

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** notice with a 60-day comment period was published on October 16, 2002 (67 FR 63960).

**DATES:** Comments must be submitted on or before April 9, 2004.

**FOR FURTHER INFORMATION CONTACT:**

George Person at the National Highway Traffic Safety Administration, Office of Defects Investigation, NVS-215, 400 Seventh Street, SW., Room 6240, Washington, DC 20590, phone 202-366-5210.

**SUPPLEMENTARY INFORMATION:**

*Title:* Defect and Noncompliance Notification.

*OMB Number:* 2127-0004.

*Type of Request:* Revision of currently approved collection.

*Abstract:* On October 17, 2002, NHTSA published a Final Rule (67 FR 64049) implementing section 6(b) of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act. Under this rule, motor vehicle and motor vehicle equipment manufacturers are required to include, in their programs to remedy a safety-related defect or a noncompliance with a Federal motor vehicle safety standard (safety recall), a plan for reimbursing owners for the cost of a remedy incurred within a reasonable time before the manufacturer's notification of the defect or noncompliance, and to notify owners affected by the safety recall of their eligibility for reimbursement. The rule allows manufacturers to submit general reimbursement plans that may be incorporated into defect and noncompliance information reports submitted to NHTSA pursuant to 49 CFR part 573 (part 573 reports) by reference rather than providing detailed plans to NHTSA for each safety recall. Specific information regarding a particular safety recall, such as the beginning and ending dates for the reimbursement period, must be submitted for each safety recall as part of the manufacturer's part 573 report. This revision adds the burden of providing this information to the currently approved burden of 15,844 hours for providing all other information about the defect or noncompliance required by 49 CFR part 573.

*Affected Public:* All manufacturers of motor vehicles and motor vehicle equipment that conduct safety recall campaigns would be required to comply with the reporting requirements. Based on recent history, we estimate that fewer than 500 safety recall campaigns will be conducted annually by no more than 170 different manufacturers.

*Estimated Total Annual Burden:* In order to provide the required information, manufacturers that conduct recalls must prepare a reimbursement plan and submit it to NHTSA. Ordinarily, we expect that this will consist of a general plan and supplemental information specific to each recall. We estimate that preparing the general plan would require 8 hours. Further, we estimate that no more than one hour would be required to include the additional information about a particular recall into individual Part 573 Reports. Since there are estimated to be 170 manufacturers that will submit 573 Reports annually and since there are estimated to be 500 recalls annually, the annual burden hours required to submit the plan would be 1,860 hours ((8x170)+(1x500)). Also, there will be additional burden associated with the third party information included in the notification letter sent to owners, since a sentence or two advising the owners of the possibility that they may be eligible for reimbursement must be added to the notification letter. We estimate that less than one hour per recall will be necessary or 500 hours (500x1) to provide this information annually. The total additional annual burden hours for this revision to the information collection is therefore 2,360 hours.

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

*Comments Are Invited On:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and 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.

A comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued in Washington, DC, on March 4, 2004.

**Kenneth N. Weinstein,**

*Associate Administrator for Enforcement.*

[FR Doc. 04-5352 Filed 3-9-04; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs Administration**

[Docket No. RSPA-03-15733; Notice 2]

**Pipeline Safety: Grant of Waiver; Portland Natural Gas Transmission System**

**AGENCY:** Research and Special Programs Administration (RSPA); U.S. Department of Transportation (DOT).

**ACTION:** Notice; grant of waiver.

**SUMMARY:** PNGTS Operating Co., LLC, operator of the Portland Natural Gas Transmission System (PNGTS), requested a waiver of compliance with the regulatory requirements at 49 CFR 192.611 that require natural gas pipeline operators to confirm or revise the maximum allowable operating pressure of their natural gas pipelines after changes occur in Class location.

**SUPPLEMENTARY INFORMATION:**

**Background**

PNGTS Operating Co., LLC, operator of the Portland Natural Gas Transmission System, submitted a request to RSPA's Office of Pipeline Safety (RSPA/OPS) seeking a waiver of compliance with the regulatory requirements at 49 CFR 192.611 to confirm or revise the maximum allowable operating pressure of its natural gas pipeline after Class location changes occurred in areas associated with two sections of the pipeline totaling 595 feet in length in West Stewartstown, New Hampshire. In lieu of complying with the § 192.611 requirements, PNGTS proposed to conduct certain alternative risk control activities on the pipeline that exceed the minimum requirements of Part 192. These activities included performing internal inspections at six-year intervals on the entire 24-inch mainline, annual close-interval cathodic protection surveys on the waiver segments, a direct current voltage gradient survey on the waiver segments, direct assessment and repair of any anomalies identified by the inspections and electrical surveys, and more frequent ground and aerial surveillance patrols and instrumented leak surveys on the pipeline.

PNGTS requested a waiver of compliance with the requirements at 49

CFR 192.611 to confirm or revise the pipeline's MAOP for the referenced portions of its pipeline based on the following reasons:

1. The size of the geographic areas associated with the waiver segments is minimal. The area associated the two waiver segments is only 595 feet in length.

2. The construction activity that resulted in the Class location change was minimal and is not expected to expand further. The construction consisted of several mobile homes and two multi-tenant structures containing four units each on the perimeter of a tree farm. The multi-tenant units cross the 660-foot Class boundary by distances of only 0.7 to 22.8 feet. In addition, the mobile home park is now at capacity and is unlikely to expand due to the sloping terrain in the area and property ownership constraints.

