

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>12</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

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## DEPARTMENT OF STATE

[Public Notice 3108]

### Finding of No Significant Impact: Portland Pipe Line Corporation Pipeline at North Troy, VT

**AGENCY:** Department of State.

**ACTION:** Notice of a finding of no significant impact with regard to an application to convert, operate and maintain a pipeline to transport crude oil across the U.S.-Canada border.

**SUMMARY:** The Department of State has conducted an environmental assessment of the proposed conversion by Portland Pipe Line Corporation of an existing pipeline from natural gas service to crude oil service crossing the international boundary near North Troy, Vermont. Based on the environmental assessment, the Department of State has concluded that issuance of a Presidential Permit authorizing conversion of the existing pipeline will not have a significant effect on the existing vegetation and wildlife, water resources, land use, air quality and human populations within the United States. In reaching this conclusion, the Department of State considered several alternatives, including a no-action alternative. The return of the pipeline to crude oil transport would have no significant impact on the environment or population since no new construction or ground-disturbing activity is involved. The pipeline is constructed of steel and coated with coal tar to protect against corrosion. It is also cathodically protected with an impressed current system as a further protection against corrosion.

In accordance with the National Environmental Policy Act, 42 U.S.C. 4321 *et seq.*, Council on Environmental Quality Regulations, 40 CFR 1501.4 and 1508.13 and Department of State Regulations, 22 CFR 161.8(C), an environmental impact statement will not be prepared.

**FOR FURTHER INFORMATION ON THE PIPELINE PERMIT APPLICATION, CONTACT:** Bill Memler, Office of International Energy Policy, Room 3535, U.S. Department of State, Washington, DC, 20520, (202) 647-4557.

**SUPPLEMENTARY INFORMATION:** Portland Pipe Line Corporation, is a corporation formed under the laws of the State of Maine, with its principal place of business in South Portland, Maine. The proposed pipeline conversion involves a pipeline which is routed along an existing crude oil pipeline facility operated by Portland Pipe Line Corporation. Portland Pipe Line Corporation presently operates and maintains a 24-inch line for transporting crude oil between South Portland and the international boundary. The crude oil is transported and received by the applicant at a marine terminal in South Portland, Maine and is transferred at the US-Canada border into the pipeline owned and operated by MPL, which is regulated by the National Energy Board (NEB) of Canada.

Portland Pipe Line Corporation's earlier construction of the 18-inch pipeline transported crude oil successfully, safely and without any known detrimental environmental impact for throughout 35 years of service, period of 1951-1986. Since 1987, the 18-inch line has been operated in interstate natural gas transmission serve by Granite State Gas Transmission (Granite State) under the lease from Portland to Granite State. This current lease expires on April 30, 1999, with Portland to take custody of the line on June 1, 1999.

On April 7, 1999, the Department of State published a Notice of Application for a Presidential Permit in the **Federal Register**. No public comments were received and concerned agencies expressed no opposition to issuing the permit. A finding of no significant impact is adopted, and an environmental impact statement will not be prepared.

Dated: August 2, 1999.

**Peter Bass,**

*Deputy Assistant Secretary of State, for Energy, Sanctions and Commodities.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. 28895]

#### Airport Privatization Pilot Program

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of acceptance for review: Preliminary application for Niagara Falls International Airport, Niagara Falls, New York.

**SUMMARY:** The Federal Aviation Administration (FAA) has completed its review of the Niagara Falls International Airport (IAG) preliminary application for participation in the airport privatization pilot program. The preliminary application is accepted for review, with a filing date of July 1, 1999. The Niagara Frontier Transportation Authority (NFTA), the airport sponsor, may select a private operator, negotiate an agreement and submit a final application to the FAA for exemption under the pilot program.

49 U.S.C. 47134 establishes an airport privatization pilot program and authorizes the Department of Transportation to grant exemptions from certain Federal statutory and regulatory requirements for up to five airport privatization projects. The application procedures require the FAA to publish a notice in the **Federal Register** after review of a preliminary application. The FAA must publish a notice of receipt of the final application in the **Federal Register** for public review and comment for a sixty day period. The IAG preliminary application is available for public review in the Federal Aviation Administration, Office of Chief Counsel, Attention: Rules Docket (AGC-200), Docket No. 28895, 800 Independence Avenue, SW., Washington, DC 20591.

**FOR FURTHER INFORMATION CONTACT:** Kevin C. Willis (202-267-8741) Airport Compliance Division, AAS-400, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591.

#### SUPPLEMENTARY INFORMATION:

##### Introduction and Background

Section 149 of the Federal Aviation Administration Authorization Act of 1996, Pub. L. 104-264 (October 9, 1996) (1996 Reauthorization Act), adds a new section 47134 to Title 49 of the U.S. Code. Section 47134 authorizes the Secretary of Transportation, and through delegation, the FAA Administrator, to exempt a sponsor of a public use airport that has received Federal assistance, from certain Federal requirements in connection with the privatization of the airport by sale or lease to a private party. Specifically, the Administrator may exempt the sponsor from all or part of the requirements to use airport revenues for airport-related purposes, to pay back a portion of Federal grants upon the sale of an airport, and to return airport property deeded by the Federal Government upon transfer of the airport. The Administrator is also authorized to exempt the private purchaser or lessee from the requirement to use all airport

<sup>12</sup> 17 CFR 200.30-3(a)(12).