expansion of the base would have to eliminate a significant portion of the buildings within the southern half of the historic district.

Expansion of the base complex southward across Massachusetts Avenue would require the use of industrial property with existing rail spur access, and would displace one or more existing industrial businesses that supply a significant portion of the Port of Seattle's export business. The City of Seattle's land use code allows transit base facilities and expansion within industrially zoned property, subject to a demonstration that all reasonable measures have been taken to minimize impacts related to significant displacement of other viable industrial businesses, and that the use of land with access to industrial shorelines or major rail facilities has been minimized.

III. Alternatives

Project alternatives include a No-Build Alternative and two build alternatives. Under Alternative A, the No-Build Alternative, expansion of the existing base complex would not occur. Without expanded base capacity within the City, King County Metro Transit could not operate new or expanded services. Implementation of the new Six-Year Transit Plan would be in jeopardy. And Metro could not implement the contract with Sound Transit for provision of regional express bus services.

Under Alternative B, the Atlantic Central Base complex would be expanded in 3 phases over the next 15 to 25 years to accommodate 385 additional buses, including the above mentioned project elements. The expansion of the complex would be westward, encompassing currently privately owned business properties on both sides of 6th Avenue South between Royal Brougham Way and South Massachusetts Street, and properties on the west side of 6th Avenue South between South Massachusetts Street and South Holgate Street. It is possible that this would affect historic properties.

Alternative C is premised on Sound Transit electing to proceed with a light-rail maintenance base south of the Atlantic/Central base between South Massachusetts Street and South Holgate Street. Alternative C would include all of the improvements proposed under Alternative B except that the proposed layover capacity on Sixth Avenue South would be entirely on site. Sound Transit's light rail maintenance facility would require vacation of Sixth Avenue South between South Massachusetts Street and South Holgate Street. Since Metro could not expand south of South Massachusetts, accommodating Metro's base expansion needs would require vacating Sixth Avenue South from South Massachusetts Street north to South Royal Brougham Way. The Sound Transit light rail facility is a separate project being planned and analyzed in a separate NEPA/SEPA document by Sound Transit and the Federal Transit Administration. Alternative C could include some shared facilities on the Sound Transit site, such as employee parking, control center and fueling for general service vehicles.

The EIS will also document a range of project alternatives considered that might lessen or avoid taking out portions of the adjacent historic district. It is anticipated based on preliminary analysis of these alternatives that none of them are prudent or feasible.

IV. Probable Effects/Potential Impacts for Analysis

King County plans to use a single EIS document to satisfy both SEPA and NEPA for the proposed project. Presently, the issue of principal concern related to NEPA is potential impacts on historic resources, which may be National Register eligible. Other NEPA concerns include environmental justice. King County may be preparing a Section 4(f) and Section 106 analysis of historic resources as a part of the NEPA EIS documentation. Issues principally of concern under SEPA include impacts on industrial land uses and business within the project area, including potential impacts on industrial traffic. Other impacts, which will be evaluated, include water quality; archaeological resources; hazardous materials; air quality (including air quality conformity); noise; consistency with local land-use and transportation plans and policies; business displacements and relocations; and economics. These impacts will be evaluated both for the construction phase and in relation to ongoing operations as appropriate. Reasonable measures to mitigate adverse impacts will be identified.

V. FTA Procedures

The NEPA EIS process will address the social, economic, and environmental impacts of the Atlantic Central Base expansion alternatives. A draft EIS will be published and made available for public and agency review and comment, and a public comment meeting will be held to receive review comments pertaining to the draft EIS. On the basis of the draft EIS and the comments received, King County Metro Transit will complete the final EIS.

Issued on: September 1, 1999.

Linda Gehrke,

Acting Regional Administrator.

[FR Doc. 99–23334 Filed 9–7–99; 8:45 am]

BILLING CODE 4910–57–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–99–6161; Notice 1]

Mercedes-Benz U.S.A., Inc., Receipt of Application for Decision of Inconsequential Noncompliance

Mercedes-Benz U.S.A., Inc. (MBUSA) has determined that 1,482 of its 1999 model year vehicles were equipped with convex passenger-side mirrors that did not meet certain labeling requirements contained in Federal Motor Vehicle Safety Standard (FMVSS) No. 111, ''Rearview Mirrors,'' and has filed an appropriate report pursuant to 49 CFR part 573, ''Defect and Noncompliance Reports.'' MBUSA 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.

