

amounts to a potential safety-related trend.

The agency once again has spent considerable resources considering whether to re-open a defects investigation into Steeltex tires. ODI analyzed the available data for evidence of a possible source and mode of failure of the subject tires, including data submitted by the petitioners, VOQ and EWR data, Firestone's claim and adjustment data for the subject tires, owner complaints to ODI since the close of the prior petitions, and data available from the agency's prior technical reviews of Steeltex tire petitions.

The Steeltex tires within the scope of DP06-001 represent an immense and diverse population of tires totaling over 23 million tires distributed over 63 different tire line, size and manufacturing plant combinations that are used in the harshest light truck tire applications. ODI's analysis of VOQ and EWR data, and Firestone's property damage and warranty adjustment claim data by individual tire line, size, production year and manufacturing plant, indicate that, as in prior technical reviews, the failure rates for the subject population of Steeltex tires are within the range of rates observed in peer tires of similar size, age and application. Similarly, when the Steeltex tire data are analyzed as a whole, the data again show failure rates that are similar to, and in some cases lower than, peer tires of the same size and load rating.

In addition to examining property damage and warranty adjustment claim data, ODI also examined fatality and injury claims to determine if a defect trend in the subject tires could be identified based on those data. Our analysis of data involving tires within the scope of petition DP06-001 revealed a total of 19 fatalities in 12 crashes and 209 injuries in 121 crashes. ODI analyzed the data to determine if commonalities exist that would yield evidence of a defect trend. The tires on vehicles in these incidents were distributed over multiple tire lines, tire sizes, manufacturing plants and production years. In the case of fatal crashes, the Steeltex tires were distributed over all three tire lines, three different tire sizes, two assembly plants and four of the six production years. In the case of incidents resulting in injuries, the Steeltex tires were distributed over all three tire lines, four tire sizes, all four manufacturing plants and four of the six production years. Although a few of the incidents involved common tires, the failure rates of these tires did not reveal a defect trend.

The tires studied by ODI with the highest rate of involvement in crashes involving death or injury were the Steeltex Radial A/T LT265/75R16 Load Range D tires recalled by Firestone in 04T-003. These tires comprised approximately 2 percent of all Steeltex tires produced by Firestone from 1999 through 2005, but were involved in 20 percent of fatal crashes and 21 percent of all crashes resulting in death or injury. ODI's analysis of the Steeltex tires within the scope of DP06-001 found that the overall rate of such crashes per tires produced is 92 percent lower than the tires recalled in 04T-003. When analyzed by individual tire line and plant, the tire with the next highest rate of crashes resulting in death or injury had a rate 82 percent lower than the recalled tires.

Of the alleged 19 fatalities and 209 injuries, 14 of the alleged fatalities<sup>14</sup> and 186 of the alleged injuries occurred before or during our previous defect petitions. Although there have been a few additional crash incidents that have occurred since denial of the last two petitions, DP04-004 and DP04-005, these do not demonstrate a defect trend and no other new evidence has been provided to ODI to support the petitioners' allegations of safety defects in the subject Steeltex tires. Additionally, as was the case at the denial of DP04-004 and DP04-005, we do not have a basis for determining that these incidents, or any significant portion of them, are attributable to identifiable defects in a specific line and size of Steeltex tire.

ODI is aware of three fatal crashes (six total fatalities) involving vehicles equipped with Steeltex tires that the agency had not previously considered when denying the earlier petitions (including the one crash that occurred in 2003 but did not come to the agency's attention until after those denials in 2004). Each crash involved a different line and size of Steeltex tire. ODI's analysis of available data sources<sup>15</sup> did not identify a defect trend with respect to either of the three different Steeltex tire lines or sizes involved in these crashes.

Additionally, ODI is also aware of twenty-one alleged crashes (twenty-three total injuries) occurring since the denial of DP04-004 and DP04-005. The tires involved in these incidents were of varying Steeltex tire lines, sizes, production years, and originated from

<sup>14</sup> One of the 14 fatalities occurred in 2003; however ODI was unaware of the incident when DP04-004 and DP04-005 were denied on September 28, 2004.

<sup>15</sup> EWR, Firestone, VOQs, and Petitioners' List.

three of the four manufacturing plants noted in the petition. Again, ODI's analysis of the various Steeltex tire lines and sizes involved in these incidents did not identify a defect trend.

#### 6.0 Conclusion

ODI has now conducted four technical reviews of Firestone Steeltex tires at the petitioners' request. After review of the data available to the agency, and in consideration of factors such as application, usage, the number of failures, failure rates, peer comparisons, severity of injury, and examination of potential failure modes, the agency has not found evidence of a defect trend in a particular sub-category of Steeltex tires that has not been recalled or in the broad population of over 23 million Steeltex tires within the scope of the petition. Based on ODI's analysis of the information submitted in support of the petition, information in ODI's internal databases, information provided by Firestone, and information gathered through prior technical reviews of Steeltex tires, it is unlikely that NHTSA would issue an order for the notification and remedy of a safety-related defect in the subject tires at the conclusion of the investigation requested by the petitioners. Therefore, in view of the need to allocate and prioritize NHTSA's limited resources to best accomplish the agency's safety mission, petition DP06-001 is denied.

