

the earliest planned arrival time to the latest planned arrival time, for the anticipated airplane routing. This increases the possibility on a 207-minute ETOPS dispatch that the flight crew when faced with the need to initiate an in-flight diversion, could be closer to a suitable alternate airport in Russia, the Aleutians, or elsewhere in Alaska than compared to an off-track route (more Southerly route) that was based on a 180-minute ETOPS dispatch. All other ETOPS planning requirements specified in AC 120-42A continue to apply to the 207-minute ETOPS dispatch.

The air carrier will record the dispatch considerations when applying this special authorization for each use, and retain such records for review by the FAA for at least three months.

In the April 27, 1999 **Federal Register** notice, the FAA stated that it did not endorse the ATA proposal, per se. The April 27 notice outlined, in great detail, the issues involved in determining whether an appropriate level of safety could be established for 207-minute dispatch ETOPS. Public comments were also in great detail, and reflected that the commenters appreciated all of the issues. After careful review of the proposal and comments received, the FAA has decided to proceed with a policy to allow the limited 207-minute dispatch authorization described in this notice.

#### Summary

The FAA supports a collaborative effort to produce policy and rules that incorporate the best information available from operators, manufacturers, and others who may be affected. The FAA also supports the rulemaking process that assures that the issues are thoroughly examined in a public forum. The FAA does not believe, though, that approval of a limited 207-minute North Pacific ETOPS operation must await further ETOPS rulemaking.

The FAA recognizes the potential safety benefit that is provided with an extension to 180-minute ETOPS as it applies to operations in the North Pacific. The equipment and dispatch requirements that are specified in this limited 207-minute diversion authority are more conservative than those required for 180-minutes. The B-777 systems design and demonstrated service reliability indicate that the airplane can meet these requirements, and the FAA will evaluate Boeing's data and the updated Numerical Probability Analysis to make its finding of suitability for 207-minute ETOPS. In order for airlines to exercise the 207-minute ETOPS authority, additional

Minimum Equipment List (MEL) requirements will apply, as well as dispatch planning to consider the availability of other enroute airports along the proposed route that do not meet alternate weather criteria at time of dispatch. This is intended to limit the frequency of a 207-minute use, and to provide an equivalent level of safety for those flights that are dispatched with a 207-minute diversion limit. The FAA will closely monitor the application of these requirements by airlines that have received approval to use the limited 207-minute ETOPS.

#### Intent To Task ARAC

The FAA intends to initiate ETOPS rulemaking through the ARAC process by separate notice in the near future. The ARAC ETOPS Working Group would be tasked to provide their recommendation to the FAA for:

- Codification of existing ETOPS standards and requirements in the appropriate certification and operational regulations
- Development of objective standards and requirements for ETOPS beyond 180-minutes, for codification in appropriate certification and operational regulations, and
- Review the requirements for ETOPS and all other extended range operations for all airplanes regardless of the number of engines, and provide recommendations to standardize the requirements for such operations.

The FAA will draw from the working group recommendations to subsequently issue ETOPS and for long range operations regulations through the rulemaking process. It is desirable to have international regulatory, manufacturer, and operator participation in the ARAC ETOPS Working Group to provide harmonized positions that may be a basis for international ETOPS standards.

Issued in Washington, DC on January 18, 2000.

**Thomas E. McSweeney,**

*Associate Administrator for Regulations and Certification.*

[FR Doc. 00-1505 Filed 1-18-00 3:17 pm]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent to Rule on Application to impose and use a Passenger Facility Charge (PFC) at Sacramento International Airport, Sacramento, CA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of Intent to Rule on Application.

**SUMMARY:** The FAA proposes to rule and invites public comments on the application to impose and use a PFC at Sacramento 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) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

**DATES:** Comments must be received on or before February 22, 2000.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261, or San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010-1303. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. G. Hardy Acree, Director of Airports, county of Sacramento, at the following address: 6900 Airport Boulevard, Sacramento, CA 95837-1109. Air carriers and foreign air carriers may submit copies of written comments previously provided to the county of Sacramento under § 158.23 of part 158.

#### FOR FURTHER INFORMATION CONTACT:

Marlys Vandervelde, Airports Program Analyst, San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010-1303, Telephone: (650) 876-2806. 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 impose and use the revenue from a PFC at Sacramento 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) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

On December 28, 1999, the FAA determined that the application to impose and use a PFC submitted by the county of Sacramento was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than March 31, 2000.

