

environmental impact statement (EIS) will be prepared for proposed highway improvements to Trunk Highway 53 (TH 53) in St. Louis County, Minnesota.

FOR FURTHER INFORMATION CONTACT:

Cheryl Martin, Federal Highway Administration, Galtier Plaza, Box 75, 175 East Fifth Street, Suite 500, St. Paul, Minnesota 55101-2904, Telephone (651) 291-6120; or Brian Larson, Project Manager, Minnesota Department of Transportation—District 1, 1123 Mesaba Avenue, Duluth, Minnesota 55811, Telephone (218) 723-4960 ext. 3322; (651) 296-9930 TTY.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Minnesota Department of Transportation, will prepare an EIS on a proposal to improve TH 53 between County Road 307 north of Virginia to the south city limit of Cook in St. Louis County, Minnesota, a distance of approximately 30.7 kilometers.

The proposed action is being considered to address future transportation demand, safety problems, access management, international and interregional trade corridor status, and pavement condition. Alternatives under consideration include (1) No build; and (2) four variations of "Build" alternatives involving reconstruction and/or realignment and new construction of TH 53 into a four-lane divided expressway. All four-lane alternatives utilize the existing TH 53 alignment from the Rice River (approximately 0.8 kilometer north of County Road 688) to the northern terminus of the project area (the south city limits of Cook). The southern portion (County Road 307 to the Rice River) contains three alternatives for realignment and one alternative which utilizes the existing TH 53 alignment. The "Trunk Highway 53 Scoping Document/Draft Scoping Decision Document" will be published in February or March 2000. A press release will be published to inform the public of the document's availability. Copies of the scoping document will be distributed to agencies, interested persons and libraries for review to aid in identifying issues and analyses to be contained in the EIS. A 30-day comment period for review of the document will be provided to afford an opportunity for all interested persons, agencies and groups to comment on the proposed action. A public scoping meeting will also be held during the comment period. Public notice will be given for the time and place of the meeting. Coordination has been initiated and will continue with appropriate Federal, State and local agencies and private organizations

and citizens who have previously expressed or are known to have an interest in the proposed action. To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(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 program.)

Issued on: February 9, 2000.

Stanley M. Graczyk,

Project Development Engineer, Federal Highway Administration, St. Paul, Minnesota.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement Withdrawal: Wexford, Grand Traverse, and Kalkaska Counties: MI

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent withdrawal.

SUMMARY: On April 14, 1995, the Federal Highway Administration issued a Notice of Intent to prepare an Environmental Impact Statement (EIS) for the proposed construction of a new US-131 freeway from north of Manton to north of Kalkaska in Kalkaska County. The proposed project involved study of corridors for a new freeway to replace the existing roadway. The Federal Highway Administration is issuing this Notice to withdraw its original Notice Of Intent dated April 14, 1995.

SUPPLEMENTARY INFORMATION:

Preliminary scoping studies were undertaken which resulted in several alternative alignments. Public meetings were held to garner information and help shape the alternatives. An economic study was prepared. This study concluded that while the region could benefit from the proposed new highway, the state as a whole would not. It was, therefore, determined that the proposed highway project would not be an efficient statewide economic expenditure. This study in conjunction with the Michigan Department of Transportation's increased emphasis on

system preservation rather than expansion had caused a change in priorities. As a result, the Federal Highway Administration has determined that an environmental impact statement is no longer needed. In lieu of an EIS, the Federal Highway Administration and the Michigan Department of Transportation are undertaking preservation projects coupled with spot improvements to existing roadways in the area. Should it be determined during this process that an EIS is needed for a proposed project, one will be prepared following a new Notice Of Intent.

Issued on: February 1, 2000.

Norman R. Stoner,

Asst. Division Administrator Lansing, Michigan.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Intent To Prepare Environmental Impact Statement on Transportation Improvements Within the Blue Line Extension Corridor in Suburban Cleveland, Ohio

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Federal Transit Administration (FTA) is issuing this notice to advise interested agencies and the public that an environmental impact statement is being prepared for transportation improvements in the Blue Line Extension Corridor in suburban Cleveland, Ohio.

