

Notice of Intent was rescinded due to the age of the Draft EIS and the desire to assess any potential changes in impacts to the human and natural environment. A Supplemental Draft EIS must be prepared to update the technical studies to be in full compliance with NEPA and other current environmental regulations, including SAFETEA-LU.

The Supplemental Draft EIS will evaluate the extension of SR 374 from SR 149 west of River Road to SR 76, a distance of approximately 7 miles. The proposed roadway will provide two traffic lanes in each direction, separated by either a median or a turn lane. The project will involve construction on new location, as well as improvements to existing facilities. Once constructed, it is expected that the facility will help divert traffic away from congested roadways leading to and from downtown Clarksville.

*The Supplemental EIS will evaluate a range of reasonable alternatives, which will include:* (1) No Build; (2) Transit; (3) Transportation Systems Management; and (4) one or more Build Alternatives.

Early coordination letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and entities that have previously expressed or are known to have an interest in this proposal. A Coordination Plan will be developed to include the public in the project development process. This plan will utilize the following outreach efforts to provide information and solicit input: Newsletters, project Web site, e-mail and direct mail, informational meetings and briefings, a public hearing, and other efforts as necessary and appropriate. A public hearing will be held upon completion of the Supplemental Draft EIS, and public notice will be given of the time and place of the public hearing. The Supplemental Draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning the proposed action and the EIS should be directed to the FHWA contact person identified above at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on

Federal programs and activities apply to this proposed program.)

**Charles J. O'Neill,**

*Planning and Program Management Team Leader, Nashville, TN.*

[FR Doc. 2010-8721 Filed 4-20-10; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Request To Release Airport Property at the Eagle County Regional Airport, Eagle, CO

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of Request to Release Airport Property.

**SUMMARY:** The FAA proposes to rule and invite public comment on the release of land at the Eagle County Regional Airport under the provisions of section 125 of the Wendell H. Ford Aviation Investment Reform Act for the 21st Century (AIR 21).

**DATES:** Comments must be received on or before May 21, 2010.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Mr. John P. Bauer, Manager, Federal Aviation Administration, Northwest Mountain Region, Airports Division, Denver Airports District Office, 26805 E. 68th Ave., Suite 224, Denver, Colorado 80249.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Bryan Treu, Eagle County Attorney, P.O. Box 850, Eagle, Colorado 81631.

**FOR FURTHER INFORMATION CONTACT:** Mr. Chris Schaffer, Project Manager, Federal Aviation Administration, Northwest Mountain Region, Airports Division, Denver Airports District Office, 26805 E. 68th Ave., Suite 224, Denver, Colorado 80249.

The request to release property may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release property at the Eagle County Regional Airport under the provisions of the AIR 21.

On March 3, 2010, the FAA determined that the request to release property at the Eagle County Regional Airport submitted by the County of Eagle, Colorado met the procedural requirements of the Federal Aviation Regulations, Part 155. The FAA may

approve the request, in whole or in part, no later than May 21, 2010.

The following is a brief overview of the request:

The County of Eagle, Colorado requests the release of 4.91 acres of non-aeronautical airport property of the Eagle County Regional Airport. The purpose of this release is to allow non-aviation-related development of the parcel. The sale of this parcel will provide funds for airport improvements.

Any person may inspect the request by appointment at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may inspect the application, notice and other documents germane to the application in person at the Eagle County Courthouse, 500 Broadway, Eagle, Colorado 81631.

Issued in Denver, Colorado on March 30, 2010.

**John P. Bauer,**

*Denver Airports District Office.*

[FR Doc. 2010-8841 Filed 4-20-10; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2010-0047; Notice 1]

#### Tireco, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

Tireco, Inc., (Tireco), has determined that approximately 6,170 of its "GEO-Trac" brand P235/75R15 passenger car tires, manufactured between June 12, 2009 and August 20, 2009 by the fabricating manufacturer, the Shandong Linglong Tyre Co., Ltd., and imported into the United States by Tireco, do not comply with paragraph S5.5(c) of Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New pneumatic radial tires for light vehicles*. Tireco has filed an appropriate report pursuant to 49 CFR Part 573, *Defect and Noncompliance Responsibility and Reports*.