The following is a brief overview of the impose and use application No. 00-06-C-00-SMF:

*Level of proposed PFC:* \$3.00.

*Proposed charge effective date:*

August 1, 2006.

*Proposed charge expiration date:*

November 1, 2013.

*Total estimated PFC revenue:*

\$115,700,000.

*Brief description of the proposed*

*project:* Terminal A Construction Including Ticketing, Baggage Claim, 12 Aircraft Gates and Associated Building Infrastructure.

*Class or classes of air carriers which the public agency has requested not be required to collect PFCs:* None.

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

**INFORMATION CONTACT** and at the FAA Regional Airports Division located at: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the country of Sacramento.

Issued in Hawthorne, California, on January 4, 2000.

**Herman C. Bliss,**

*Manager, Airports Division, Western-Pacific Region.*

[FR Doc. 00-1484 Filed 1-20-00; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement; Glacier County, Montana

**AGENCY:** Federal Highway Administration, (FHWA), DOT.

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA hereby gives notice that it intends to prepare an environmental impact statement (EIS) for a corridor study to evaluate development of a highway between Browning, Montana and the Hudson Divide in Glacier County, Montana. Access to the area is currently provided by US 89 and the study will evaluate improvements to the existing highway and all practicable alignment alternatives.

**FOR FURTHER INFORMATION CONTACT:** Dale Paulson, Program Development Engineer, Federal Highway Administration, 2880 Skyway Drive, Helena, MT 59602; Telephone: (406) 449-5303 ext. 239; or Joel M. Marshik, Manager, Environmental Services and Tribal Liaison, Montana Department of Transportation, 2701 Prospect Avenue, Helena, Montana 59602; Telephone: (406) 444-7632.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

##### Background

The FHWA, in cooperation with the Montana Department of Transportation (MDT), will prepare an EIS to acquire land, design, and construct a new or improved US 89 between Browning, Montana and the Hudson Bay Divide. The EIS will examine the short and long-term impacts on the natural and physical environment. The impact assessment will include, but not be limited to, impacts on wetlands, wildlife, and fisheries; social environment; changes in land use; aesthetics; changes in traffic; and economic impacts. Environmental Justice (as outlined in Executed Order 12898) will also be addressed as part of the impact assessment. The EIS will also examine measures to mitigate significant adverse impacts resulting from the proposed action.

Comments are being solicited from appropriate Federal, State, and local agencies and from private organizations and citizens who have interest in this proposal. Public information meetings will be held in the project area to discuss the potential alignments. The draft EIS will be available for public and agency review; and a public hearing will be held to receive comments. Public notice will be given of the time and place of all meetings and hearings.

Comments and/or suggestions from all interested parties are requested, to ensure that the full range of all issues, and significant environmental issues in particular, are identified and reviewed. Comments or questions concerning this proposed action and/or its EIS should be directed to the FHWA or the MDT at the addresses listed previously.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this proposed action)

**Authority:** 23 U.S.C. 315; 49 CFR 1.48.

Issued on: January 11, 2000.

**Dale Paulson,**

*Program Development Engineer, FHWA.*

[FR Doc. 1435 Filed 1-20-00; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### Canadian Pacific Railway

*(Waiver Petition Docket Number FRA-1999-6639)*

Canadian Pacific Railway (CPR) is seeking a permanent waiver of compliance with the Railroad Freight Car Safety Standards, 49 CFR 215.3(c)(3) and 215.305. Section 215.3(c)(3) excludes maintenance of way equipment from compliance with Section 215 when it is not used in revenue service and is stenciled in accordance with § 215.305 of this part. Title 49 CFR 215.305 requires that maintenance of way equipment be stenciled with the letters "MW" in clearly legible print at least 2 inches in height on each side of the car. CPR states that § 19.1 of the Canadian rules excludes maintenance of way equipment when stenciled with the letters "RSE."

CPR and its subsidiaries, Delaware and Hudson and Soo Line, request a permanent waiver to allow CPR marked service equipment to be excluded from the requirements of Part 215.

CPR claims that this request is issued to harmonize the enforcement differences in these regulations, as contemplated by the NAFTA Trade Agreement, and they further claim that stenciling these cars to comply with FRA requirements would present an undue financial burden and impede transportation opportunities between the respective countries.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since