

**DATES:** Comments should be submitted on or before September 15, 2008.

**FOR FURTHER INFORMATION CONTACT:** Jean McKeever, Maritime Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-366-5737; or e-mail: [jean.mckeever@dot.gov](mailto:jean.mckeever@dot.gov). Copies of this collection also can be obtained from that office.

**SUPPLEMENTARY INFORMATION:** Maritime Administration (MARAD).

*Title of Collection:* Capital Construction Fund and Exhibits.

*Type of Request:* Extension of currently approved information collection.

*OMB Control Number:* 2133-0027.

*Form Numbers:* None.

*Expiration Date of Approval:* Three years from date of approval by the Office of Management and Budget.

*Summary of Collection of Information:* This information collection consists of an application for a Capital Construction Fund (CCF) agreement under 46 U.S.C. 53501, *et seq.*, and annual submissions of appropriate schedules and exhibits. The Capital Construction Fund is a tax-deferred ship construction fund that was created to assist owners and operators of U.S.-flag vessels in accumulating the large amount of capital necessary for the modernization and expansion of the U.S. merchant marine. The program encourages construction, reconstruction, or acquisition of vessels through the deferment of Federal income taxes on certain deposits of money or other property placed into a CCF.

*Need and Use of the Information:* The collected information is necessary for MARAD to determine an applicant's eligibility to enter into a CCF Agreement.

*Description of Respondents:* U.S. citizens who own or lease one or more eligible vessels and who have a program to provide for the acquisition, construction or reconstruction of a qualified vessel.

*Annual Responses:* 180 responses.

*Annual Burden:* 2865 hours.

*Comments:* Comments should refer to the docket number that appears at the top of this document. Written comments may be submitted to the Docket Clerk, U.S. DOT Dockets, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. Comments also may be submitted by electronic means via the Internet at <http://www.regulations.gov/search/index.jsp>. Specifically address whether this information collection is necessary for proper performance of the functions of the agency and will have practical

utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance the quality, utility, and clarity of the information to be collected. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m. EDT (or EST), Monday through Friday, except Federal Holidays. An electronic version of this document is available on the World Wide Web at <http://www.regulations.gov/search/index.jsp>.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://www.regulations.gov/search/index.jsp>.

**Authority:** 49 CFR 1.66.

By Order of the Maritime Administrator.

Dated: July 9, 2008.

**Christine Gurland,**

*Acting Secretary, Maritime Administration.*

[FR Doc. E8-16258 Filed 7-15-08; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[USCG-2006-26009]

#### **Calypso LNG L.L.C., Liquefied Natural Gas Deepwater Port License Application; Final Environmental Impact Statement**

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Maritime Administration and the U.S. Coast Guard (USCG) announce the availability of the Final Environmental Impact Statement (FEIS) for the Calypso LNG L.L.C., Liquefied Natural Gas Deepwater Port license application. The application describes a project that would be located in the Federal waters of the Outer Continental Shelf in the OCS NG 17-06 (Bahamas) lease area, approximately 8 to 10 miles off the east coast of Florida to the northeast of Port Everglades, in a water depth of 800 to 950 feet. The Coast Guard and the Maritime Administration request public comments on the FEIS. Publication of this notice begins a 45 day comment period and provides

information on how to participate in the process.

An announcement of the public hearing for matters relevant to the approval, denial, or approval with conditions of the license application will be published in the future and will include another opportunity to provide comments.

**DATES:** Material submitted in response to the request for comments on the FEIS must reach the Docket Management Facility by September 2, 2008, ending the 45 day public comment period.

As stated above, this notice is for the availability of the Final Environmental Impact Statement for the project. We will announce the date and location for the final public hearing and once again provide the opportunity to comment. The 45 day period for Federal and State agencies' comments, recommended conditions for licensing, or letters of no objection; and the 45 day period for the Governor of Florida's (the adjacent coastal state) communication to approve, disapprove, or notify the Maritime Administration of inconsistencies with State programs relating to environmental protection, land and water use, and coastal zone management for which the Maritime Administration may condition the license to make consistent will not be affected by the publication of the FEIS and will occur after the final public hearing.

