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Issued in Washington, DC on January 16, 2003.

**Susan J. M. Cabler,**

*Deputy Manager, Aircraft Engineering Division, Aircraft Certification Service.*

[FR Doc. 03-1475 Filed 1-22-03; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Notice of Intent To Rule on Application 03-15-C-00-CHO To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Charlottesville-Albemarle Airport, Charlottesville, VA**

**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, impose and use the revenue from a PFC at Charlottesville-Albemarle Airport under the provisions of the 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

**DATES:** Comments must be received on or before February 24, 2003.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Washington Airports District Office, 23723 Air Freight Lane, Suite 210, Dulles, VA 22016.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Bryan O. Elliott, Director of Aviation, of the Charlottesville-Albemarle Airport Authority at the following address: Charlottesville-Albemarle Airport Authority, 201 Bowen Loop, Charlottesville, Virginia 22901.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Charlottesville-Albemarle Airport Authority under section 158.23 of part 158.

**FOR FURTHER INFORMATION CONTACT:** Arthur Winder, Program Manager, Washington Airports District Office, 23723 Air Freight Land, Suite 210, Dulles, VA. 22016, (703) 661-1363. 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 Charlottesville-Albemarle Airport under the provisions of the 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On December 24, 2002, the FAA determined that the application to impose and use the revenue from a PFC submitted by capital Region Airport Commission 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 March 29, 2003.

The following is a brief overview of the application.

*Proposed charge effective date:* February 1, 2005.

*Proposed charge expiration date:* August 1, 2006.

*Level of the proposed PFC:* \$3.00.

*Total estimated PFC Revenue:*

Impose \$850,000.

Use \$850,000.

*Brief description of proposed project(s):* Terminal Building Modifications (Impose & Use). Upgrade multi-user Flight Information Display System (Impose & Use). Extend Runway 3 Safety Area, Phase IV (Impose & Use). PFC Project Administration Fees (Impose & Use).

*Class or classes of air carriers which the public agency has requested not be required to collect PFC's:* Air Taxi/Commercial Operators filing FAA Form 1800-31.

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 office located at: Federal Aviation Administration, Airports Division, AEA-610, 1 Aviation Plaza, Jamaica, NY 11434-4809.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Charlottesville-Albemarle Airport.

Issued in Dulles, Va. 22016, January 14, 2003.

**Arthur Winder,**

*Program Manager, Washington Airports District Office.*

[FR Doc. 03-1474 Filed 1-22-03; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### **Environmental Impact Statement: Mills County, IA; Cass County, NE**

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

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for proposed roadway and bridge improvement project in Cass County, Nebraska, and Mills County, Iowa.

**FOR FURTHER INFORMATION CONTACT:** Mr. Edward Kosola, Realty/Environmental Officer, FHWA, Federal Building, Room 220, 100 Centennial Mall North, Lincoln, NE 68508-3851, (402) 437-5765. Mr. Arthur Yonkey, Planning and Project Development Engineer, Nebraska Department of Roads, PO Box 94759, 1500 Highway 2, Lincoln, NE, 68509, (402) 479-4795. Mr. James Rost, Office of Location and Environment, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010, Telephone: (515) 239-1798.

**SUPPLEMENTARY INFORMATION:** The Transportation Appropriations Bill for fiscal year 2002 included funding for a study of a possible replacement bridge over the Missouri River on Highway U.S. 34 at Plattsmouth, Nebraska. The FHWA, in cooperation with the Nebraska Department of Roads (NDOR) and the Iowa Department of Transportation (Iowa DOT), will prepare an Environmental Impact Statement (EIS) for the Rehabilitation/Replacement and Roadway Study project for the U.S. 34 Plattsmouth Bridge.

The existing two-lane U.S. 34 toll bridge over the Missouri River at the east edge of Plattsmouth has been listed in the National Register of Historic Places. The existing bridge is a multi-span through-truss structure approximately 1,400 feet long with a 20-foot wide driving surface. This bridge is both functionally and structurally obsolete. The existing alignment of U.S. 34 is through the Central Business District of Plattsmouth. The roadway portion of the study will include a connection to Highway U.S. 75 at the west edge of Plattsmouth.

Alternatives under consideration include: (1) Taking no action; (2) rehabilitating/replacing the existing two-lane bridge; (3) constructing a new two-lane bridge on new location with a connection to the existing roadway system; and (4) constructing a new two-

lane bridge on new location with a new roadway system.

An agency scoping meeting and a public scoping/information meeting are planned. Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state, and local agencies, and to private organizations and citizens who are known to be interested in this proposed project. Public input will be sought throughout the project via a series of public meetings to be held in 2003 and 2004. A Draft EIS will be prepared and a public hearing will be held. Public notice will be given of the time and place of the public meetings and public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues are 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 Nebraska Department of Roads, Iowa DOT or FHWA at the address provided in the caption **FOR FURTHER INFORMATION CONTACT**.

