

accidental release due to the effects of an accidental release, fire, or explosion of a nearby buried pipeline. There is at least one known event of an accidental fire on a pipeline causing rupture of a fixture (valve rack) on an adjacent pipeline. This distinction is important, because except for the metering station there are only two aboveground fixtures (valves) along the MB Pipeline from the Transmontaigne Terminal to the Rio Grande, and the metering station is not positioned near to the existing POCC pipeline. Therefore, only a very small portion of the proposed MB Pipeline is susceptible to damage from an accident on the POCC line.

There is insufficient incident data on pipelines in the United States to numerically analyze the cumulative risk of two pipelines occupying the same corridor. However, there remains the presumption that it is possible for a catastrophic event on one pipeline to cause damage to a nearby pipeline. If the MB Pipeline route is utilized, it would result in two pipelines running parallel for approximately 60–70% of the length of the MB Pipeline; alternatively, if the 8<sup>5</sup>/<sub>8</sub> inch OD POCC pipeline alternative is utilized, it would result in two pipelines (the 8<sup>5</sup>/<sub>8</sub> and the 6<sup>5</sup>/<sub>8</sub> POCC lines) running parallel for nearly the entire length of the POCC pipelines. Therefore, there is an unquantifiable (and from an engineering perspective, insignificant) reduction in the risk of “cumulative impacts” from reducing the amount of ROW that PMI product transport will share with POCC LPG transport if the MB Pipeline is used.

Finally, these potential cumulative risks are smaller in magnitude than the overall reduction in risk that would accrue from transporting the same volume of hazardous liquids in pipelines rather than in tanker trucks.

*iv. Possible Conflicts Between the MB Pipeline and the Objectives of Federal, Regional, State and Local Use Plans, Policies and Controls for the Area Concerned:* The MB Pipeline supports Brownsville's continued development of the Port of Brownsville for industrial uses, and removes hazardous liquids transport from international bridges and populated areas. PMI will be responsible for ensuring that all applicable environmental and construction permits are obtained prior to the implementation of any portion of this project.

#### IV. Prevention and Mitigation Measures

In order to control risks associated with outside force damage, corrosion and leaks, PMI has undertaken or will

undertake the prevention and mitigation measures listed below. PMI has or will:

- Bury the pipeline a minimum of 3 feet below grade;
- Place and maintain prominent warning markers at all crossings and so that two are always in line-of-sight along the pipeline ROW;
- Require the pipeline operator to participate in all applicable one-call notification systems;
- Conduct regular ROW drive-overs or over flights in order to identify potential pipeline encroachments and unauthorized activities;
- Ensure that a PMI representative is physically present anytime there is construction activity within the pipeline ROW;
- Assign, on a permanent basis, a pipeline operator employee to headquarter in the area;
- Require the pipeline operator to participate in on-going public education initiatives stressing pipeline safety and damage prevention;
- Use factory-applied fusion-bonded epoxy coating on all pipes;
- Use field-applied coating on all welded joints;
- Conduct biennial surveys to determine effectiveness of corrosion control;
- Use a certified impressed current cathodic protection system;
- Use a heavy wall pipe in lieu of cased crossings;
- Use high-resolution internal inspection tools (*i.e.*, pigs) at least as frequently as required by 49 CFR 195;
- X-ray all girth welds completely;
- Use pipe manufactured at an ISO 9000-certified mill;
- Hydro test pipe in place to 125% of its maximum allowable operating pressure for 8 hours;
- Require that material specification, design, and construction meet or exceed all applicable standards and codes established by API, ASME, DOT/OPS, and TRC;
- Perform comprehensive construction and installation inspection;
- Provide continuous 24-hour monitoring of the MB Pipeline from a dispatch and control center;
- Use computers to identify significant operational deviations, and to set off appropriate alarms;
- Remotely monitor pressure at the Rio Grande River and always be capable of remotely blocking valve sites along the MB Pipeline;
- Provide on-going training and performance certification of employees responsible for pipeline operations and maintenance, as required by the Operator Qualification regulation of DOT;

- Install a fiber optic communications cable in the ditch to provide rapid and reliable transmission of signals between the pipeline equipment and the control room;

- Establish block valve spacing of less than 7.5 miles through industrial, commercial, or residential areas, as recommended under ASME/ANSI B31.4 standards for transport of LPG; and

- Install check valves with each block valve set to provide auto blockage of reverse flow prior to LPG transport.

#### V. Conclusion: Analysis of the Environmental Assessment Submitted by the Sponsor

On the basis of the final environmental assessment, the Department's independent review of that assessment, information developed during the review of the application and draft environmental assessment, comments received by the Department from Federal and State agencies and the public, and measures that PMI has or is prepared to undertake to mitigate or prevent potentially adverse environmental impacts, the Department has concluded that issuance of a Presidential Permit authorizing construction of the proposed MB Pipeline would not have a significant impact on the quality of the human environment within the United States. Accordingly, a Finding of No Significant Impact is adopted and an environmental impact statement will not be prepared.

The Final Environmental Assessment addressing this action is on file and may be reviewed by interested parties at the Department of State, 2200 C Street, NW., Room 3535, Washington, DC 20520 (Attn: Mr. Pedro Erviti, Tel. 202–647–1291).

Dated: May 6, 2003.