3. The pipeline was constructed as recently as 1999 and hydro tested during the fourth quarter of 1998 to a pressure of 1,806 psig. Having been in service for only four years, the pipeline is nearly new and in excellent condition. No deficiencies were identified in a baseline close-interval cathodic protection survey conducted in 2000, and no anomalies were identified on or near the waiver segments in a baseline internal inspection conducted in 2002 with both magnetic flux leakage and geometry in-line inspection tools.

4. The pipeline's operating history has been trouble-free. No leaks have been identified anywhere on the PNGTS pipeline since it was put into service.

5. The pipeline is equipped with a satellite-linked supervisory control and data acquisition (SCADA) system, including pressure transmitters and mainline valves equipped with remote control actuators enabling PNGTS to identify and promptly mitigate any releases in the vicinity of the waiver segments should they occur.

6. The proposed alternative risk control activities would provide a margin of safety and environmental protection that equals or exceeds that of the measures required under § 192.611 in the absence of a waiver.

7. Granting the waiver would avoid the delivery interruptions and costs associated with excavating and replacing the pipe in the specified areas.

8. The proposed alternative risk control activities would benefit virtually the entire pipeline system, as opposed to only the 595 foot portion associated with the Class location change.

After reviewing the waiver request, RSPA/OPS published a notice inviting interested persons to comment on whether a waiver should be granted

(Notice 1) (68 FR 66156; Nov. 25, 2003). RSPA/OPS stated that it was considering granting the requested waiver because of the minimal distance by which the structures cross the Class boundary, the age and condition of the pipeline, and the additional inspection and monitoring activities on which the waiver would be conditioned. No comments were received from the public in response to the notice.

For the reasons explained above and in Notice 1, and in light of the equivalent level of safety provided by the alternative risk control activities, RSPA/OPS finds that the requested waiver is not inconsistent with pipeline safety. Therefore, PNGTS's request for waiver of compliance with 49 CFR 192.611 is granted on the condition that PNGTS conducts the following activities:

1. Perform internal inspections on the entire 143.8 miles of 24-inch pipeline in 2008 and subsequent internal inspections at intervals not to exceed six years. The internal inspections must be performed using both magnetic flux leakage and geometry in-line inspection tools capable of detecting metal loss, dent-like deformations, and other integrity threats;

2. Perform annual close-interval cathodic protection surveys on the Class 3 sections of the pipeline, as well as an additional 1000 feet of the Class 1 or 2 pipe on both the upstream and downstream ends of these sections;

3. Perform annual direct current voltage gradient surveys on the Class 3 sections of the pipeline, as well as an additional 1000 feet of the Class 1 or 2 pipe on both the upstream and downstream ends of these sections;

4. Perform assessments and appropriate repairs of all anomalies or other indications of corrosion identified by the internal inspections and electrical surveys, regardless of the size or depth of the anomaly;

5. Perform weekly aerial patrols and quarterly ground road crossing patrols over the entire 143.8 miles of 24-inch pipeline. The ground road crossing patrols must include leak surveys on all Class 3 portions of the pipeline using appropriate instrumented leak detection equipment; and

6. Perform semi-annual leak surveys on the portion of the pipeline extending from Mile Post (MP) 0.0 to MP 6.80 using appropriate instrumented leak detection equipment.

Issued in Washington, DC, on March 4, 2004.

**Stacey L. Gerard,**

*Associate Administrator for Pipeline Safety.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34400]

#### Sonoma-Marín Area Rail Transit District—Acquisition Exemption—Northwestern Pacific Railroad Authority

Sonoma-Marín Area Rail Transit District (SMART),<sup>1</sup> a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire the real estate and rail facilities and trackage from Northwestern Pacific Railroad Authority (NWPRA)<sup>2</sup> comprising a line of railroad that extends from Northwestern Pacific Railroad Company (NWP) milepost 68.2 at Healdsburg, CA, to Southern Pacific Transportation Company (SP) milepost 63.4 at Lombard Station, Napa County, CA, via Schellville (NWP milepost 40.6/ SP milepost 72.59), a distance of approximately 66.85 miles. SMART indicates that it will take title subject to an easement for freight service, which was granted to North Coast Railroad Authority as part of NWPRA's acquisition in STB Finance Docket No. 32910, and to an operating agreement subsequently providing for service by Northwestern Pacific Railway Co., LLC (NWPY).<sup>3</sup> According to SMART, the purpose of this acquisition is to place the line in the ownership of an agency that is legally authorized to operate passenger rail service. SMART states that it will not be providing freight rail service. Rather, CFNR Operating Company, Inc. (CFNR)<sup>4</sup> and NWPY will

<sup>1</sup> SMART is a special district created pursuant to California Public Utilities Code Section 105000 *et seq.* to acquire and operate passenger service over the line.

<sup>2</sup> NWPRA acquired these assets in *Northwestern Pacific Railroad Authority—Acquisition Exemption—Former Northwestern Pacific Railroad Line from Southern Pacific Transportation Company and Golden Gate Bridge, Highway and Transportation District*, STB Docket Finance Docket No. 32910 (STB served May 17, 1996).

<sup>3</sup> NWPY acquired its authority pursuant to an operating agreement to lease and operate between Healdsburg and Schellville, CA. See *Northwestern Pacific Railway Co., LLC—Lease and Operation Exemption—North Coast Railroad Authority, Northwestern Pacific Railroad Authority and Golden Gate Bridge, Highway and Transportation District*, STB Finance Docket No. 33998 (STB served Feb. 6, 2001).

<sup>4</sup> CFNR acquired authority to operate freight rail service between Lombard and Schellville, CA. See