proposed to be 2004), the OAC would be projected to carry about 1 million passengers. By the year 2010, annual passengers could grow to about 3 million.

III. Alternatives

Specific alternatives to the Proposed Action are expected to evolve during the environmental review process and in response to the public scoping process. At this juncture, project alternatives expected to be evaluated in the EIS/EIR include:

- A No Build, or No Project, Alternative that considers the consequences of not improving transit services between BART and the Metropolitan Oakland International Airport. This alternative would involve continuation of the existing AirBART shuttle between the BART Oakland Coliseum Station and the Metropolitan Oakland International Airport.
- A ''Quality Bus'' Alternative that considers technical and operational transit improvements using buses. The system is called a ''quality bus'' alternative, in part, because it seeks to emulate the service levels provided by a fixed guideway rail system. Amenities would be provided at stations, and portions of the route could be constructed with exclusive transit lanes or other transit preferential treatments in order to bypass areas of localized traffic congestion.
- An Automated Guideway Transit Alternative (AGT) that would operate on its own exclusive guideway. The system would be fully automated, with a transfer station providing direct connection to the BART system at one end and a station at the Metropolitan Oakland International Airport at the other end. A specific technology has not been selected for evaluation in this EIS/EIR. A specific technology would be selected for implementation only if the proposed AGT project is approved after completion of the environmental evaluation. The term ''Automated Guideway Transit'' encompasses a group of technologies that provide medium capacity transit service on an exclusive guideway. Examples of Automated Guideway Transit systems include people movers, shuttle transit, and advanced light rail transit.

IV. Probable Effects

The purpose of the EIS/EIR is to fully disclose the social, economic, and environmental consequences of building and operating the OAC in advance of any decisions to make substantial financial or other commitments to its implementation. The EIS/EIR will explore the extent to which the project alternatives result in potentially significant social, economic, and environmental effects and identify appropriate actions to reduce or eliminate these impacts. Issues that will be investigated in the EIS/EIR include transportation, traffic, and circulation effects; land use compatibility and consistency with locally adopted plans; potential effects on local businesses and employment; disturbance to sensitive visual and cultural resources; geologic and hydrology effects; potential disturbance to sensitive wildlife and vegetation species and habitats; air and noise emissions from project-related construction and operation; public health and safety concerns related to exposure to hazardous materials; community service and utility demand; direct or indirect effects to public parklands, significant historic resources, or wildlife refuges; and environmental justice concerns from any disproportionate impacts of the project alternatives on low-income or ethnic minority neighborhoods.

V. FTA Procedures

The Draft EIS/EIR for the BART-Oakland Airport Connector will be prepared in conjunction with a Major Investment Study. After its publication, in accordance with the Federal Transit Act, as amended, and FTA policy, the Draft EIS/EIR will be available for review and comment by interested public members and local, state, and federal agencies, and a public hearing will be held. Based on the Draft EIS/EIR and comments received, BART will identify a locally preferred alternative for further assessment in the Final EIS/EIR. FTA and BART must approve the Final EIS/EIR prior to making any decisions regarding the project.

Issued on: October 19, 1999.

Leslie T. Rogers,

Regional Administrator.

[FR Doc. 99–27832 Filed 10–25–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. RSPA–99–6157; Notice 2]

Pipeline Safety: OPS Response Plan Review and Exercise Programs

AGENCY: Office of Pipeline Safety, DOT.

ACTION: Notice of Finding of No Significant Impact (FONSI).

SUMMARY: Pursuant to Council on Environmental Quality regulations and Department of Transportation policy, the Research and Special Programs Administration (RSPA) has made a finding that the Office of Pipeline Safety's (OPS) Response Plan Review and Exercise Program will have no significant impacts on the environment.

EFFECTIVE DATE: This finding of no significant impact is effective October 26, 1999.

FOR FURTHER INFORMATION CONTACT: Jim Taylor, OPS, (202) 366–8860, regarding the subject matter of this notice. Contact the Dockets Unit, (202) 366–5046, for docket material. Comments may also be reviewed online at the DOT Docket Management System website at http://dms.dot.gov/.

SUPPLEMENTARY INFORMATION: In 1990, the United States Congress passed the Oil Pollution Act of 1990 (OPA) (33 U.S.C. 2701 *et seq.*), to improve the nation's ability to respond to and limit the economic and environmental impact from, marine spills of oil and other pollutants. Section 4202 of the OPA modifies the planning and response system created under the authority of Section 311(j) of the Federal Water Pollution Control Act (also known as the Clean Water Act). OPA required response plans for vessels and facilities that produce, store, transport, refine, and market oil.

Just as oil tankers are required to submit oil spill response plans to the Coast Guard and refineries are required to submit such plans to the Environmental Protection Agency (EPA), oil pipelines are required to submit their facility response plans to OPS for review and approval. To date, more than 1300 facility response plans have been submitted to OPS. They represent some 200 oil pipeline operators, and lines that vary in size from 3-inch gathering systems to 36-inch product lines to the 48-inch Trans-Alaska Pipeline System. OPS conducts a thorough review of the plans, with particular emphasis on the adequacy of the pipeline operator's response resources, incident command system, and ability to protect environmentally sensitive areas from harm. OPS also makes sure that the plans are consistent with both the National Contingency Plan and the local Area Contingency Plan, which are developed by Coast Guard and EPA.

In addition to reviewing operators' plans, OPS conducts exercises to test pipeline operators' ability to implement their facility response plans. To date, OPS has conducted sixty-nine Tabletop Exercises, scenario-driven discussions in which operators explain how they would implement their plans to respond to a worst-case spill. OPS has also

conducted nine full-scale Area Exercises with pipeline operators in which they deploy people and equipment to the field in response to a simulated spill. In both Tabletop and Area Exercises, OPS makes every effort to have other Federal, State, and local environmental and emergency response agencies participate. Their participation makes exercises more realistic, and builds relationships between industry and public sector responders that make the response to real spills go more smoothly.