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

Dated: January 16, 2003.

**Edward W. Kosola,**

*Realty/Environmental Officer, Nebraska Division, Federal Highway Administration, Lincoln, Nebraska.*

[FR Doc. 03-1433 Filed 1-22-03; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Safety Advisory 2003-01.

**AGENCY:** Federal Railroad Administration (FRA), DOT.

**ACTION:** Notice of Safety Advisory 2003-01.

**SUMMARY:** FRA is issuing Safety Advisory 2003-01 addressing the importance of the hazardous materials offeror's requirement to verify the compatibility of all packaging components, such as valves and gaskets, in the event a change is made to the chemical constituents of a hazardous material in a railroad tank car. This action is being taken to improve the safety and reliability of hazardous material shipments in transportation.

**FOR FURTHER INFORMATION CONTACT:** William S. Schoonover, Specialist,

Hazardous Materials Division, Office of Safety Assurance and Compliance, Federal Railroad Administration, U.S. Department of Transportation, 1120 Vermont Avenue, NW., Washington, DC 20590-0001. Telephone: 202-493-6229, e-mail:

*William.Schoonover@fra.dot.gov.*

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 18, 1999, railroad tank car number UTLX 643593, spotted on an unloading rack at the Essroc Cement Corporation's Logansport cement plant near Clymers, Indiana, sustained a sudden and catastrophic rupture that propelled the tank an estimated 750 feet over a multistory storage tank. The 20,000-gallon tank car initially contained about 161,700 pounds (14,185 gallons) of a toxic and flammable hazardous waste being used as fuel for the plant's kilns. Fortunately, there were no injuries or fatalities. However, total damages, including property damage and costs from lost production, were estimated at nearly \$8.2 million. During the investigation of this incident, the safety relief device from this car and four other cars built to the same design were tested at a tank car repair facility to determine compliance with Federal regulations. Investigators determined that the gasket material in the safety relief devices exhibited varying degrees of brittleness, swelling, hardness, and cracking that contributed to the failure of the pressure relief devices to comply with Federal and industry requirements.

Incidents such as the one near Clymers, Indiana, result from noncompliance with the requirements in the Hazardous Materials Regulations (HMR). Specifically, these incidents derive from improper material selection and consideration of all components. The safety and reliability of hazardous materials shipments in transportation depend on a disciplined approach to material selection and maintenance.

FRA is issuing Safety Advisory 2003-01 to further discuss the requirements concerning gasket material selection in the event a change is made in the chemical constituents of the hazardous material shipped. This document provides general guidance only. Shippers should not rely on this document as a substitute for sound engineering, material selection, and maintenance management.

Tank car UTLX 643593, a DOT specification 111J100W1 tank car built in early 1993, was one of 52 tank cars designed for toluene diisocyanate (TDI) transportation. The certificate of construction for UTLX 643593, and the

other cars listed on the built certificate, indicates that these cars were approved for carriage of "Non-regulated commodities and commodities authorized in DOT Part 173 for which there are no other requirements and which are *compatible* with this design and class of car." [Emphasis Added] The service equipment from UTLX 643593 was on a 10-year maintenance and qualification cycle and was not due for requalification until 2003. The O-rings and gaskets for the pressure relief device were made of ethylene propylene rubber and Teflon®, respectively.

The hazardous material within the tank car, TDI waste matter, was loaded in October 1993 and stored until March 1998. It was transported to the Logansport facility for further storage until being moved for unloading in February 1999. On February 18, 1999, while spotted on an unloading rack, tank car UTLX 643593 sustained a sudden and catastrophic rupture that propelled the tank an estimated 750 feet over a multistory storage tank. Immediately after the incident, an investigation was conducted by the National Transportation Safety Board and FRA. Laboratory analysis obtained during the investigation revealed that two other constituents had been added to the material before shipping to the Logansport facility. A blending agent was added to the TDI to reduce its viscosity. The blending agents were HAN 906® (a mixture of flammable petroleum hydrocarbons such as naphthalene and trimethylbenzene) and monochlorobenzene (MCB). Both blending agents are classified as hazardous materials when shipped individually.

The transportation of the solvent blend wastes and TDI matter wastes in UTLX 643593 and the other tank cars approved for the transport of pure TDI constituted a change in the "compatibility status" of the tank and service equipment. This change in compatibility status, which resulted in deterioration of the components, was a key contributor to the pressure relief devices failure to meet Federal requirements (See 49 CFR 173.24(e)).

After the Clymers accident, FRA mandated, in a letter to the tank car owner, that the pressure relief devices from four of the 24 tank cars containing the TDI matter wastes in storage at the Logansport rail yard be pressure-tested in accordance with the HMRs before any of the tank cars could be transported for unloading. The tear down and inspection of the pressure relief devices from these five tank cars (the four cars that FRA required to be tested and UTLX 643593) demonstrated that the