DATES: *Comment Due Date:* Written comments on the scope of the alternatives and impacts to be considered should be sent to Richard Enty, Team Leader, by April 10, 2000.

Scoping Meetings: A public scoping meeting will be held on Thursday, March 9, 2000, from 7 p.m. to 9 p.m., and an interagency scoping meeting will be held on Wednesday, March 1, 2000, from 9:30 a.m. to 11:30 a.m. See **ADDRESSES** below.

ADDRESSES: Written comments on the scope should be sent to Richard Enty, Team Leader, Greater Cleveland Regional Transit Authority (RTA), 1240 West 6th Street, Cleveland, Ohio 44113-1331. Phone: (216) 566-5260. Fax (216) 781-4726. Scoping meetings will be held at the following locations:

Public Scoping: Thursday, March 9, 2000, from 7 p.m. to 9 p.m.,

Beachwood City Hall, 2700 Richmond Road, Beachwood, Ohio 44122
Interagency Scoping: Wednesday, March 1, 2000, from 9:30 a.m. to 11:30 a.m., Greater Cleveland Regional Transit Authority, 1240 West 6th Street, Cleveland, Ohio 44113-1331

For additional information about the scoping meetings, contact Richard Enty whose address and phone number are given above.

FOR FURTHER INFORMATION CONTACT: Mr. Carlos Pena, Federal Transit Administration Region 5, 200 West Adams Street, Suite 2410, Chicago, Illinois 60606; Telephone: (312) 353-2865.

SUPPLEMENTARY INFORMATION: The Federal Transit Administration (FTA), the federal lead agency, in cooperation with the Greater Cleveland Regional Transit Authority (RTA), the local lead agency, is preparing an environmental impact statement (EIS) for proposed transportation improvements in the Blue Line Extension Corridor and adjacent areas. The transportation improvements are being defined through a Major Investment Study (MIS) conducted in conjunction with the development of the environmental impact statement. Issues and alternatives will be identified through a scoping process in accordance with the regulations implementing the National Environmental Policy Act (NEPA) of 1969, as amended. The scoping process will include the identification and evaluation of alternative design concepts and scopes, and provide the basis for the selection of a preferred design concept and scope for inclusion in the metropolitan transportation plan. Subsequently, alternative alignments and designs that are consistent with the selected concept and scope will be addressed in the EIS. It is important to note that a final decision to prepare an EIS has not been made at this time. This decision will be made at the end of the major investment study, and will depend upon the nature of the selected concept and its expected impacts.

I. Scoping

RTA will hold a public scoping meeting on Thursday, March 9, 2000, between 7:00 p.m. and 9:00 p.m. at Beachwood City Hall, 2700 Richmond Road, Beachwood, Ohio 44122. FTA and RTA invite interested individuals, organizations, and public agencies to attend the scoping meeting and participate in establishing the purpose, alternatives, schedule, and analysis approach, as well as an active public involvement program. The public is invited to comment on the alternatives

to be addressed, the modes and technologies to be evaluated, the alignments and termination points to be considered, the environmental, social, and economic impacts to be analyzed, and the evaluation approach to be used to select a locally preferred alternative. The scoping meeting location is accessible and will include interpretive services for the hearing impaired.

An interagency scoping meeting will be held on Wednesday, March 1, 2000, from 9:30 a.m. to 11:30 a.m. at the Greater Cleveland Regional Transit Authority, 1240 West 6th Street, Cleveland, Ohio 44113-1331. Interested federal, state, and local public agencies, municipal officials and members of the Blue Line Study Project Scoping Committee are invited.

To ensure that a full range of issues is addressed and all significant issues are identified, comments and suggestions are invited from all interested parties. Comments or questions should be directed to the RTA at the address provided above.