OPS prepared an Environmental Assessment (EA) to examine the environmental impacts of the Response Plan Review and Exercise Program (64 FR 47228). The EA concisely described OPS's recent review of the program's effectiveness, its proposed action to continue implementing the current program, the alternative programmatic approaches considered, the environment affected by this action, the consequences to the environment of the alternatives considered, and a list of the agencies and organizations consulted. In the EA, OPS preliminarily concluded that continuing the current program would not have significant environmental impacts. This conclusion was based on the fact that the program is now mature, and the proposed action to continue the current program will not have any significant environmental impact.

OPS received one public comment on the EA, which came from an environmental organization in Alaska. The commenter claimed that, (1) the EA inadequately addressed the threats to the environment from the Trans-Alaska Pipeline System (TAPS) and should not be considered a sufficient environmental analysis for the TAPS lease renewal, (2) the EA failed to mention specific pipelines and unique problems associated with specific pipelines, and (3) OPS did not consider an alternative that would be more protective of the environment, and should prepare an environmental impact statement (EIS) which more fully considers environmental effects of its program. These points will be addressed in order.

(1) The TAPS lease agreement is between Alyeska Pipeline Service Company (the seven company consortium that owns and operates the TAPS), the State of Alaska, and the Bureau of Land Management in the Department of the Interior. Working through the Joint Pipeline Office, OPS expects to participate in the TAPS lease renewal EIS process as a cooperating agency. However, OPS is not a party to the lease agreement and does not have authority to approve or disapprove the lease renewal. That decision rests solely with the State of Alaska and the Department of the Interior.

(2) The EA was a programmatic document, and as such was not intended to address issues associated with the TAPS or any other specific pipeline. Rather, the EA was meant to assess the impact of our program, which involves over 200 oil pipeline operators nationwide.

(3) The EA described the statutory basis for the program, its requirements, and its benefits in improved response capability on the part of oil pipeline operators nationwide. OPS believes that the EA provides sufficient information to allow a comprehensive evaluation of our Response Plan Review and Exercise Program. The EA was intended to address the overall program and not the issues associated with a specific pipeline. As for question of whether another alternative more protective of the environment was considered, OPS may consider, on a case by case basis, more stringent spill response requirements for a particular operator on the basis of the operator's spill history or other risk factors. Such individual cases are, however, outside the scope of this programmatic EA.

Based on the analysis and conclusions reached in the EA, OPS has found that there are no significant impacts on the environment associated with this action. The EA and the documents are incorporated by reference into this FONSI. To summarize, the reason that the program will not have a significant effect on the human environment is that the program is designed to improve pipeline operators' ability to respond effectively to oil spills, and the national trends in accident data support that conclusion. While there was a marked improvement in spill response preparedness and environmental protection shortly after implementing the Response Plan Review and Exercise Program in 1993, the program is now mature. Hence, the proposed action to continue the current program will not have any significant environmental impact. This rationale is further discussed in the EA referenced above.

Issued in Washington, DC on October 20, 1999.

Richard B. Felder,

Associate Administrator for Pipeline Safety.

[FR Doc. 99–27825 Filed 10–25–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33803]

Utah Railway Company—Acquisition of Control Exemption—Salt Lake City Southern Railroad Company, Inc.

Utah Railway Company (UTAH), a Class III rail carrier, has filed a verified notice of exemption to acquire the capital stock of Salt Lake City Southern Railroad Company, Inc. (SLCS).[1] UTAH operates 275 miles of trackage and trackage rights in Utah and Colorado and also operates trackage between Provo and Ogden, UT, as agent of The Burlington Northern and Santa Fe Railway Company (BNSF). SLCS operates 24.95 miles of rail line from milepost 798.74 at Ninth South Street in Salt Lake City to milepost 775.19 at the Salt Lake County/Utah County boundary line near Mount (including the 1.4-mile Lovendahl Spur connecting with the main line at milepost 790.52), in Salt Lake County, UT.[2]

Under the terms of an agreement with SLCS's corporate parent, RailTex, Inc., UTAH was to purchase all of the issued and outstanding capital stock of SLCS on September 30, 1999 and place the shares into a voting trust. The transaction was scheduled to be consummated on October 13, 1999 (7 days after the exemption was filed), when UTAH was to acquire the stock held in the voting trust.

UTAH indicates that SLCS's trackage runs parallel to some of the trackage operated by UTAH, as BNSF's agent. UTAH maintains, however, that, as BNSF's agent, it does not have common carrier rights or obligations on BNSF trackage.

UTAH indicates that: (i) the railroads do not connect with each other; (ii) the transaction is not part of a series of anticipated transactions that would connect the railroads with each other; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

[1] UTAH had filed a notice of exemption to acquire and operate SLCS's line in *Utah Railway Company—Acquisition and Operation Exemption—Lines of Utah Transit Authority in Salt Lake City, UT,* STB Finance Docket No. 33785 (STB served Aug. 30, 1999) (64 FR 47229). UTAH states that it does not intend to exercise authority under the notice of exemption in STB Finance Docket No. 33785.

[2] SLCS operates the line under a permanent easement granted by the Utah Transit Authority. *See Salt Lake City Southern Railroad Company, Inc—Acquisition and Operation Exemption—Line Between Mount and Salt Lake City, UT,* Finance Docket No. 32276 (ICC served Apr. 23, 1993).