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

Issued on: February 2, 2007.

**Daniel C. Smith,**

*Associate Administrator for Enforcement.*

[FR Doc. E7-2103 Filed 2-7-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Pipeline Safety: Requests for Waivers of Compliance (Special Permits)

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

**ACTION:** Notice.

**SUMMARY:** The federal pipeline safety laws allow a pipeline operator to request PHMSA to waive compliance with any part of the federal pipeline safety regulations. We are publishing this notice to provide a list of requests we have received from pipeline operators seeking relief from compliance with certain pipeline safety regulations. This notice seeks public

comment on these requests, including comments on any environmental impacts. In addition, this notice informs the public that we are changing what we will call a decision granting such a request to a special permit. At the conclusion of the comment period, PHMSA will evaluate each request individually to determine whether to grant a special permit or deny the request.

**DATES:** Submit any comments regarding any of these requests for special permit by March 12, 2007.

**ADDRESSES:** Comments should reference the docket number for the request and may be submitted in the following ways:

- **DOT Web Site:** <http://dms.dot.gov>. To submit comments on the DOT electronic docket site, click "Comment/Submissions," click "Continue," fill in the requested information, click "Continue," enter your comment, then click "Submit."

- **Fax:** 1-202-493-2251.

- **Mail:** Docket Management System: U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- **Hand Delivery:** DOT Docket Management System; Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW, Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **E-Gov Web Site:** <http://www.Regulations.gov>. This site allows the public to enter comments on any

**Federal Register** notice issued by any agency.

**Instructions:** You should identify the docket number for the request you are commenting on at the beginning of your comments. If you submit your comments by mail, you should submit two copies. If you wish to receive confirmation that PHMSA received your comments, you should include a self-addressed stamped postcard. Internet users may submit comments at <http://www.Regulations.gov>, and may access all comments received by DOT at <http://dms.dot.gov> by performing a simple search for the docket number.

**Note:** All comments will be posted without changes or edits to <http://dms.dot.gov> including any personal information provided.

**Privacy Act Statement:** Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or you may visit <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Wayne Lemoi by telephone at (404) 832-1160; or, e-mail at [wayne.lemoi@dot.gov](mailto:wayne.lemoi@dot.gov).

**SUPPLEMENTARY INFORMATION:**

**Change in Nomenclature**

PHMSA is changing the name of a decision we make granting a request for waiver of compliance from "decision granting waiver" to "special permit" to

reflect that granting the request will not reduce safety. We commonly add safety conditions to decisions granting waivers to ensure that waiving compliance with an existing pipeline safety standard is consistent with pipeline safety. This is simply a name change for a decision granting waiver under 49 U.S.C. 60118(c)(1). To avoid confusion, we will continue to process requests for waiver on which we have already begun work under the old nomenclature.

**Comments Invited on Requests for Waiver**

PHMSA has filed in DOT's Docket Management System (DMS) requests for waiver we have received from pipeline operators seeking relief from compliance with certain pipeline safety regulations. Each request has been assigned a separate docket number in the DMS. We invite interested persons to participate by reviewing these requests and by submitting written comments, data or other views. Please include any comments on environmental impacts granting the requests may have.

Before acting on any request, PHMSA will evaluate all comments received on or before the comment closing date. We will consider comments received after this date if it is possible to do so without incurring additional expense or delay. We may grant or deny these requests based on the comments we receive.

PHMSA has received the following requests for waivers of compliance with pipeline safety regulations.

Docket Number	Requester	Regulation(s)	Nature of Waiver
PHMSA-2006-25802 .....	CenterPoint Energy as Transmission.	49 CFR 192.111, 49 CFR 192.201, 49 CFR 192.619.	To authorize operation of a 172-mile gas transmission pipeline from Carthage, TX to Perryville, LA at a maximum allowable operating pressure (MAOP) of 80% of the specified minimum yield strength (SMYS).
PHMSA-2006-26533 .....	Gulf South Pipeline .....	49 CFR 192.111, 49 CFR 192.201, 49 CFR 192.619.	To authorize operation of certain segments of a proposed gas transmission pipeline from Carthage, TX to Harrisville, MS at a MAOP of 80% of SMYS.
PHMSA-2006-26616 .....	Ozark Gas Transmission ...	49 CFR 192.111, 49 CFR 192.201, 49 CFR 192.619.	To authorize operation of certain segments of a 233-mile gas transmission pipeline (East End Expansion Project) in Arkansas and Mississippi at a MAOP of 80% of SMYS.
PHMSA-2007-27121 .....	Transwestern Pipeline Company, L.L.C.	49 CFR 192.111, 49 CFR 192.201, 49 CFR 192.505, 49 CFR 192.619.	To authorize operation of a 205-mile gas transmission pipeline from La Plata, CO to Gallup, NM at a MAOP of 80% of SMYS.
PHMSA-2006-26530 .....	Alyeska Pipeline Service Company.	49 CFR 192.463, 192.465 & Appendix D of Part 192.	To authorize operation of a 148-mile gas pipeline from Prudhoe Bay, AK to a pump station in the Brooks Mountain range, AK without applying and monitoring external cathodic protection.
PHMSA-2006-26528 .....	Dominion Transmission, Inc.	49 CFR 192.611 .....	To authorize operation of 5,722 ft of a gas transmission pipeline between Loudon and Quantico, VA without reducing operating pressure as a result of a change from a Class 1 to a Class 3 location.
PHMSA-2007-27122 .....	Spectra Energy Transmission (formerly Duke Energy Gas Transmission).	49 CFR 192.611 .....	To authorize operation of 2 parallel gas lines in Westmoreland County, PA without reducing operating pressure as a result of changes from Class 1 to Class 2 locations.

