

impact statement that relate to all of the applications generally, shall be paid by each of the applicants in equal shares.

(7) When, through partnership, joint venture or other business arrangement, more than one person, partnership, corporation, association or other entity apply together for a right-of-way grant or temporary use permit, each such applicant shall be jointly and severally liable for costs under this section.

(8) When 2 or more noncompeting applications for right-of-way grants are received for what, in the judgment of the authorized officer, is one right-of-way system, all of the applicants shall be jointly and severally liable for costs under this section for the entire system, subject, however, to the provisions of paragraph (a)(7) of this section.

(b)(1) After issuance of a right-of-way grant or temporary use permit for which a fee was assessed under paragraph (a) of this section, the holder thereof shall reimburse the United States for costs incurred by the United States in monitoring the construction, operation, maintenance and termination of authorized facilities on the right-of-way or permit area, and for protection and rehabilitation of the lands involved.

(2) The holder shall submit a monitoring cost payment along with the written acceptance of the terms and conditions of the grant or permit pursuant to § 2882.3(1) of this title. The amount of the required payment shall be determined by the schedule of fees described in paragraph (a)(3) of this section. Acceptance of the terms and conditions of the grant or permit shall not be effective unless the required payment is made.

(3) A holder whose application was determined to be in Category VI for application processing purposes shall reimburse the actual administrative and other costs of monitoring the grant or permit. The monitoring payment required under the fee schedule shall be credited toward the total monitoring cost reimbursement obligation or such holder. When such a grant or permit is issued, the authorized officer shall estimate the costs expected to be incurred in monitoring the grant or permit and require the holder to make periodic payments of the estimated reimbursable costs prior to such costs being incurred by the United States.

(4) If the payments required by paragraph (b)(3) of this section exceed the actual costs to the United States, the authorized officer may adjust the next billing to reflect the overpayment, or make a refund from applicable funds under the authority of 43 U.S.C. 1734. A holder may not set off or otherwise

deduct any debt due to it or any sum claimed to be owed it by the United States without the prior written approval of the authorized officer.

(5) Following termination of a right-of-way grant or temporary use permit, any grantee or permittee that was determined to be in Category VI shall pay such additional amounts as are necessary to reimburse the United States for any costs which exceed the payments required by paragraph (b)(3) of this section.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 171, 172 and 173

[Docket No. HM-145E; Advance Notice]

Reportable Quantity of Hazardous Substance; Extension of Time for Public Comments

AGENCY: Materials Transportation Bureau, Research and Special Programs Administration, DOT.

ACTION: Advance notice of proposed rulemaking; extension of time for public comment.

SUMMARY: MTB published an advance notice in the *Federal Register* on August 8, 1983 (Docket HM-145E; 48 FR 35965), concerning reportable quantities of hazardous substances. Several requests have been received for an extension of the public comment period. This Notice extends the time for public comment from October 12, 1983, to November 16, 1983.

DATE: Comments must be received no later than November 16, 1983.

FOR FURTHER INFORMATION CONTACT: Thomas J. Charlton, Office of Hazardous Materials Regulation, Materials Transportation Bureau, Washington, D.C. 20590, (202) 426-2075.

Issued in Washington, D.C. on October 12, 1983.

Alan I. Roberts,

Associate Director for Hazardous Materials Regulation, Materials Transportation Bureau.

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National Highway Traffic Safety Administration

49 CFR Part 571

Federal Motor Vehicle Safety Standards; Denial of Rulemaking Petition

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Denial of rulemaking petition.

SUMMARY: This notice denies a petition filed by Mr. William Mahin to amend Federal Motor Vehicle Safety Standard (FMVSS) 111, *Rearview Mirrors*, to permit the use of a mirror system he designed for original equipment applications on passenger cars and trucks. Since NHTSA lacks sufficient data on the potential safety impacts of the use of this new mirror design and since Mr. Mahin did not provide such data himself, the agency is denying this petition. However, the agency plans to evaluate this mirror further as part of a future mirror research project, and will reconsider amending FMVSS 111 after the completion of that research.

FOR FURTHER INFORMATION CONTACT: Kevin Cavey, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590, (202-426-2153).

SUPPLEMENTARY INFORMATION: On June 4, 1982, Mr. William Mahin petitioned NHTSA to amend FMVSS 111 to permit the use of a mirror system he designed. FMVSS 111 currently requires that exterior mirrors must be planar (flat), except that spherically convex mirrors may be used on the passenger side of passenger cars and of trucks, multipurpose passenger vehicles, and buses other than school buses, with a gross vehicle weight rating of 10,000 pounds or less. The reason for the prohibition against the use of certain nonplanar mirror surfaces is that such surfaces may produce distorted images which could mislead drivers as to the distance to and velocity of objects viewed in the mirror. However, convex mirrors do have the advantage of providing a wider field of view than a plane mirror of similar size. Mr. Mahin's design is planar nearest the driver's eye and curves logarithmically toward the outer edge of the mirror.

Before NHTSA decides to initiate rulemaking to amend FMVSS 111 as requested by Mr. Mahin, the agency believes it should obtain information sufficient to permit it to conclude that the Mahin mirror performs at least as