

load rating and corresponding inflation pressure of the tire * * *." The sidewall labeling on the subject tires incorrectly states the maximum dual load carrying capacity. They are incorrectly marked "Max load dual 3075 kg (6780 lbs) at 830 kPa (120 psi)." They should have been marked "Max load dual 3000 kg (6610 lbs) at 830 kPa (120 psi)." The tires are correctly marked for the maximum single load carrying capacity. Michelin has corrected the problem that caused these errors so that they will not be repeated in future production.

Michelin believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. Michelin states,

When both single and dual loads are marked on the tire (as is the case here), FMVSS No. 119 requires that performance compliance testing be done based on the single (higher, more punishing) tire load. Therefore, an incorrect maximum dual load marking is inconsequential and [the] tire meets all FMVSS No. 119 minimum performance requirements.

Michelin cites NHTSA's grant of a previous inconsequential noncompliance petition it submitted for a similar maximum dual load noncompliance (69 FR 62512; October 26, 2004; Docket No. NHTSA-2004-18973, Notice 2), where NHTSA stated,

The agency also agrees that safety will not be compromised for the tires marked with the incorrect "max load dual" since the more severe "max load single" load is marked correctly. In addition, these tires meet or exceed all of the performance requirements of FMVSS No. 119, and all other informational markings as required by FMVSS No. 119 are present.

Michelin says that the tires meet or exceed all other FMVSS No. 119 requirements.

The agency agrees with Michelin that the noncompliance is inconsequential to safety. As Michelin points out, when both single and dual loads are marked on the tire, as is the case here, FMVSS No. 119 requires that performance compliance testing be done based on the single higher and more severe tire load, which is correctly labeled.

Industry standardizes its tire sizes in the various yearly standards publications. Due to the demanding environment in which a dual tire is used, industry imposes a safety factor for load whenever a tire is used in a dual application. The safety factor may vary within a small range from tire to tire, and the values are published in one of the standard publications allowed in FMVSS No. 119. In this case, Michelin apparently used the Tire & Rim

Association (T&R) Yearbook for 2006, which states that for the 11R24.5 radial truck tire, the max rated load and pressure values are as follows: Max single load 3250 kg (7160 lbs) @ 830 kPa (120 psi); Max dual load 3000 kg (6610 lbs) @ 830 kPa (120 psi). The safety factor here is 92.3%.

The subject noncompliant tires were mismarked with a dual load of 3075 kg (6780 lbs) @ 830 kPa (120 psi). The safety factor for the mismarked tire is therefore reduced to 94.7%. (The safety factor as used here is the ratio between the max rated dual load and the max rated single load expressed as a percentage. An increase in this percentage indicates a reduction in the margin of safety. In this case, the mismarked tires can be loaded to 94.7% of the single load instead of the intended dual load of 92.3% of the single load.)

A review of the T&R Yearbook for 2006 for this and similar sized and load rated radial truck tires reveals that the safety factors vary from 90.8% to 94.9%.¹ Since the Michelin mismarking keeps the safety factor within the range established for similar radial truck tires, the noncompliance has minimal safety impact even if the consumer loads the vehicle according to the mismarked tire labeling.

In addition, the tires are certified to meet all of the other performance and labeling requirements of FMVSS No. 119.

In consideration of the foregoing, NHTSA has decided that the petitioner has met its burden of persuasion that the noncompliance described is inconsequential to motor vehicle safety. Accordingly, Michelin's petition is granted and the petitioner is exempted from the obligation of providing notification of, and a remedy for, the noncompliance.

Authority: (49 U.S.C. 30118, 30120; delegations of authority at CFR 1.50 and 501.8)

Issued on: December 18, 2006.

Daniel C. Smith,

Associate Administrator for Enforcement.

[FR Doc. E6-21989 Filed 12-21-06; 8:45 am]

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¹ See T&R Yearbook for 2006, pages 3-16, Radial Ply tires for Trucks, Buses and Trailers Used in Normal Highway Service, Table TTB-3R.

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket: PHMSA-99-6355]

Request for Public Comments and Office of Management and Budget (OMB) Approval of an Existing Information Collection (2137-0604)

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

SUMMARY: This notice requests public participation in the Office of Management and Budget (OMB) approval process for the renewal of an existing PHMSA information collection. In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection Request (ICR) described below has been forwarded to OMB for extension of the currently approved collection. The ICR describes the nature of the information collection and the expected burden. This renewal of information complies with the integrity management rule for hazardous liquid pipelines for operators with more than 500 miles of pipeline. PHMSA published a **Federal Register** Notice soliciting comments on the following information collection and received none. The purpose of this notice is to allow the public an additional 30 days from the date of this notice to submit comments.

DATES: Comments must be submitted on or before January 22, 2007.

ADDRESSES: Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention DOT Desk Officer.

FOR FURTHER INFORMATION CONTACT: William Fuentevilla at (202) 366-6199, or by e-mail at William.Fuentevilla@dot.gov.