Docket Number	Requester	Regulation(s)	Nature of Waiver
PHMSA-2006-26612 .....	Tennessee Gas Pipeline ...	49 CFR 192.611 .....	To authorize operation of 2 parallel gas lines in Jasper and Lowndes Counties, MS without reducing operating pressure as a result of changes from Class 2 to Class 3 locations.
PHMSA-2006-26618 .....	Tennessee Gas Pipeline ...	49 CFR 192.611 .....	To authorize operation of one pipeline valve section on the Niagara Spur Loop Line, a gas transmission pipeline in upstate New York, without reducing operating pressure required as a result of a change from a Class 1 to a Class 3 location.
PHMSA-2006-26611 .....	Texas Gas Transmission, LLC.	49 CFR 192.611 .....	To authorize operation of 3 parallel gas lines near Lafayette, LA and 2 parallel gas lines near Louisville, KY without reducing operating pressure as a result of changes from Class 1 to Class 3 locations.
PHMSA-2006-26531 .....	Williams Gas Pipeline .....	49 CFR 192.611 .....	To authorize operation of 2 segments of gas pipelines in Coweta, Fayette and Oconee Counties Georgia without reducing operating pressure as a result of changes from Class 2 to Class 3 locations.
PHMSA-2006-26615 .....	Texas Gas Transmission, LLC.	49 CFR 192.612 .....	To extend the required completion date of repairs to 5 areas of gas transmission pipeline with depths-of-cover less than 12-inches in Terrebonne Parish, LA and federal offshore waters from November 1, 2006 to March 31, 2007.
PHMSA-2006-26532 .....	Chesapeake Appalachia, L.L.C. (formerly Columbia Natural Resources).	49 CFR 192.619 .....	To authorize Chesapeake to establish the MAOP of various segments of its gas gathering pipeline system in Kentucky and West Virginia using a 5 year operating history.
PHMSA-2006-26614 .....	Northern Natural Gas Company.	49 CFR 192.625 .....	To authorize operation of the St. Joseph, MN distribution pipeline without injecting odorant into the gas stream.
PHMSA-2006-26617 .....	TransCanada Keystone Pipeline, LP.	49 CFR 195.106, 49 CFR 195.406.	To authorize operation of a 1,369-mile crude oil pipeline from the Canadian border near Cavalier County, ND to Payne County, OK at a MAOP of 80% of SMYS.
PHMSA-2006-26613 .....	BP Exploration (Alaska) Inc.	49 CFR 195.424 .....	To authorize movement of certain above ground hazardous liquid pipeline sections during routine inspection and maintenance activities without reducing the operating pressure on approximately 150 miles of hazardous liquid pipelines in the North Slope of Alaska.
PHMSA-2006-26529 .....	ConocoPhillips Alaska Pipeline.	49 CFR 195.424 .....	To authorize movement of certain above ground hazardous liquid pipeline sections during routine inspection and maintenance activities without reducing the operating pressure on approximately 100 miles of hazardous liquid pipelines in the North Slope of Alaska.
PHMSA-2007-27120 .....	ExxonMobil Pipeline Company.	49 CFR 195.452(h) .....	To authorize operation of a 36.3-mile crude oil pipeline from South Bend to New Iberia, LA at a reduced operating pressure in lieu of repairing certain anomalies discovered during an in-line inspection.

**Authority:** 49 U.S.C. 60118 (c)(1) and 49 CFR 1.53.

Issued in Washington, DC on February 2, 2007.

**Jeffrey D. Wiese,**

*Acting Associate Administrator for Pipeline Safety.*

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**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 take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 8734, Support Schedule for Advance Ruling Period.

**DATES:** Written comments should be received on or before April 9, 2007 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn P. Kirkland, Internal Revenue Service, room 6516, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Allan Hopkins, at (202) 622-6665, or at Internal Revenue Service, room 6516, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet at [Allan.M.Hopkins@irs.gov](mailto:Allan.M.Hopkins@irs.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* Support Schedule for Advance Ruling Period.

*OMB Number:* 1545-1836.

*Form Number:* 8734.

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 8734

**AGENCY:** Internal Revenue Service (IRS), Treasury.