We are publishing this notice of receipt of an application as required by 49 U.S.C. 30118 and 30120. This action does not represent any agency decision or other exercise of judgment concerning the merits of the application.

If a vehicle has a convex passenger-side mirror, paragraph S5.4.2 of FMVSS No. 111 requires that it have the words ''Objects in Mirror Are Closer Than They Appear'' permanently and indelibly marked at the lower edge of the mirror's reflective surface.

From April 5 through April 9, 1999, MBUSA sold and/or distributed 1,482 C-Class, E-Class, and E-Class Wagons that contain a typographical error in the text of the warning label required in paragraph S5.4.2. The text on the subject vehicles' mirrors reads ''Objects in Mirror Closer Than They Appear.'' The word ''Are'' is not clearly printed or visible.

MBUSA supports its application for inconsequential noncompliance with the following statements:

MBUSA does not believe that the foregoing noncompliance will impact motor vehicle safety for the following reasons. FMVSS 111 sets forth requirements for the performance and location of rearview mirrors to reduce the number of deaths and injuries that occur when the driver of a motor vehicle does not have a clear and reasonably unobstructed view to the rear. Provisions regarding the use of a convex side view mirror were added by

the National Highway Traffic Safety Administration (NHTSA or the Agency) in an 1982 rulemaking. 47 FR 38698 (1982). The final rule specifically allowed the use of convex passenger side outside mirrors. ''Convex mirrors'' are defined as ''a mirror having a curved reflective surface whose shape is the same as that of the exterior surface of a section of a sphere.'' See Id. at 38700, codified at 49 CFR 571.111 S4. NHTSA determined that allowing the installation of a convex mirror on the passenger side of vehicles could confer a substantial safety benefit in that such mirrors tend to provide a wider field of vision than ordinary flat or plane mirrors. Such a view could be highly desirable in maneuvers such as moving to the right into an adjacent lane. Id. at 38699.

NHTSA also recognized, however, that there were inherent drawbacks to the use of convex mirrors as well. One of the more significant drawbacks was that images of an object viewed in a convex mirror tend to be smaller than those of the same object viewed in a plane mirror. Consequently, drivers used to plane mirrors may erroneously assume that vehicles situated immediately behind the driver and to the right may be further away than anticipated. Such an erroneous perception may cause the drive to move to the right and change lanes before it is actually safe to do so. In order to address this concern, and at the suggestion of several automobile manufacturers, NHTSA required that a warning be permanently etched into all convex passenger side view mirrors. This suggestion was favored over NHTSA's original proposal which would have provided for an orange border around the convex mirror to alert the driver of a potential difference in mirror characteristics. The written warning was chosen because, based on studies performed at the request of NHTSA, the Agency found that (1) The fact that a convex mirror image appears different from that of a plane mirror does not, in the Agency's view, provide an adequate warning that objects viewed in the convex mirror are closer than they appear; (2) the etched warning would serve as a reminder to the driver with each use and would assist drivers who may not read such a warning alternatively placed in the owner's manual; and (3) the etched warning conveys a much clearer warning than the rather ambiguous orange border. Id. at 38700.

In the case of MBUSA's affected vehicles, the etched warning provides that ''Objects in Mirror Closer Than They Appear.'' The missing word ''Are'' is contrary to the exact wording of the warning required by FMVSS 111. The cause of this error was traced to a defective stencil used in the laser printer which etches the warnings onto mirrors. MBUSA believes that the stencil defect, which caused the laser printer to inadvertently leave the word ''Are'' from the warning, was caused by dirt or some other cosmetic flaw in the stencil. This situation apparently was not immediately noticed by MBUSA's supplier's quality control department. MBUSA does not believe, however, that the foregoing error in the warning statement etched onto the affected mirrors, affects their safety in any discernible way. Specifically, as provided in the preamble to the final rule amending FMVSS 111 to allow the use of convex mirrors, one of the potential drawbacks associated with convex mirrors is that images in such mirrors tend to appear further away than their actual position. NHTSA recognized the need to provide an adequate warning to vehicle operators at all times regarding this distortion. The Agency rejected an earlier proposal for a symbolic warning because such a warning did not adequately convey the message regarding the distortion caused by convex mirrors. Instead, NHTSA required a specifically worded warning that would serve to inform drivers about the distortion caused by convex mirrors. Although not technically in compliance with the exact requirements of FMVSS 111, MBUSA believes that the etched warning on the noncompliant Mercedes-Benz vehicles still conveys the necessary warning consistent with the purpose set forth in the preamble to the final rule. The change caused by the missing word ''Are'' does not alter the meaning of the warning statement or the spatial relationship between two objects. Thus, when used in the phrase ''Objects in Mirror Closer Than They Appear,'' the warning, although grammatically incorrect in the foregoing context, still conveys the same meaning.

