

read the letters. Therefore, the noncompliance does not affect the safety of the tire or its use.

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, Hankook'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: February 28, 2007.

**Daniel C. Smith,**

*Associate Administrator for Enforcement.*  
[FR Doc. E7-3925 Filed 3-6-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2006-26422; Notice 2]

#### Hankook Tire Co., Ltd.; Grant of Petition for Decision of Inconsequential Noncompliance

Hankook Tire Co., Ltd. (Hankook) has determined that certain tires that it produced in 2005 and 2006 do not comply with S5.5.5 of 49 CFR 571.139, Federal Motor Vehicle Safety Standard (FMVSS) No. 139, "New pneumatic radial tires for light vehicles." Pursuant to 49 U.S.C. 30118(d) and 30120(h), Hankook has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." Notice of receipt of a petition was published, with a 30-day comment period, on December 13, 2006, in the **Federal Register** (71 FR 74995). NHTSA received no comments.

Affected are a total of approximately 19,606 passenger car temporary spare tires produced between October 2005 and April 2006. Although Hankook asserted that they had certified the subject tires to the requirements of FMVSS No. 139, only tires manufactured between June 26, 2003 and January 6, 2006 were permitted, at the manufacturer's option, to be certified to the requirements of FMVSS No. 139.<sup>1</sup> See "Federal Motor Vehicle

Safety Standards; Tires," 68 FR 38116 (June 26, 2003) and 71 FR 877 (January 6, 2006). For tires manufactured after January 6, 2006, FMVSS No. 109, "New Pneumatic Tires" is the only safety standard to which temporary spares could be certified. Therefore, Hankook's petition is being processed as applying to FMVSS No. 109 in addition to FMVSS No. 139. In either standard, the noncompliance issue is the same; however, different paragraphs are referenced for the two standards. S4.3.5 of FMVSS No. 109 and S5.5.5 of FMVSS No. 139 require that the tires have a sidewall marking "inflate to 420 kPa (60 psi)" of no less than 12.7 mm high. In the marking on the noncompliant tires, the letters are 8 mm high. Hankook has corrected the problems that caused these errors so that they will not be repeated in future productions.

Hankook believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. Hankook states that the noncompliance "affects consumer information only and does not affect safety of the tires." Hankook further states that the tires comply with all other FMVSS requirements.

NHTSA agrees with Hankook that the noncompliance is inconsequential to motor vehicle safety. As Hankook states, even with the reduced size of the 8mm on the sidewall marking, the user or purchaser of the tire can still read the letters. Therefore, the noncompliance does not affect the safety of the tire or its use.

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, Hankook'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: February 28, 2007.

**Daniel C. Smith,**

*Associate Administrator for Enforcement.*  
[FR Doc. E7-3926 Filed 3-6-07; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2006-26423; Notice 2]

#### Hankook Tire Co., Ltd.; Grant of Petition for Decision of Inconsequential Noncompliance

Hankook Tire Co., Ltd. (Hankook) has determined that certain tires that it produced in 2001 through 2006 do not comply with S5.5(h) of 49 CFR 571.139, Federal Motor Vehicle Safety Standard (FMVSS) No. 139, "New pneumatic radial tires for light vehicles." Pursuant to 49 U.S.C. 30118(d) and 30120(h), Hankook has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Notice of receipt of a petition was published, with a 30-day comment period, on December 15, 2006, in the **Federal Register** (71 FR 75610). NHTSA received no comments.

Affected are a total of approximately 99,620 passenger car temporary spare tires produced between January 2001 through September 2006. Although Hankook asserted that they had certified the subject tires to the requirements of FMVSS No. 139, only tires manufactured between June 26, 2003 and January 6, 2006 were permitted, at the manufacturer's option, to be certified to the requirements of FMVSS No. 139.<sup>1</sup> See "Federal Motor Vehicle Safety Standards; Tires," 68 FR 38116 (June 26, 2003) and 71 FR 877 (January 6, 2006). For tires manufactured before June 26, 2003, or manufactured after January 6, 2006, FMVSS No. 109, "New Pneumatic Tires" is the only safety standard to which temporary spares could be certified. Therefore, Hankook's petition is being processed as applying to FMVSS No. 109 in addition to FMVSS No. 139. In either standard, the noncompliance issue is the same; however, different paragraphs are referenced for the two standards. S4.3(g) of FMVSS No. 109 and S5.5(h) of FMVSS No. 139 require that the tires have a sidewall marking "radial" if the tire is a radial ply tire. These tires lack the word "radial" in the sidewall marking. Hankook has corrected the problem that caused these errors so that

<sup>1</sup> All temporary spares were required to be certified to FMVSS No. 109 until June 26, 2003 when FMVSS No. 139 took effect. However, the agency moved temporary spares back to FMVSS No.

109 after January 6, 2006 by granting a petition for reconsideration.

<sup>1</sup> All temporary spares were required to be certified to FMVSS No. 109 until June 26, 2003 when FMVSS No. 139 took effect. However, the agency moved temporary spares back to FMVSS No. 109 after January 6, 2006 by granting a petition for reconsideration.

they will not be repeated in future productions.

Hankook believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. Hankook states that the noncompliance "affects consumer information only and does not affect safety of the tires." Hankook further states that the tires comply with all other FMVSS requirements.

NHTSA agrees with Hankook that the noncompliance is inconsequential to motor vehicle safety. In this case, the absence of the word "radial" on the sidewall does not affect the safety of the tire or use.

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, Hankook'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: February 28, 2007.

**Daniel C. Smith,**

*Associate Administrator for Enforcement.*  
[FR Doc. E7-3927 Filed 3-6-07; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-32 (Sub-No. 95X); STB Docket No. AB-355 (Sub-No. 26X)]

#### **Boston and Maine Corporation— Abandonment Exemption—in Essex and Middlesex Counties, MA; Springfield Terminal Railway Company—Discontinuance of Service Exemption—in Essex and Middlesex Counties, MA**

The Boston and Maine Corporation (B&M) and Springfield Terminal Railway Company (ST) (collectively, applicants), have jointly filed a notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* for B&M to abandon, and for ST to discontinue service over, a 9.69-mile portion of the Wakefield Junction Industrial Track between milepost 9.38, and milepost 19.07 in Essex and Middlesex Counties, MA. The line traverses United States Postal Service Zip Codes 01880, 01923, 01940 and 01960.

Applicants have certified that: (1) No traffic has moved over the line for at

least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements of 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on April 6, 2007, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by March 19, 2007. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 27, 2007, with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to applicants' representative: Clinton P. Wright, Boston & Maine Corporation, Springfield Terminal Railway Company, 1700 Iron Horse Park, North Billerica, MA 01862.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

Applicants have filed environmental and historic reports which address the effects, if any, of the abandonment on

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,300. See 49 CFR 1002.2(f)(25).

the environment and historic resources. SEA will issue an environmental assessment (EA) by March 12, 2007. Interested persons may obtain a copy of the EA by writing to SEA (Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 245-0303. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), B&M shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by B&M's filing of a notice of consummation by March 7, 2008, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: February 23, 2007.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E7-3705 Filed 3-6-07; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

February 28, 2007.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Pub. L. 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

*Dates:* Written comments should be received on or before April 6, 2007 to be assured of consideration.