

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

**Notice of Availability of Record of Decision, Piedmont Triad International Airport, Greensboro, NC**

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

**ACTION:** Notice of availability—Record of Decision (ROD).

The Federal Aviation Administration (FAA) has published a Final Environmental Impact Statement (FEIS) for proposed airport development at Piedmont Triad International Airport, Greensboro, North Carolina. The proposed development consists of constructing and operating a new Runway 5L/23R, an overnight air cargo sorting and distribution facility and associated development. Further, the FAA has prepared a Record of Decision that clearly communicates FAA's consideration of all reasonable alternatives, communicates FAA's findings and rationale for selecting the chosen alternative, and identifies any mitigation measures to be implemented as a part of the selected alternative. The ROD was signed by the Regional Administrator, Southern Region, on December 31, 2001, announcing FAA's decision of the Preferred Alternative, W1-A1. The ROD is being made available to interested parties at the following locations:

Greensboro Public Library, 219 N. Church Street, Greensboro, NC  
 Guilford County, Branch Library, 619 Dolly Madison Road, Greensboro, NC  
 High Point Public Library, 901 North Main Street, High Point, NC  
 Forsyth County Library, 660 West Fifth Street, Winston-Salem, NC  
 Piedmont Triad International Airport, 6415 Airport Parkway, Greensboro, NC  
 Federal Aviation Administration, 1701 Columbia Avenue, Suite C-260, College Park, GA

In addition, the ROD can be viewed at the Piedmont Triad Airport Authority's web page [www.gsoair.org](http://www.gsoair.org).

For additional information contact Mr. Scott L. Seritt, Manager, FAA Southern Region, Atlanta Airports District Office, 1701 Columbia Avenue, Suite C-260, College Park, Georgia.

Issued in College Park, Georgia, January 9, 2001.

**Scott L. Seritt,**

*Manager, Atlanta Airports District Office.*

[FR Doc. 02-1868 Filed 1-24-02; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

## National Highway Traffic Safety Administration

[Docket No. NHTSA-2001-9707; Notice 2]

**Decision That Nonconforming Model Years 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 Passenger Cars Are Eligible for Importation**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Notice of decision by NHTSA that nonconforming model years ("MY") 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 passenger cars are eligible for importation.

**SUMMARY:** This notice announces the decision by NHTSA that MY 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for sale in the United States and certified by their manufacturer as complying with the safety standards (the U.S. certified version of the MY 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 passenger cars), and they are capable of being readily altered to conform to the standards.

**DATES:** This decision is effective as of January 25, 2002.

**FOR FURTHER INFORMATION CONTACT:** George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

**SUPPLEMENTARY INFORMATION:****Background**

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards ("FMVSS") shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR Part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register**

of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Technologies, LLC, of Baltimore, MD, ("J.K.") (Registered Importer 90-006) petitioned NHTSA to decide whether MY 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on June 12, 2001 (66 FR 31749) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition.

One comment was received in response to the notice of the petition, from Mercedes Benz USA, Inc., ("Mercedes"), the manufacturer of MY 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 passenger cars. In this comment, Mercedes stated that, for the vehicles in question, the symbols found on the European version of the cruise control lever on the steering column have to be changed to words to satisfy FMVSS 101 Controls and Displays. Mercedes also noted that, under FMVSS 206 Door Locks and door retention components, the inside door locks for the European versions of the MY 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 passenger cars are not identical to the versions originally manufactured for importation into and sale in the United States. The European versions of the MY 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 passenger cars have cylindrical interior door lock push buttons that submerge into the door panel when in the "lock" position, but the U.S. versions have mushroom shaped push buttons.

NHTSA accorded J.K. an opportunity to respond to Mercedes' comments. J.K. stated that for FMVSS 101 and FMVSS 206, it would replace the cruise control lever and the door lock push buttons, respectively, with the correct U.S. part numbers in the MY 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 passenger cars that are the subject of its petition.

In view of Mercedes' comments and J.K.'s response, NHTSA has decided to grant import eligibility to the MY 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 passenger cars.

### Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP-370 is the vehicle eligibility number assigned to vehicles admissible under this notice of final decision.

### Final Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that MY 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 passenger cars that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are substantially similar to MY 1999, 2000, and 2001 Mercedes Benz CL500 and CL600 passenger cars originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. 30115, and are capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

**Authority:** 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: January 22, 2002.

**Harry Thompson,**

*Acting Director, Office of Vehicle Safety, Compliance.*

[FR Doc. 02-1861 Filed 1-24-02; 8:45 am]

**BILLING CODE 4910-59-P**

### DEPARTMENT OF TRANSPORTATION

#### Research and Special Programs Administration

[Docket No. RSPA-2002-11270, Notice No. 02-01]

#### Safety Advisory: Unauthorized Marking of Compressed Gas Cylinders

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Safety advisory notice.