**Stephen J. Gallogly,**

*Director, Office of Energy and Commodity Policy, Bureau of Economic and Business Affairs, Department of State.*

[FR Doc. 03–11732 Filed 5–9–03; 8:45 am]

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Notice With Respect to List of Countries Denying Fair Market Opportunities for Government-Funded Airport Construction Projects

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice with respect to a list of countries denying fair market opportunities for products and suppliers

of the United States in airport construction procurements.

**SUMMARY:** Pursuant to section 533 of the Airport and Airway Improvement Act of 1982, as amended (49 U.S.C. 50104), the United States Trade Representative ("USTR") has determined not to include any countries on the list of countries that deny fair market opportunities for U.S. products, suppliers, or bidders in foreign government-funded airport construction projects.

**DATES:** Effective May 1, 2003.

**ADDRESSES:** Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508.

**FOR FURTHER INFORMATION CONTACT:** Mélida Hodgson, Associate General Counsel, (202) 395-3582 or Jean Heilman Grier, Senior Procurement Negotiator, (202) 395-5097.

**SUPPLEMENTARY INFORMATION:** Section 533 of the Airport and Airway Improvement Act of 1982, as amended by section 115 of the Airport and Airway Safety and Capacity Expansion Act of 1987, Pub. L. 100-223, (codified at 49 U.S.C. 50104) ("the Act"), requires USTR to decide by May 1, 2003, whether any foreign countries have denied fair market opportunities to U.S. products, suppliers, or bidders in connection with airport construction projects of \$500,000 or more that are funded in whole or in part by the governments of such countries. The list of such countries must be published in the **Federal Register**. For the purposes of the Act, USTR has decided not to include any countries on the list of countries that deny fair market opportunities for U.S. products, suppliers, or bidders in foreign government-funded airport construction projects.

**Robert B. Zoellick,**

*United States Trade Representative.*

[FR Doc. 03-11733 Filed 5-9-03; 8:45 am]

**BILLING CODE 3190-01-M**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

May 5, 2003.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be

addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before June 11, 2003 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-0195.

*Form Number:* IRS Form 5213.

*Type of Review:* Revision.

*Title:* Election to Postpone Determination as to Whether the Presumption Applies That an Activity is Engaged in for Profit.

*Description:* This form is used by individuals, partnerships, estates, trusts, and S corporations to make an election to postpone an IRS determination as to whether an activity is engaged in for profit for 5 years (7 years for breeding, training, showing, or racing horses). The data is used to verify eligibility to make the election.

*Respondents:* Business or other for-profit, Individuals or households.

*Estimated Number of Respondents/Recordkeepers:* 10,730.

*Estimated Burden Hours Per Respondent/Recordkeeper:*

Recordkeeping—6 min.  
Learning about the law or the form—10 min.

Preparing the form—9 min.

Copying, assembling, and sending the form to the IRS—20 min.

*Frequency of Response:* On occasion.

*Estimated Total Reporting/*

*Recordkeeping Burden:* 8,370 hours.

*OMB Number:* 1545-0865.

*Form Number:* IRS Form 8264.

*Type of Review:* Revision.

*Title:* Application for Registration of a Tax Shelter.

*Description:* Organizers of certain tax shelters are required to register them with the IRS using Form 8264. Other persons may have to register the tax shelter if the organizer doesn't. We use the information to give the tax shelter a registration number. Sellers of interests in the tax shelter furnish the number to investors who report the number on their tax returns.

*Respondents:* Business or other for-profit, Individuals or households.

*Estimated Number of Respondents/Recordkeepers:* 350.

*Estimated Burden Hours Per Respondent/Recordkeeper:*

Recordkeeping—33 hr., 14 min.  
Learning about the law or the form—3 hr., 34 min.

Preparing, copying, assembling, and sending the form to the IRS—4 hr., 16 min.

*Frequency of Response:* On occasion.

*Estimated Total Reporting/*

*Recordkeeping Burden:* 14,382 hours.

*Clearance Officer:* Glenn Kirkland  
(202) 622-3428, Internal Revenue Service, Room 6411-03, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Joseph F. Lackey, Jr.  
(202) 395-7316, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

**Lois K. Holland,**

*Departmental Reports, Management Officer.*

[FR Doc. 03-11690 Filed 5-9-03; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF THE TREASURY

### Alcohol and Tobacco Tax and Trade Bureau

#### Proposed Collection; Comment Request

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, is soliciting comments concerning the Notices Relating to Payment of Firearms and Ammunition Excise Tax.

**DATES:** Written comments should be received on or before July 11, 2003, to be assured of consideration.

**ADDRESSES:** Direct all written comments to Linda Barnes, Alcohol and Tobacco Tax and Trade Bureau, 650 Massachusetts Avenue, NW., Washington, DC 20226, telephone (202) 927-8930.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form(s) and instructions should be directed to Kristy Colon, Alcohol and Tobacco Tax and Trade Bureau, Regulations and Procedures Division, 650 Massachusetts Avenue, NW., Washington, DC 20226, telephone (202) 927-8210.

#### SUPPLEMENTARY INFORMATION:

*Title:* Notices Relating to Payment of Firearms and Ammunition Excise Tax.

*OMB Number:* 1513-0097.

*Abstract:* Excise taxes are collected on the sale or use of firearms and