost-Benefit Analyses (Framework), will be available after August 11, 1999, for inspection and copying in the DOT Dockets Unit, 400 Seventh Street, SW, Washington, DC, between 8:30 am and 4:30 pm each business day. A copy of the Framework is also available over the Internet at the Office of Pipeline Safety's website, ops.dot.gov. A transcript of the public meeting will be available from the Dockets Unit approximately three weeks after the meeting.

Written comments may be mailed or hand-delivered to the DOT Dockets Unit, Plaza 401, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590–0001. Comments may also be sent by e-mail to dms.dot.gov. Please refer to the docket number in your submission. Comments must be submitted by November 1, 1999.

SUPPLEMENTARY INFORMATION: The Accountable Pipeline Safety and Partnership Act of 1996 requires RSPA to identify the costs and benefits associated with proposed gas and hazardous liquid pipeline regulations. Under the Act, the Secretary of Transportation must propose or issue a regulation only after making a reasoned determination that the benefits of the regulation justify its costs. OPS believes that a collaborative process is the optimal approach for meeting the statutory requirements for cost-benefit analysis and for improving the quality of information used in regulatory policy decisions.

In the spring of 1997, RSPA's Office of Pipeline Safety formed the Cost-Benefit Analysis Framework Working Group (Working Group) to collaboratively develop guidelines for performing cost-benefit analyses. Members in this working group included representatives of RSPA, the National Oceanic and Atmospheric Administration (NOAA), the Department of the Interior (DOI), the American Petroleum Institute (API), the Gas Research Institute (GRI), the American Gas Association (AGA), the Interstate Natural Gas Association (INGAA), the American Public Gas Association (APGA), and the Carnegie-Mellon Research Institute. A number of hazardous liquid, natural gas distribution, and natural gas transmission companies.

Members of the Working Group will discuss the cost-benefit framework report prepared by the Working Group at this public meeting. Members of the Working Group will also present a case study employing the cost-benefit framework to illustrate the application of the framework's process and guidance.

1. Potential Benefits for All Stakeholders

Initial objectives for the Working Group were to explore members' perspectives and experiences with government cost-benefit analyses and to provide members with enough background and knowledge to enable effective participation. In meeting these objectives, the Working Group concluded that RSPA needed a documented framework with which to carry out pipeline safety cost-benefit analyses. Such a framework, its process and guidance, the Working Group believed, is necessary to enable all stakeholders to participate effectively in future pipeline safety initiatives. The Working Group anticipates that the framework will produce the following results:

- More informed decision making in public policy transactions.
- Clearer regulatory priorities and transparent tradeoffs between alternative outcomes.
- Identification of important factors besides economic efficiency for decision makers to consider, such as distributional equity or the potential for irreversible or unintended consequences.
- More efficient regulations that solve actual problems.
- More informed stakeholders, more efficient and effective interactions among stakeholders, and decreased