II. Description of Study Area and Its Transportation Needs

The Blue Line Extension Corridor is located in southeastern suburbs of Cleveland, extending eastward approximately three miles from the existing terminus of the Blue Line at Van Aken and Warrensville Road in Shaker Heights, to the vicinity of I-271. The Corridor is approximately two miles wide, from Chagrin Blvd. on the north to Emery Road on the south. It includes portions of eight municipalities: City of Shaker Heights, City of Beachwood, City of Pepper Pike, City of Warrensville Heights, City of North Randall, Village of Highland Hills, Village of Orange, and Village of Woodmere. Two municipalities (Orange and Pepper Pike) are primarily residential, while the others are a mix of residential, office and retail. A more extensive "study area" is being considered for purposes of examining impacts of alternatives.

The largest single landowner in the corridor is the City of Cleveland. The City is developing one property itself: Cleveland Enterprise Park (recently renamed Mill Creek Enterprise Park), a 113 acre office park within the Village of Highland Hills. The City's other property, about 600 acres called Chagrin Highlands, is being developed by the Richard E. Jacobs Group under a master development agreement that provides for corporate headquarters and office park with supporting hotel and retail development. Additionally, the City of Cleveland has joint economic development agreements with three of

the four communities in which Cleveland's property is located: Beachwood, Warrensville Heights, and Orange. There are a number of other public and private development sites in the corridor.

The corridor has a diverse mix of major institutions on relatively large sites, including Cuyahoga Community College, major medical institutions and facilities, a regional shopping mall and a number of large shopping centers, major office developments, a thoroughbred racetrack, a public golf course, cemeteries, and a variety of small businesses.

The area is served by a number of bus lines, two Interstate highways (I-271 and I-480), a U.S. highway, state highways, and county roads. These existing transportation facilities are under the jurisdiction of the Greater Cleveland Regional Transit Authority, the Ohio Department of Transportation and Cuyahoga County.

For central city residents, the corridor development creates new employment opportunities, but these jobs are difficult, if not impossible, to reach by transit. Several RTA bus routes serve the area and connect with the Blue Line at Van Aken, but access to the Van Aken station is relatively poor.

The study area already suffers from traffic congestion. The complicated six-legged Warrensville/Van Aken/Chagrin intersection, just east of the Blue Line terminus, is one of the most heavily used in Cuyahoga County, and one of the most congested. Chagrin Boulevard and other roadways in the study area also experience congestion during the morning and evening peak periods and at mid-day.

It is likely that without additional transportation investments, new development will add to traffic congestion. There is concern that the additional traffic will hurt the area's quality of life and future development potential. Some large planned development projects have no provisions for transit. There may be an opportunity to modify the planned development to maximize transit and land use efficiencies and to incorporate transit into the development plans at an early stage.

III. Alternatives

It is expected that the scoping meeting, stakeholder interviews, and written comments will be a major source of candidate alternatives for consideration in the study. The following describes the No-Build, Enhanced Bus/Transportation Systems Management (TSM), and Light Rail Transit Alternative that are suggested

for consideration in the Blue Line Extension MIS:

1. *No-Build Alternative*—Existing and planned transit service and programmed new transportation facilities to the year 2020;

2. *TSM Alternative*—Changes in existing bus routes or new bus routes to provide better service and lower-cost transportation, roadway, and other improvements, such as bus prioritization at signalized intersections, and special bus lanes that would enhance the operation of the existing street and bus networks to help buses move faster.

3. *Light Rail Alternative*—Extension of the rail rapid transit Blue Line eastward from the existing Van Aken terminal station to the vicinity of I-271 via several alternative alignments using Chagrin Road or Northfield Road.

Based on public and agency input received during scoping, variations of the above alternatives and other transportation-related improvement options, both transit and non-transit, will be considered for the Blue Line Extension Corridor.