In addition, convex mirrors have been in use since the final rule amending FMVSS 111 became effective in 1982. In the ensuing 17 years, the driving public has become accustomed to seeing the etched warning on convex passenger side view mirrors. In fact, almost all passenger vehicles currently manufactured have convex, rather than plane, passenger side view mirrors. Because of this, drivers know that convex side view mirrors contain a slight distortion and are able to react accordingly. The importance of the warning, while still viable, is not as critical as when convex mirrors first came into use. Instead of a message of first impression, the warning now serves as a reminder to drivers that a convex mirror is in use. Consequently, the driving public is likely to note that the warning on affected Mercedes-Benz vehicles is present, thus notifying them of the existence of a convex mirror, but unlikely to notice a minor grammatical error that does not effect the meaning of the warning.

Although NHTSA has not previously addressed this exact issue in prior petitions for inconsequential noncompliance, MBUSA believes that there are examples of prior petitions which are sufficiently analogous to support the Company's current petition. Specifically, NHTSA has previously granted numerous petitions for inconsequential noncompliance regarding errors contained in various labels or markings. One of the more frequent areas where inconsequential mislabeling occurs is in the area of tire labeling. See e.g., General Motors Corporation, 64 FR 7944 (1999) (tire information label on glove compartment containing erroneous information regarding the maximum number of occupants allowed in vehicle deemed inconsequential since seat capacity is evident from number of seating positions and seatbelts); Mercedes-Benz of North America Inc., 63 FR 59623 (1998) (tire information label with incorrect sized lettering and incorrect mounting position deemed inconsequential since information was accurate and legible and location of label was in a position likely to be found by vehicle operator); Red River Manufacturing. Inc., 63 FR 59624 (1998) (tire information on trailer certification labels with English only units of measure deemed inconsequential since correct English unit information sans metric is present and label is in compliance with regulations in all other respects); Cooper Tire and Rubber Company, 62 FR 45474 (1997) (tires with incorrect load and inflation label on the serial side were deemed inconsequential since incorrect information was within tire tolerances and accurate information was provided in two other locations); Bridgestone/Firestone Inc., 57 FR 45865 (1992) (tire serial code with missing number determined inconsequential since missing number was contained in the code identifying the manufacturer of the tire and such information was otherwise discernible from other markings on affected tires); Cooper Tire & Rubber Co., 56 FR 11300 (1991) (tires maximum inflation pressure marked ''65 p.s.i. max. press.'' instead of ''65 p.s.i. cold'' deemed inconsequential since both phrases have the same meaning and all other information is otherwise correct and in compliance).

In each of the foregoing cases, NHTSA determined that although a noncompliance of the relevant safety standard had occurred, the noncompliances were inconsequential with regards to motor vehicle safety since the erroneous information was corrected elsewhere or did not otherwise alter the meaning of the information conveyed. The last two examples cited above are particularly analogous to MBUSA's current situation. In the Bridgestone/Firestone case, the tire manufacturer had failed to include the number ''2'' in the tire serial code. The number 2 was part of the serial marker that identified Bridgestone/Firestone as the tire manufacturer. Despite the missing number, NHTSA determined that the violation was inconsequential since the tires bore the brand name ''Firestone'' and were labeled with the old serial code for Firestone. The tires also bore the date code, size, model and ''Made in U.S.A.'' markings which allowed sufficient identification of the tires in the event a notification and remedy campaign was required. Thus, the noncompliance was deemed inconsequential. Like Bridgestone/Firestone, the missing word ''Are'' does not alter the information conveyed to the consumer. The warning ''Objects in Mirror (Blank) Closer Than They Appear'' still provides enough information to the vehicle operator so that the operator is aware a convex passenger side view mirror is in use and that some distortion will result.

