

equipped with a seatbelt warning lamp and buzzer that are identical to components found on comparable U.S.-certified models. The petitioner also stated that the vehicles are equipped with combination lap and shoulder restraints that adjust by means of an automatic retractor and release by means of a single push button at all front and rear designated seating positions.

**Standard No. 210 *Seat Belt Assembly Anchorages*:** The petitioner stated that compliance with Standard 207 was demonstrated in dynamic tests conducted for the petitioner by MGA Research Corporation to establish the vehicles' compliance with Standards 208 and 301. These tests were conducted after structural modifications at seat belt assembly anchorage points. That are depicted in structural drawings that were granted confidentiality by NHTSA's Office of Chief Counsel under 49 CFR part 512.

**Standard No. 212 *Windshield Retention*:** application of adhesives to the windshield's edges.

**Standard No. 214 *Side Impact Protection*:** The petitioner stated that compliance with Standard 214 was demonstrated in dynamic tests on both sides of the vehicle conducted for the petitioner by MGA Research Corporation. These tests were conducted after certain structural modifications to the vehicle. The petitioner observed that no doors opened on impact in the course of these tests.

**Standard No. 301 *Fuel System Integrity*:** The petitioner stated that compliance with Standard 301 was demonstrated in dynamic tests conducted for the petitioner by MGA Research Corporation. These tests were made after fuel system modifications made in conjunction with those necessary to meet Environmental Protection Agency (EPA) requirements.

The petitioner additionally stated that a vehicle identification number (VIN) plate must be attached to the left windshield post and a reference and certification label must be added in the left front door post area to meet 49 CFR part 565.

No comments were received in response to the notice of petition. Based on its review of the information submitted by the petitioner, NHTSA has decided to grant the petition.

#### **Vehicle Eligibility Number for Subject Vehicles**

The importer of a vehicle admissible under any final determination must indicate on the form HS-7 accompanying entry the appropriate

vehicle eligibility number indicating that the vehicle is eligible for entry. VCP-17 is the vehicle eligibility number assigned to vehicles admissible under this determination.

#### **Final Decision**

Accordingly, on the basis of the foregoing, NHTSA hereby decides that 1990-1999 Nissan GTS and GTR Passenger cars are eligible for importation into the United States because they have safety features that comply with, or are capable of being altered to comply with, all applicable Federal motor vehicle safety standards.

**Authority:** 49 U.S.C. 30141(a)(1)(B) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: January 12, 2000.

**Marilynne Jacobs,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 00-1125 Filed 1-18-00; 8:45 am]

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### **DEPARTMENT OF TRANSPORTATION**

#### **National Highway Traffic Safety Administration**

**[Docket No. NHTSA-99-6685; Notice 1]**

#### **General Motors Corporation, Receipt of Application for Decision of Inconsequential Noncompliance**

General Motors Corporation (GM) has determined that certain 1999 Chevrolet vehicles are not in full compliance with Federal Motor Vehicle Safety Standard (FMVSS) No. 120, "Tire selection and rims for motor vehicles other than passenger cars," and has filed an appropriate report pursuant to 49 CFR part 573, "Defect 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 and defect (represented by the failures to meet Part 567) are 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 judgment concerning the merits of the application.

The purpose of FMVSS No. 120 is to provide safe operation of vehicles by ensuring that those vehicles are equipped with tires of appropriate size and load rating; and rims of appropriate size and type designation. Paragraph S5.2 of FMVSS No. 120 requires that each rim or, at the option of the manufacturer in the case of a single-

piece wheel, the wheel disc be marked with specific information, including a designation which indicates the source of the rim's published nominal dimensions, and the rim size designation, and in case of multipiece rims, the rim designation. For example: 20 x 5.50, or 20 x 5.5.

Between March 1, 1999, and March 13, 1999, GM produced 11,522 Blazers and S-10 trucks that may contain wheels that are missing the width designation in the rim marking on the back side of the wheel. GM's wheel supplier, Reynolds-Rualca, Venezuela, produced 3,721 wheels that had an error in the rim size designation. Instead of the correct rim size designation of "15x7," these wheels have a rim size designation of "15x7". The error occurred when one the wheel casting molds was refurbished. Of the 3,721 mis-marked wheels produced, a maximum of mis-designated 1,658 wheels were installed on the Chevrolet vehicles. The rim markings other than the rim width designation were not affected by the refurbishing error, and the remainder of the rim marking information, including rim diameter, is correct on all of the 1,658 wheels.

GM supports its application for inconsequential noncompliance by stating the following:

1. "The tire and rim of the affected wheels are properly matched, and are appropriate for the load-carrying characteristics of these vehicles. The lack of complete marking has no effect on the performance of the tire/rim combination of the subject vehicles."

2. "These vehicles have a placard on the left front door that contains the correct and complete tire and rim sizes installed on these vehicles. The placard on the subject vehicles shows rim size completely and correctly as 15x7J."

3. "The owner's manual provided with these vehicles contains a section 'Buying New Tires.' The text of this section advises the customer that they should look at the Certification/Tire Label to find out what kind and size of tires they need. It goes on to tell them that they should get new tires with the same Tire Performance Criteria Specification (TPC Spec) that the vehicle came with, and that they can find the TPC number on each tire's sidewall. Finally it advises them that if they were to replace the tires with those not having the TPC Spec number found on the original equipment tires, they should make sure that the tires they choose are the same size, load range, speed rating and construction type as the original tires. Nowhere are customers told to look at the wheel to determine the appropriate tire."