SUPPLEMENTARY INFORMATION: Comments are invited on whether the proposed collection of information is necessary for the proper performance of the functions of the Department. These include (1) whether the information will have practical utility; (2) the accuracy of the Department's estimate of the burden of the proposed information collections; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

PHMSA published a **Federal Register** Notice with a 60-day comment period for this ICR on June 16, 2006 (71 FR 34995), and received no comments.

Through the Integrity Management Program (49 CFR 195.452), PHMSA requires operators to develop and follow integrity management programs to assess, evaluate, repair, and validate pipeline segments that could impact high consequence areas in the event of leak or failure. The programs must provide for continual assessment of pipeline segments that could affect populated areas, areas unusually sensitive to environmental damage and commercially navigable waterways. Pipeline operators must keep updated written records associated with their programs and have them available for inspection, and submit relevant notices to PHMSA as specified by the regulation.

As used in this notice, the term "information collection" includes all work related to preparing and disseminating information related to this recordkeeping requirement including completing paperwork, gathering information, and conducting telephone calls.

Type of Information Collection
Request: Renewal of Existing Collection.

Title of Information Collection:
Pipeline Integrity Management in High Consequence Areas (Operators with more than 500 Miles of Hazardous Liquid Pipelines).

Respondents: 71 hazardous liquid pipeline operators with more than 500 miles of pipes.

Estimated Total Annual Burden on Respondents: 57,510 hours.

Issued in Washington, DC on December 18, 2006.

Florence L. Hamn,

Director of Regulations for Pipeline Safety.

[FR Doc. 06-9814 Filed 12-18-06; 2:57 pm]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Ex Parte No. 290 (Sub-No. 5) (2007-1)]

Quarterly Rail Cost Adjustment Factor

AGENCY: Surface Transportation Board, DOT.

ACTION: Approval of rail cost adjustment factor.

SUMMARY: The Board has approved the first quarter 2007 rail cost adjustment factor (RCAF) and cost index filed by the Association of American Railroads. The first quarter 2007 RCAF

(Unadjusted) is 1.208. The first quarter 2007 RCAF (Adjusted) is 0.568. The first quarter 2007 RCAF-5 is 0.540.

DATES: *Effective Date:* January 1, 2007.

FOR FURTHER INFORMATION CONTACT: Mac Frampton, (202) 565-1541. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision, which is available on our Web site <http://www.stb.dot.gov>. To purchase a copy of the full decision, write to, e-mail or call the Board's contractor, ASAP Document Solutions; 9332 Annapolis Rd., Suite 103, Lanham, MD 20706; e-mail asapdc@verizon.net; phone (202) 306-4004. [Assistance for the hearing impaired is available through FIRS: 1-800-877-8339.]

This action will not significantly affect either the quality of the human environment or energy conservation.

Pursuant to 5 U.S.C. 605(b), we conclude that our action will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Decided: December 15, 2006.

By the Board, Chairman Nottingham, Vice Chairman Mulvey, and Commissioner Buttrey.

Vernon A. Williams,

Secretary.

[FR Doc. E6-21947 Filed 12-21-06; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34968]

Chicago Terminal Railroad— Acquisition and Operation Exemption—Soo Line Railroad Company d/b/a Canadian Pacific Railway

Chicago Terminal Railroad (CTR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate a line of railroad known as the C&E Line currently owned by the Soo Line Railroad Company d/b/a a Canadian Pacific Railway, which consists of approximately 4.5 miles of rail line located in Chicago, Cook County, IL.¹ Iowa Pacific Holdings LLC (IPH) will own CTR through its wholly owned subsidiary Permian Basin Railways Inc.

The transaction is related to STB Finance Docket No. 34967, *Iowa Pacific Holdings LLC and Permian Basin*

¹The line does not have any mileposts.

Railways, Inc.—Continuance in Control Exemption—Chicago Terminal Railroad, wherein IPH and Permian have concurrently filed a verified notice of exemption to continue in control of CTR upon its becoming a Class III rail carrier.

CTR certifies that the projected annual revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier, and further certifies that its projected annual revenues will not exceed \$5 million. The transaction is scheduled to be consummated on or after December 21, 2006.

If the 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 Docket No. 34968, 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 John D. Heffner, 1920 N Street, NW., Suite 800, Washington, DC 20036.

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

Decided: December 14, 2006.

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

Vernon A. Williams,

Secretary.

[FR Doc. E6-21898 Filed 12-21-06; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34942]

Iowa Interstate Railroad, Ltd.— Acquisition of Control Exemption— Lincoln & Southern Railroad Company

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10502, the Board is granting a petition for exemption from the prior approval requirements of 49 U.S.C. 11323 *et seq.*, for Iowa Interstate Railroad, Ltd., a Class II carrier, to acquire control by stock purchase of Lincoln & Southern Railroad Company, a Class III carrier.

DATES: This exemption will be effective on December 30, 2006. Petitions to stay must be filed by December 26, 2006.