**SUMMARY:** This is to notify the public that RSPA and the Department of Transportation's Office of Inspector General (OIG) are investigating the unauthorized marking of high-pressure compressed gas cylinders by Bev Con International (Bev Con), 6400 and 6420 Highway 51 South, Brighton, Tennessee. Bev Con is also known as or has done business as Bev-con, BCI Inc., BCI Industries and BCI Industries, Inc. All companies are located at the Brighton, Tennessee address listed above. RSPA and the OIG have determined that Bev

Con marked and certified an undetermined number of cylinders with invalid Retester Identification Numbers (RINs), apparently without conducting hydrostatic retests of the cylinders in accordance with the Hazardous Materials Regulations (HMR). The cylinders at issue are mostly used in the beverage service industry.

On December 13, 2001, a Federal Grand Jury in Tennessee handed down a 31-count indictment against Bev Con and two of its principals. The indictment includes charges for the unauthorized cylinder marking described in this safety advisory.

A hydrostatic retest and visual inspection, conducted as prescribed in the HMR, are used to verify the structural integrity of a cylinder. If the hydrostatic retest and visual inspection are not performed in accordance with the HMR, a cylinder with compromised structural integrity may be returned to service when it should be condemned. Extensive property damage, serious personal injury, or death could result from rupture of a cylinder. Cylinders that have not been retested in accordance with the HMR may not be charged or filled with compressed gas or other hazardous material.

#### FOR FURTHER INFORMATION CONTACT:

Cheryl K. Johnson, Senior Inspector, Southern Region, Office of Hazardous Materials Enforcement, Research and Special Programs Administration, U.S. Department of Transportation, 1701 Columbia Avenue, Suite 520, College Park, GA 30337. Telephone: (404) 305-6120, Fax: (404) 305-6125.

**SUPPLEMENTARY INFORMATION:** Through an investigation of Bev Con, RSPA and the OIG have determined that Bev Con marked and certified an undetermined number of cylinders with two expired RINs. In addition, it does not appear that Bev Con conducted proper hydrostatic testing of the cylinders, as required by the HMR. The HMR requires that a cylinder retester obtain a RIN from RSPA. Bev Con has never been issued a RIN by RSPA, and any cylinders marked by Bev Con as having been tested in accordance with the HMR are unauthorized for use in hazardous materials service until properly retested by a DOT-authorized retester.

The cylinders in question are stamped with one of the following two RINs: C173 or C137. The markings appear in the following pattern:

(1)

C1  
M Y  
73

(2)

C1  
M Y  
73

M is the month of retest (e.g., 10), and Y is the year of the retest (e.g., 01).

RIN C173 was issued to Cee Kay Supply, 4241 Folsum Avenue, St. Louis, Missouri, on October 28, 1987. Cee Kay Supply was granted renewal of that RIN on August 27, 1992. Authorization for RIN C173 expired on August 27, 1997, and any use of that RIN to mark DOT specification or exemption cylinders after that date is unauthorized.

RIN C137 was issued to Koch Carbonic Corporation, 433 Raymond Boulevard, Newark, New Jersey, on July 8, 1987. Koch Carbonic Corporation last renewed the RIN on October 8, 1992. Authorization for RIN C137 expired on October 8, 1997, and any use of that RIN to mark DOT specification or exemption cylinders after that date is unauthorized.

Anyone who has a cylinder that has been serviced by or purchased from Bev Con and that is marked with RIN C173 and stamped with a retest date after August 1997, or that is marked with RIN C137 and stamped with a retest date after October 1997, should consider the cylinder unsafe and not fill it with a hazardous material unless the cylinder is first properly retested by a DOT-authorized retest facility. Cylinders described in this safety advisory that are filled with an atmospheric gas should be vented or otherwise safely discharged and then taken to a DOT-authorized cylinder retest facility for proper retest to determine compliance with the HMR and their suitability for continuing service. Cylinders described in this safety advisory that are filled with a material other than an atmospheric gas should not be vented, but instead should be safely discharged, and then taken to a DOT-authorized cylinder retest facility for proper retest to determine compliance with the HMR and their suitability for continuing service. Under no circumstance should a cylinder described in this safety advisory be filled, refilled or used for its intended purpose until it is reinspected and retested by a DOT-authorized retest facility.

It is further recommended that persons finding or possessing a cylinder described in this safety advisory or with questions concerning other cylinders sold or serviced by Bev Con contact Ms. Johnson for additional information.