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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Riverside County, California

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

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA is issuing this Notice of Intent to advise the public that an Environmental Impact Statement will be prepared for a proposed highway project in Riverside County, California.

**FOR FURTHER INFORMATION CONTACT:** C. Glenn Clinton, Team Leader, Program Delivery Team-South, Federal Highway Administration, 980 9th Street, Suite 400, Sacramento, CA 95814-2724, *Telephone:* (916) 498-5037.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the California Department of Transportation, will prepare an EIS on a proposal to replace the existing seismic deficient River Road Bridge over the Santa Ana River. The proposed bridge would be constructed on approximately the same alignment but at a higher elevation to avoid local flooding.

Alternatives under consideration include (1) taking no action, (2) alternatives reflecting various lengths of structure and fill, and (3) alternatives on or adjacent to the existing crossing. Within the limits of the study area for this project, various environmental resources and issues are known to exist. These include, but are not limited to: cultural, parkland, wetlands, floodway and floodplain, wildlife habitat, noise, seismic exposure, hazardous waste, and irrigation/drain systems.

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 have previously expressed or are known to have interest in this proposal. At least one public meeting will be held to solicit input from the local citizens on alternatives. In addition, a public hearing will be held. Public Notice will be given of the time and place of the meetings and hearing. The draft EIS will be available

for public and agency review and comment prior to the public hearing.

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 Document 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: September 1, 1999.

**C. Glenn Clinton,**

*Team Leader, Program Delivery Team-South, Sacramento, California.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-99-6021; Notice 1]

#### Explorer Van Company, Receipt of Application for Decision of Inconsequential Noncompliance and Safety-Related Defect

Explorer Van Company (Explorer), a division of the Bodor Corporation, is a corporation organized under the laws of the State of Indiana and is located in Warsaw, Indiana. Explorer has determined that it manufactured conversion vans that are in noncompliance with the agency's Federal Motor Vehicle Safety Standard (FMVSS) No. 120, Tire selection and rims for motor vehicles other than passenger cars, and 49 CFR Part 567, Certification, and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." Explorer 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 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.

First, from February 1, 1998 to May 31, 1998, Explorer manufactured approximately 2,416 conversion vans that do not meet the requirements stated

in FMVSS No. 120, "Tire selection and rims for vehicles other than passenger cars." The certification label affixed to these Explorer's units pursuant to 49 CFR part 567 failed to comply with S5.3 of FMVSS No. 120 because of the omission of metric measurements, and the failure of Explorer to separately provide the metric measurements on another label, an alternative allowed by FMVSS No. 120.

Second, from January 1998 to August 1998, Explorer manufactured approximately 187 conversion vans that do not meet the requirements stated in FMVSS No. 120. On the vehicles' certification labels provided by Explorer, the tires on the rear axle have a specified inflation pressure of 41 psi, while the maximum inflation pressure indicated on the tires is 35 psi. Therefore, the maximum inflation pressure specified on the certification label exceeds the inflation pressure molded on the sidewall of the standard load tires. Per the safety standard, a vehicle manufacturer must not specify a higher inflation pressure for a tire than the maximum inflation pressure molded on that tire. This problem occurred because these vans were equipped with the wrong tires. To properly accommodate the weight of the conversion van, the vans were supposed to be equipped with extra load rated tires; however, they were equipped with standard load tires. Hence, each van has an inflation pressure specified on its certification label for extra load tires, but not for the standard load tires that are actually on it.

Third, from 1997 to 1999, Explorer manufactured approximately 68 conversion vans that do not meet the requirements stated in 49 CFR Part 567. On the vehicles' certification label, the GVWR of the vehicle was indicated to be 7,000 pounds; however, the vehicles' actual GVWR was found to be 7,214 pounds, which exceeds the specified GVWR by 214 pounds. Failure to provide a proper GVWR may constitute a safety-related defect.

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

1. METRIC AND ENGLISH INFORMATION: "All certification labels now in use by Bodor Corporation's Explorer Vans correctly specify the weights and pressures in metric and English, as required. There were a small number of "old style" labels remaining in inventory which were to have been destroyed and were inadvertently used by the production staff during a short period when the error was discovered . . . the