

CFR 192.611 to confirm or revise the pipeline's MAOP for the referenced portions of its pipeline based on the following reasons:

1. The size of the geographic areas associated with the waiver segments is minimal. The area associated the two waiver segments is only 595 feet in length.

2. The construction activity that resulted in the Class location change was minimal and is not expected to expand further. The construction consisted of several mobile homes and two multi-tenant structures containing four units each on the perimeter of a tree farm. The multi-tenant units cross the 660-foot Class boundary by distances of only 0.7 to 22.8 feet. In addition, the mobile home park is now at capacity and is unlikely to expand due to the sloping terrain in the area and property ownership constraints.

3. The pipeline was constructed as recently as 1999 and hydro tested during the fourth quarter of 1998 to a pressure of 1,806 psig. Having been in service for only four years, the pipeline is nearly new and in excellent condition. No deficiencies were identified in a baseline close-interval cathodic protection survey conducted in 2000, and no anomalies were identified on or near the waiver segments in a baseline internal inspection conducted in 2002 with both magnetic flux leakage and geometry in-line inspection tools.

4. The pipeline's operating history has been trouble-free. No leaks have been identified anywhere on the PNGTS pipeline since it was put into service.

5. The pipeline is equipped with a satellite-linked supervisory control and data acquisition (SCADA) system, including pressure transmitters and mainline valves equipped with remote control actuators enabling PNGTS to identify and promptly mitigate any releases in the vicinity of the waiver segments should they occur.

6. The proposed alternative risk control activities would provide a margin of safety and environmental protection that equals or exceeds that of the measures required under § 192.611 in the absence of a waiver.

7. Granting the waiver would avoid the delivery interruptions and costs associated with excavating and replacing the pipe in the specified areas.

8. The proposed alternative risk control activities would benefit virtually the entire pipeline system, as opposed to only the 595 foot portion associated with the Class location change.

After reviewing the waiver request, RSPA/OPS published a notice inviting interested persons to comment on whether a waiver should be granted

(Notice 1) (68 FR 66156; Nov. 25, 2003). RSPA/OPS stated that it was considering granting the requested waiver because of the minimal distance by which the structures cross the Class boundary, the age and condition of the pipeline, and the additional inspection and monitoring activities on which the waiver would be conditioned. No comments were received from the public in response to the notice.

For the reasons explained above and in Notice 1, and in light of the equivalent level of safety provided by the alternative risk control activities, RSPA/OPS finds that the requested waiver is not inconsistent with pipeline safety. Therefore, PNGTS's request for waiver of compliance with 49 CFR 192.611 is granted on the condition that PNGTS conducts the following activities:

1. Perform internal inspections on the entire 143.8 miles of 24-inch pipeline in 2008 and subsequent internal inspections at intervals not to exceed six years. The internal inspections must be performed using both magnetic flux leakage and geometry in-line inspection tools capable of detecting metal loss, dent-like deformations, and other integrity threats;

2. Perform annual close-interval cathodic protection surveys on the Class 3 sections of the pipeline, as well as an additional 1000 feet of the Class 1 or 2 pipe on both the upstream and downstream ends of these sections;

3. Perform annual direct current voltage gradient surveys on the Class 3 sections of the pipeline, as well as an additional 1000 feet of the Class 1 or 2 pipe on both the upstream and downstream ends of these sections;

4. Perform assessments and appropriate repairs of all anomalies or other indications of corrosion identified by the internal inspections and electrical surveys, regardless of the size or depth of the anomaly;

5. Perform weekly aerial patrols and quarterly ground road crossing patrols over the entire 143.8 miles of 24-inch pipeline. The ground road crossing patrols must include leak surveys on all Class 3 portions of the pipeline using appropriate instrumented leak detection equipment; and

6. Perform semi-annual leak surveys on the portion of the pipeline extending from Mile Post (MP) 0.0 to MP 6.80 using appropriate instrumented leak detection equipment.

Issued in Washington, DC, on March 4, 2004.