IV. Probable Effects

Issues and impacts to be considered during the study include potential changes to: the physical environment (air quality, noise, water quality, aesthetics, etc.); the social environment (land use, development, neighborhoods, etc.); parkland, cemeteries, and historic resources; transportation system performance; capital operating and maintenance costs; financial resources available and financial impact on the RTA. The entire Corridor is undergoing rapid development. The potential for Transit Oriented Development and the effect on existing public and private development agreements will be important. Vehicular/pedestrian circulation, parking and in-street operation of buses and streetcars are key considerations.

Evaluation criteria will include consideration of the local goals and objectives established for the study, measures of effectiveness identified during scoping, and criteria established by FTA for "New Start" transit projects.

Issued on: February 11, 2000.

Don Gismondi,

Deputy Regional Administrator.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2000-6857]

Intac Automotive Products, Inc., Receipt of Application for Decision of Inconsequential Noncompliance

Intac Automotive Products, Inc., (Intac) has determined that certain brake fluid containers manufactured by its supplier, Gold Eagle, are not in full compliance with 49 CFR 571.116, Federal Motor Vehicle Safety Standard (FMVSS) No. 116, "Motor vehicle brake fluids", and has filed appropriate reports pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." Intac 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 judgment concerning the merits of the application.

Paragraph S5.2.2.2 of FMVSS No. 116 states that certain information, including a serial number identifying the packaged lot and date of packaging, shall be clearly marked on each brake fluid container or label permanently affixed to the container. Paragraph S5.2.2.2 further states that the information required on the container or container label, including the serial number identifying the packaged lot and date specified in S5.2.2.2(d), shall be legible after being subjected to the test procedures in S6.14, Container information. Paragraph S6.14 requires that each container be immersed in the same brake fluid contained therein for 15 minutes and dried within 5 minutes of removal of the container from the brake fluid.

Intac informed the agency that, on November 4, 1997, it manufactured approximately 9,000 containers of brake fluid which it shipped to Petrochemical, Inc., for Mazda. On April 6, 1999, Intac manufactured approximately 30,500 containers of brake fluid which it shipped to Nissan and, on August 12, 1999, it manufactured approximately 16,800 containers of brake fluid which it shipped to Petrochemical, Inc., for Subaru. Certain of these brake fluid containers were not in compliance with the requirements of S5.2.2.2(d) of FMVSS No. 116. That is, after removal from the brake fluid and drying when tested according to S6.14, the packaged

lot and date code information required in S5.2.2.2(d) was not visible on some of the labels. Intac believes this condition to be inconsequential as it relates to motor vehicle safety.

Intac supports its application for inconsequential noncompliance by stating that all the substantive safety warnings on the subject brake fluid container labels were legible after testing in accordance with S6.14. Intac stated that the purpose of the serial number identifying packaged lot and date of packaging is to facilitate determination of the extent of defective brake fluid should such be discovered. According to Intac, there is no serious risk to motor vehicle safety if the lot and date information is lost. If packaged lot and packaging date information were not visible on containers, the manufacturer would have to recall all such containers in addition to targeted containers with legible packaged lot and date information, if defective brake fluid were to be discovered or suspected.

Intac also stated that the brake fluid containers in question were distributed to motor vehicle dealerships and authorized repair facilities and it is unlikely that private consumers obtained these products through retail for personal use.

According to Intac, the dealerships and authorized repair facilities that received the brake fluid tend to consume the product quickly once the containers are opened. Therefore, there is little likelihood that the packaged lot and date information on the container label would become illegible through contact with brake fluid before the contents of a container is used. Intac claims that brake fluid containers from the noncompliant runs with legible packaged lot and date of packaging information would be available for reference if a defect in the brake fluid from these production runs were discovered or suspected.

Intac further stated that it was able to secure most of the noncompliant inventory after contacting Nissan and Petrochemical, so that a large quantity of the noncompliant brake fluid containers will be returned to Intac and the noncompliance can be remedied.

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