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Tireco has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Tireco's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of

judgment concerning the merits of the petition.

Affected are approximately 6,170 tires imported into the United States by Tireco who identified the tires as "Geo-Trac" brand P235/75R15 passenger car replacement tires.

In consultation with the fabricating manufacturer, the Shandong Linglong Tyre Co., Ltd., Tireco has determined that all of the noncompliant tires were manufactured between June 12, 2009 (Serial Week 24) and August 20, 2009 (Serial Week 34). Tireco stated that it has already retrieved almost half of the 6,170 noncompliant tires from its distributors and dealers and estimates that there are only 3,370 noncompliant tires in the field that would be covered by the requested exemption.<sup>1</sup>

Paragraph S5.5(c) (and paragraph S5.5.4 as incorporated by reference) of FMVSS No. 139 requires in pertinent part:

S5.5 Tire markings. Except as specified in paragraphs (a) through (i) of S5.5, each tire must be marked on each sidewall with the information specified in S5.5(a) through (d) and on one sidewall with the information specified in S5.5(e) through (i) according to the phase-in schedule specified in S7 of this standard. The markings must be placed between the maximum section width and the bead on at least one sidewall, unless the maximum section width of the tire is located in an area that is not more than one-fourth of the distance from the bead to the shoulder of the tire. If the maximum section width falls within that area, those markings must appear between the bead and a point one-half the distance from the bead to the shoulder of the tire, on at least one sidewall. The markings must be in letters and numerals not less than 0.078 inches high and raised above or sunk below the tire surface not less than 0.015 inches. \* \* \*

(c) The maximum permissible inflation pressure, subject to the limitations of S5.5.4 through S5.5.6 of this standard; \* \* \*

S5.5.4 For passenger car tires, if the maximum inflation pressure of a tire is 240, 280, 300, 340, or 350 kPa, then:

(a) Each marking of that inflation pressure pursuant to S5.5(c) must be followed in parenthesis by the equivalent psi, rounded to the next higher whole number; \* \* \*

Tireco indicated that the noncompliance is that the markings on the non-compliant tires specifying the maximum inflation pressure in kPa and

in psi are reversed from the order required by paragraph S5.5.5(c). The Company said that the maximum inflation pressure should have been marked as "300 kPa (44 psi)" but were "inadvertently" marked on both sidewalls with a maximum inflation pressure of "44 kPa (300 psi)." Tireco reported that this noncompliance was brought to their attention on August 19, 2009 by one of the company's distributor customers.

Tireco argues that no vehicle operator would ever inflate the tires to the incorrect pressures that appear on the sidewalls of the subject tires, and specifically stated that "it would be virtually impossible to do so." Tireco supports this conclusion with the following statements:

- With respect to the erroneous psi marking, no commercially available air compressor used in tire retail stores, at gas stations, or for home use has the capacity to inflate tires to 300 psi, and consumers would immediately be aware from their past experience that a pressure of 300 psi could not be correct.

- With respect to the erroneous kPa marking, it [is] extremely unlikely that a consumer would attempt to inflate the tires to 44 kPa, since (1) drivers in the United States almost always utilize the psi parameter rather than kPa value when they inflate their tires; and (2) any driver who used the kPa parameter would know that the 44 kPa value was not correct, since all passenger car tires have a maximum inflation pressure of at least 240 kPa. Moreover, even if a consumer were to attempt to inflate the tires to 44 kPa (which is equivalent to approximately 7 psi), he or she would immediately be aware that the tires were drastically underinflated, and would not be in a drivable state.