**Stacey L. Gerard,**

*Associate Administrator for Pipeline Safety.*

[FR Doc. 04-5353 Filed 3-9-04; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34400]

#### **Sonoma-Marin Area Rail Transit District—Acquisition Exemption—Northwestern Pacific Railroad Authority**

Sonoma-Marin Area Rail Transit District (SMART),<sup>1</sup> a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire the real estate and rail facilities and trackage from Northwestern Pacific Railroad Authority (NWPRA)<sup>2</sup> comprising a line of railroad that extends from Northwestern Pacific Railroad Company (NWP) milepost 68.2 at Healdsburg, CA, to Southern Pacific Transportation Company (SP) milepost 63.4 at Lombard Station, Napa County, CA, via Schellville (NWP milepost 40.6/ SP milepost 72.59), a distance of approximately 66.85 miles. SMART indicates that it will take title subject to an easement for freight service, which was granted to North Coast Railroad Authority as part of NWPRA's acquisition in STB Finance Docket No. 32910, and to an operating agreement subsequently providing for service by Northwestern Pacific Railway Co., LLC (NWPY).<sup>3</sup> According to SMART, the purpose of this acquisition is to place the line in the ownership of an agency that is legally authorized to operate passenger rail service. SMART states that it will not be providing freight rail service. Rather, CFNR Operating Company, Inc. (CFNR)<sup>4</sup> and NWPY will

<sup>1</sup> SMART is a special district created pursuant to California Public Utilities Code Section 105000 *et seq.* to acquire and operate passenger service over the line.

<sup>2</sup> NWPRA acquired these assets in *Northwestern Pacific Railroad Authority—Acquisition Exemption—Former Northwestern Pacific Railroad Line from Southern Pacific Transportation Company and Golden Gate Bridge, Highway and Transportation District*, STB Docket Finance Docket No. 32910 (STB served May 17, 1996).

<sup>3</sup> NWPY acquired its authority pursuant to an operating agreement to lease and operate between Healdsburg and Schellville, CA. See *Northwestern Pacific Railway Co., LLC—Lease and Operation Exemption—North Coast Railroad Authority, Northwestern Pacific Railroad Authority and Golden Gate Bridge, Highway and Transportation District*, STB Finance Docket No. 33998 (STB served Feb. 6, 2001).

<sup>4</sup> CFNR acquired authority to operate freight rail service between Lombard and Schellville, CA. See

continue to be the carriers providing freight rail service over the line, and SMART will retain a residual common carrier obligation until such time as it petitions the Board for a change in status and the Board grants its petition. SMART certifies that its projected revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier.

A memorandum of understanding between NWPRA and SMART was executed on June 13, 2003. SMART reported that the parties intend to consummate the transaction on or about February 19, 2004.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance

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*CFNR Operating Company, Inc.—Acquisition and Operation Exemption—Park Sierra Corp.*, STB Finance Docket No. 34199 (STB served May 23, 2002).

Docket No. 34400, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Sally McGough, Deputy County Counsel, Sonoma County Counsel's Office, 575 Administration Drive, Room 105-A, Santa Rosa, CA 95403.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: March 2, 2004.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 04-5120 Filed 3-9-04; 8:45 am]

**BILLING CODE 4915-01-P**

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## UNITED STATES INSTITUTE OF PEACE

### Sunshine Act; Notice of Meeting

**DATE/TIME:** Thursday, March 25, 2004, 9:15 a.m.—5 p.m.

**LOCATION:** 1200 17th Street, NW., Suite 200, Washington, DC 20036.

**STATUS:** Open Session—Portions may be closed pursuant to subsection (c) of section 552(b) of Title 5, United States Code, as provided in subsection 1706(h)(3) of the United States Institute of Peace Act, Pub. L. 98-525.

**AGENDA:** March 2004 Board Meeting; Approval of Minutes of the One Hundred Thirteenth (January 29, 2004) of the Board of Directors; Chairman's Report; President's Report; Committee Reports; Consideration of fellowship applications and consideration of list of recommended Grants; Other General Issues.

**FOR FURTHER INFORMATION CONTACT:**

Tessie Higgs, Executive Office, Telephone: (202) 429-3836.

Dated: March 5, 2004.

**Charles E. Nelson,**

*Vice President, United States Institute of Peace.*

[FR Doc. 04-5506 Filed 3-8-04; 1:11 pm]

**BILLING CODE 6820-AR-M**