In addition, the 90 day period by which the Maritime Administration must issue a record of decision (ROD) to approve, approve with conditions, or deny the DWP license application will not be affected by the publication of the FEIS and will occur 90 days after the public hearing on the application as described above.

**ADDRESSES:** The FEIS, the application, comments and associated documentation is available for viewing at the Federal Docket Management System Web site: <http://www.regulations.gov> under docket number USCG-2006-26009. The FEIS is also available at public libraries in Fort Lauderdale area (Broward County Library which is a federal depository library and Riverland Library in Fort Lauderdale; Dania Beach Library—Paul DeMaio Branch in Dania Beach; Davie/Cooper City Library in Davie; Helen B. Hoffman Plantation Library and West Regional Library in Plantation; Hollywood Library in Hollywood, and Pembroke Pines Library in Pembroke Pines) and Florida State University Marine Laboratory in Sopchoppy, Florida.

Docket submissions for USCG–2006–26009 should be addressed to: Department of Transportation, Docket Management Facility, 1200 New Jersey Avenue, SE., West Building, Ground Floor, Room W12–140, Washington, DC 20590–0001.

The Federal Docket Management Facility accepts hand-delivered submissions, and makes docket contents available for public inspection and copying at this address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Facility telephone number is 202–366–9329, the fax number is 202–493–2251, and the Web site for electronic submissions or for electronic access to docket contents is <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** LT Hannah Kim, U.S. Coast Guard, telephone: 202–372–1438, e-mail: [Hannah.Kim@uscg.mil](mailto:Hannah.Kim@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone: 202–493–0402.

**SUPPLEMENTARY INFORMATION:**

**Request for Comments**

We request public comments or other information on the FEIS and application. You can submit comments to the Docket Management Facility during the public comment period (see **DATES**). The Coast Guard and the Maritime Administration will consider all comments and material received during the comment period.

Submissions should include:

- Docket number USCG–2006–26009.
- Your name and address.

Submit comments or material using only one of the following methods:

- Electronic submission to FDMS, <http://www.regulations.gov>.
- Fax, mail, or hand delivery to the Docket Management Facility (see **ADDRESSES**). Faxed or hand delivered submissions must be unbound, no larger than 8 1/2 by 11 inches, and suitable for copying and electronic scanning. If you mail your submission and want to know when it reaches the Facility, include a stamped, self-addressed postcard or envelope.

Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the FDMS website (<http://www.regulations.gov>), and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy Act notice that is available on the FDMS Web site, or the Department of Transportation Privacy Act Statement that appeared in the

**Federal Register** on April 11, 2000 (65 FR 19477).

You may view docket submissions at the Federal Docket Management Facility (see **ADDRESSES**), electronically on the FDMS Web site, or later in this notice (see Privacy Act).

**Background**

Information about deepwater ports, the statutes, and regulations governing their licensing, and the receipt of the current application for a liquefied natural gas (LNG) deepwater port appears in Volume 71 FR 65031, Monday, November 6, 2006. The Notice of Intent to Prepare an EIS for the proposed action was published in Volume 71 FR 67422, Tuesday, November 21, 2006 and the Notice of Availability of the Draft EIS was published in Volume 72 FR 62303, Friday, November 2, 2007. The FEIS, application materials and associated comments are available on the docket. Information from the “Summary of the Application” from previous **Federal Register** notices is included below for your convenience.

**Proposed Action and Alternatives**

The proposed action requiring environmental review is the Federal licensing of the proposed deepwater port described in “Summary of the Application” below. The alternatives to licensing the proposed port are: (1) licensing with conditions (including conditions designed to mitigate environmental impact), and (2) denying the application, which for purposes of environmental review is the “no-action” alternative. These alternatives are more fully discussed in the FEIS. The Coast Guard and the Maritime Administration are the lead Federal agencies for the preparation of the EIS. You can address any questions about the proposed action or the FEIS to the Coast Guard project manager identified in **FOR FURTHER INFORMATION CONTACT**.