Likewise, the second Cooper Tire & Rubber Company case is also analogous to MBUSA's current petition. Specifically, in that case the tire manufacturer had incorrectly stamped a lot of tires with the label ''MAX. LOAD 2540 LBS. AT 65 P.S.I. MAX. PRESS'' instead of the appropriate ''MAX. LOAD 2540 LBS. AT 65 P.S.I. COLD.'' NHTSA determined, however, that since ''MAX PRESS'' was

understood to mean the maximum cold inflation pressure to which the tire may be inflated and that the term ''COLD'' carried the same meaning, that the noncompliance was inconsequential with regards to motor vehicle safety. Like Cooper Tire & Rubber Company's mislabeled tires, MBUSA's convex passenger side view mirror warnings the word ''Are'' is not clearly printed or visible. The two warning statements, however, have the same meaning. Consequently, if the word ''Are'' is not clearly printed or visible, it has no impact to the meaning of the warning and should be deemed an inconsequential noncompliance.

As provided above, MBUSA has identified the cause of the original error in the etched warning on convex passenger side view mirrors to a defective stencil used in the laser printer which etched the affected mirrors. MBUSA has since addressed this issue by ensuring that the complete and visible warning statement on all vehicles meets the requirements of FMVSS 111 S5.4.3 and is properly etched onto the mirror. MBUSA does not believe that the noncompliance described above has any appreciable impact on motor vehicle safety. The warning provided in noncompliant vehicles, although grammatically incorrect, still conveys the exact same meaning as the warning required by FMVSS 111. In fact, only one word was not clearly printed or visible in the required warning. This omission of the word did not change the meaning of the warning itself. MBUSA requests this application be granted so that an unnecessary and costly consumer recall action may be avoided. MBUSA expects a particularly low owner response to such a recall, if it were undertaken, because the basic message of the warning is adequately conveyed despite the error in format. In addition, since convex passenger side view mirrors with warnings have been in widespread use since 1982, MBUSA does not believe that the driving public will even note the error since the warning, if even noticed, will only serve as a reminder to what drivers have long become accustomed to.

We invite you to comment in writing on MBUSA's application. Comments should refer to the docket number and be submitted in two copies to: U.S. Department of Transportation, Docket Management, Room PL–401, 400 Seventh Street, SW, Washington, DC, 20590.

We will consider comments received before the close of business on the closing date indicated below. We will file the application and supporting materials. We will consider, to the extent possible, all comments received after the closing date. When we grant or deny the application, we will publish the notice in the **Federal Register**.

Comment closing date: October 8, 1999.

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

Issued on: September 2, 1999.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 99–23311 Filed 9–7–99; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Quarterly Publication of Individuals, Who Have Chosen To Expatriate, as Required by Section 6039G

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: This notice is provided in accordance with IRC section 6039G, as amended, by the Health Insurance Portability and Accountability Act (HIPPA) of 1996. This listing contains the name of each individual losing United States citizenship (within the meaning of section 877(a)) with respect to whom the Secretary received information during the quarter ending March 31, 1998.

Last name	First name	Middle name
BAEK	CHOON	HO
BAIG	MIRZA	M. F.
BARNES	MARY	ANN
BELKNAP	PATRICIA	LOUISE D'ARCY NEE
BELL	JOY	NETTIE
BERNARD	MARY	CLAUDE
BLACKADDER	ARIEL	FIONA-MARGARET
BORZELLO	ROBERT	ANDREW
BOWEN	DOROTHY	ELIZABET
BOWSER	MANUELA	GERTRUDE
BOYD	MYONG	HUI
BUTLER	WILFRED	LERYO
BYUN	DONG	RYU
CHA	DAL	JOONG
CHA	DON	JIN
CHO	CHIN	BOK
CHO	MI-KUN	
CHOI	MYENG	CHOL
CHOI	SARAH	YOON
CHONG	SUN	HEE
CHUNG	WOO-SUN	
CHUNGNAM-DO	TAEJON	
CUTTER	ALBERT	WILSON
DAUM	BRIAN	ALAN
DEBONO	DENNIS	
DEL PINO	SERGIO	ALBERTO-FERNANDEZ
DI STEFANO	LYNNE	DELEHANTY
DITLEVSEN	LARS	
DONG	YOUNG	JAE
DUNDON	REBECCA	ANNE
ERLER	GABRIELE	
FELDMAN	YVONNE	TOBA
FOERSTER	KARL	F.
GARDNER-GILMORE	LINDA	
GEORGE	CARL	HERMAR