4. "General Motors believes that very few of these wheels will ever have to be replaced over the life of the vehicle. Nevertheless, the owner's manual provided with these vehicles contains a section 'Wheel Replacement.' This section states that each new wheel should have the same load-carrying, diameter, width, offset and be mounted in the same way as the one it replaces. It also advises customers that their dealer will know the kind of wheel they need. The wheels at issue here are not marked with an incorrect width. Rather, they have no width marking. Therefore a dealer would not be misled by a width marking on the wheel, but would look at the placard if they were not aware of the exact width."

5. "If a customer needs to replace a tire or a wheel, he/she is likely to go to a tire/wheel store, or a vehicle dealer. The skilled personnel at any of these places know how to determine the correct tire or wheel size that they are replacing. For the tire replacement, it is highly probable that they will first look at the tire sidewall to determine the replacement tire size. They also know that the information exists on the placard and may look at the placard. For the wheel replacement, they may look at the tire placard or at the wheel itself to determine the replacement size. The subject wheels do not give incorrect information, however the information is incomplete. Since the information on the wheel is incomplete, the person looking at it will look elsewhere to find the missing information prior to selecting replacement wheel or tire size. For the correct tire selection, rim diameter is of primary importance, and the tire diameter must be the same as the rim diameter. The information on the subject wheels does contain the correct rim diameter, *i.e.*, 15."

Interested persons are invited to submit written data, views, and arguments on the application 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 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, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: February 18, 2000.

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

Issued on: January 13, 2000.

**Stephen R. Kratzke,**

*Acting Associate Administrator for Safety Performance Standards.*

[FR Doc. 00-1227 Filed 1-18-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33824]

#### Great Salt Lake and Southern Railroad, L.L.C.—Construction and Operation—In Tooele County, UT

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of filing of application and request for public comments.

**SUMMARY:** Great Salt Lake and Southern Railroad Company, L.L.C., has filed an application under 49 U.S.C. 10901(a) for authority to construct and operate one of the two following rail projects: (1) A rail line approximately 32 miles in length between Low, UT, and a facility to be constructed in the Skull Valley, UT, for the interim storage of spent nuclear fuel; or (2) A run-around track and sidings at a point approximately 1.8 miles west of Timpie, UT, where applicant would locate an intermodal transfer point for the transfer of spent nuclear fuel shipping casks from railcars onto trucks for highway movement to the storage facility. The Board will entertain comments and replies on whether this application meets the criteria of 49 U.S.C. 10901.

**DATES:** Comments are due on February 9, 2000. Replies are due February 14, 2000.

**ADDRESSES:** Send comments (an original and 10 copies) referring to STB Finance Docket No. 33824 to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001. In addition, send one copy of comments to applicant's representative: George W. Mayo, Jr., Hogan & Hartson L.L.P., 555 Thirteenth Street, NW, Washington, DC 20004-1109.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1600. [TDD for the hearing impaired: 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** On January 5, 2000, Great Salt Lake and Southern Railroad Company, L.L.C. (GSLS), a noncarrier, filed an

application under 49 U.S.C. 10901(a) for authority to construct and operate one of the two following rail projects: (1) A rail line approximately 32 miles in length (and associated sidings) between Low, UT, and a facility which applicant's parent, Private Fuel Storage L.L.C. (PFS), proposes to construct in the south-central portion of Skull Valley, UT, for the interim storage of spent nuclear fuel (SNF); or (2) A run-around track and sidings at a point approximately 1.8 miles west of Timpie, UT, where applicant would locate an intermodal transfer point for the transfer of SNF shipping casks from arriving railcars onto heavy haul trucks for highway movement to the storage facility. Although GSLS has not finally determined which of the two rail projects it will ultimately pursue, it prefers the direct rail option because it will permit efficiencies associated with rail-only movements.

Environmental review of the application under the National Environmental Policy Act of 1969 and related environmental laws is currently ongoing by the Board's Section of Environmental Analysis (SEA). The Board is engaged in this environmental review in the capacity of a cooperating agency, where the Nuclear Regulatory Commission (NRC) is the lead agency for environmental review. According to applicant, NRC undertook this lead responsibility in connection with the June 1997 license application filed by PFS seeking NRC authority to construct and operate the SNF storage facility. The Bureau of Land Management and the Bureau of Indian Affairs of the United States Department of the Interior are also participating in the environmental review as cooperating agencies. Because a third-party consultant has been retained to prepare the necessary environmental documentation under the Board's direction and supervision, the Board's environmental reporting requirements are not applicable to this application. See 49 CFR 1105.10(d).

GSLS indicates that substantially all of the traffic to be transported to the storage facility will be SNF originating at various commercial nuclear power electric generating plants throughout the United States. The total design capacity of the PFS facility will be 4,000 canisters of SNF. GSLS states that, although the United States Department of Energy (DOE) has the statutory responsibility to develop a geologic repository program for SNF by January 31, 1998, DOE is not likely to implement such a program for another decade. Applicant states that, accordingly, the nuclear power industry