**Summary of the Application**

Calypso LNG L.L.C., proposes to own, construct, and operate a deepwater port, named Calypso, in the Federal waters of the Outer Continental Shelf in the OCS NG 17–06 (Bahamas) lease area, approximately 8 to 10 miles off the east coast of Florida, to the northeast of Port Everglades, in a water depth of approximately 800 to 950 feet. Calypso would consist of a permanently moored unloading buoy system with two (2) submersible buoys separated by a distance of approximately three (3) miles. Each unloading buoy would be permanently secured to eight (8) or nine (9) mooring lines, consisting of wire

rope, chain, and buoyancy elements, each attached to anchor points on the sea bed. Anchor points would consist of a combination of suction piles and gravity anchors.

The buoys would be designed to moor and unload (i) transport and regasification vessels (TRVs) and (ii) a storage and regasification ship (SRS). TRVs would be drawn from the existing and future global fleet as compatible with the unloading buoy system. A TRV would moor at the east buoy for four (4) to seven (7) days. When empty it would disconnect from the buoy and leave the port, followed by another full TRV that would arrive and connect to the buoy. The SRS would be a specialized, purpose built LNG carrier designed to accept LNG from conventional LNG carriers from the existing and future global fleet. The SRS would normally remain attached to its mooring buoy. To sustain continuous vaporization, the SRS’ cargo tanks would be refilled approximately every two (2) to four (4) days by LNG carriers. The SRS would detach from the buoy if threatened by a severe storm, such as a hurricane, and move under its own power to safety; then return and reconnect to the buoy and continue operations once the storm danger passed.

Both vessels would be equipped to vaporize LNG cargo to natural gas through an onboard closed loop shell-and-tube vaporization system, and to odorize and meter gas for send-out by means of the unloading buoy to conventional subsea pipelines. The mooring buoys would be connected through the hull of the vessels to specially designed turrets that would enable the vessel to weathervane or rotate in response to prevailing winds, waves, and the current directions. When the vessels are not present the buoys would be submerged approximately 100 feet below the surface.

The unloading buoys would connect through flexible risers and two (2) approximately 2.5 mile long 30-inch flow lines located on the seabed that would connect directly to the Calypso pipeline, a Federal Energy Regulatory Commission (FERC) permitted pipeline, yet to be constructed which would then connect to existing onshore pipeline system.

Calypso would be capable of delivering natural gas in a continuous flow by having at least one TRV or the SRS regasifying at all times. The system would be designed so that a TRV and the SRS can regasify simultaneously for concurrent unloading of natural gas. Calypso would have an average throughput capacity of approximately 1.1 billion standard cubic feet per day

(bcsfd) and a peak delivery capacity of 1.9 bcsfd.

Existing onshore delivery systems would be utilized and no new construction of onshore pipelines or LNG storage facilities are included as part of the proposed deepwater port. Existing shore based infrastructure will be used to facilitate movement of personnel, equipment, supplies, and disposable materials between the deepwater port and shore.

Construction of the deepwater port would be expected to take three (3) years should a license be issued. The deepwater port, if licensed, would be designed, constructed and operated in accordance with applicable codes and standards and would have an expected operating life of approximately 25 years.

#### Privacy Act

The electronic form of all comments received into the Federal Docket Management System can be searched by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). The DOT Privacy Act Statement can be viewed in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70, pages 19477–78) or you may visit <http://www.regulations.gov>.

**Authority:** 49 CFR 1.66.

By Order of the Maritime Administrator.

Dated: July 9, 2008.

**Christine Gurland,**

*Acting Secretary, Maritime Administration.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2008–0018; Notice 2]

#### Nissan North America, Inc.; Grant of Petition for Decision of Inconsequential Noncompliance

Nissan North America, Inc. (Nissan), has determined that certain vehicles that it manufactured during the period of April 5, 2007 to July 25, 2007, did not fully comply with paragraph S4.3(b) of 49 CFR 571.110 (Federal Motor Vehicle Safety Standards (FMVSS) No. 110 *Tire Selection and Rims for Motor Vehicles With a GVWR of 4,536 Kilograms (10,000 Pounds) or Less*). On November 6, 2007, Nissan filed an appropriate report pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports* identifying approximately 321 model year 2008

Nissan Titan E-grade trucks manufactured from April 5 to July 25, 2007, that do not comply with the paragraphs of FMVSS No. 110 cited above.

Pursuant to 49 U.S.C. 30118(d) and 30120(h) and the rule implementing those provisions at 49 CFR part 556, Nissan has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety. Notice of receipt of the petition was published, with a 30-day public comment period, on February 6, 2008 in the **Federal Register** (73 FR 7031). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) Web site at: <http://www.regulations.gov>. Then follow the online search instructions to locate docket number “NHTSA–2008–0018.”

For further information on this decision, contact Mr. John Finneran, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366–0645, facsimile (202) 366–7097.

Paragraph S4.3(b) of 49 CFR 571.110 requires in pertinent part that:

S4.3 Placard. Each vehicle \* \* \* shall show the information specified in S4.3 (a) through (g) \* \* \* on a placard permanently affixed to the driver’s side B-pillar \* \* \*

(b) Designated seated capacity (expressed in terms of total number of occupants and number of occupants for each front and rear seat location)

Nissan described the noncompliance as an incorrect total vehicle seating capacity being shown on the tire information placards affixed to the subject vehicles.

Specifically, the subject placards incorrectly show the total vehicle seating capacity as six, with three seating positions in the front row, and three seating positions in the second row.

Nissan explained that the subject E-grade Titan trucks are equipped with optional two front bucket seats. This configuration makes available two seats in the front row and three in the back row for a total of five seating positions.

Nissan stated its belief that the space between the two front bucket seats is occupied by a hard plastic console with cup holders that cannot be used or mistaken for a seating position.

Nissan further supported its belief that the noncompliance is inconsequential to motor vehicle safety for the following reasons:

1. The front center console area of this vehicle cannot be mistaken for a seating position because the center console is low to the floor, has molded-in cup holders, has no padded/cushioned area, and has no provisions for seatbelts. It is apparent to any observer that there are only two front seating positions. Even if an occupant referenced the tire information placard to determine the vehicle’s front seating capacity, it is readily apparent that the total capacity is five and not six and front row capacity is two and not three.

2. Because the subject vehicle cannot be occupied by more than five people, there is no risk of vehicle overloading.

3. The vehicle capacity weight (expressed as a total weight for passengers and cargo) on the placard is correct. The seating capacity error has no impact on the vehicle capacity weight.

4. All other applicable requirements of FMVSS No. 110 have been met.

Nissan also states that there have been no customer complaints, injuries, or accidents related to the incorrect seating capacity of the subject tire information placard.

Additionally, Nissan stated that it believes that because the noncompliance is inconsequential to motor vehicle safety that no corrective action is warranted.

After receipt of the petition, Nissan also informed NHTSA that it has corrected the problem that caused these errors so that they will not be repeated in future production.

#### NHTSA Decision

NHTSA agrees with Nissan that the noncompliance is inconsequential to motor vehicle safety. As Nissan states, because the vehicles have a center console mounted between the front two seating positions and no provisions to accommodate restraint for a center occupant, it is obvious that the front row seating capacity is two and not three. Therefore, overloading the vehicles is unlikely because the space between the front row bucket seats is clearly not intended to be a seating position. As Nissan additionally points out, the other information on the tire information placard is correct.

In consideration of the foregoing, NHTSA has decided that Nissan has met its burden of persuasion that the labeling noncompliances described are inconsequential to motor vehicle safety. Accordingly, Nissan’s petition is granted and the petitioner is exempted from the obligation of providing notification of, and a remedy for, the noncompliances under 49 U.S.C. 30118 and 30120.