Tireco concludes that the subject non-compliance "cannot result in the tires being overloaded, or any other adverse safety consequence to the tires or to the vehicles on which they are mounted." Additionally, Tireco cites three cases which it believes support its conclusion that NHTSA has previously granted tires companies inconsequentiality exemptions relating to errors in the marking of maximum inflation pressure. (See *Michelin North America, Inc.*, 70 FR 10161 (March 2, 2005); *Kumho Tire Co., Inc.*, 71 FR 6129 (February 6, 2006); and *Michelin North America, Inc.*, 74 FR 10805 (March 12, 2009)).

Furthermore, Tireco points out three other substantive factors that support its petition:

- The subject tires meet or exceed all of the substantive performance requirements of FMVSS No. 139.

- There have been no complaints regarding this issue from vehicle owners (the incorrect markings were brought to Tireco's attention by one of its distributors).

- The manufacturer of these tires, Shandong Linglong Tyre Co., Ltd., has corrected the molds at its factory, so that this noncompliance will not be repeated in current or future production.

Supported by all of the above stated reasons, Tireco believes that the described noncompliance of its tires to meet the requirements of FMVSS No. 139 is inconsequential to motor vehicle safety, and that its petition, to exempt it from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120, should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance.

Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods:

a. By mail addressed to: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

b. By hand delivery to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.

c. Electronically: by logging onto the Federal Docket Management System (FDMS) Web site at <http://www.regulations.gov/>. Follow the online instructions for submitting comments. Comments may also be faxed to 1-202-493-2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <http://www.regulations.gov/>.

<sup>1</sup> Tireco's petition, which was filed under 49 CFR Part 556, requests an agency decision to exempt Tireco as importer from the notification and recall responsibilities of 49 CFR Part 573 for 3,370 of the 6,170 affected tires. However, the agency cannot relieve Tireco's distributors of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after Tireco recognized that the subject noncompliance existed. Those tires must be brought into conformance, exported, or destroyed.

[www.regulations.gov](http://www.regulations.gov), including any personal information provided.

Documents submitted to a docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at <http://www.regulations.gov> by following the online instructions for accessing the dockets. DOT's complete Privacy Act Statement is available for review in the **Federal Register** published on April 11, 2000, (65 FR 19477-78).

The petition, supporting materials, and all comments received before the close of business on the closing date indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

*Comment closing date:* May 21, 2010.

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

Issued on: April 15, 2010.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2010-9162 Filed 4-20-10; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2010-17]

#### Petition for Exemption; Summary of Petition Received

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number involved and must be received on or before May 11, 2010.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2010-0215 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy:* We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

*Docket:* To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Brenda Sexton, (202-267-3664), Office of Rulemaking (ARM-204), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on April 16, 2010.

**Pamela Hamilton-Powell,**  
*Director, Office of Rulemaking.*

#### Petition for Exemption

*Docket No.:* FAA-2010-0215.

*Petitioner:* Gulf Aviation Diving Business as United Aviation.

*Section of 14 CFR Affected:* 129.109, 129.111, 129.117.

*Description of Relief Sought:* The petitioner seeks relief from part 129 §§ 129.109, 129.111, 129.117. If granted, this exemption will allow Gulf Aviation Services to operate their fleet of Embraer EMB-135BJ aircraft outside of the

United States without implementing the instructions for continued airworthiness into Gulf Aviation Service's maintenance program.

[FR Doc. 2010-9135 Filed 4-20-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-1999-6480; FMCSA-2001-11426; FMCSA-2003-16241; FMCSA-2003-16564; FMCSA-2005-21711; FMCSA-2005-22194; MCA-2005-22727; FMCSA-2005-23099; FMCSA-2007-0017; FMCSA-2007-0071]

#### Qualification of Drivers; Exemption Applications; Vision

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of renewal of exemptions; request for comments.

**SUMMARY:** FMCSA announces its decision to renew 17 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemption renewals will provide a level of safety that is equivalent to, or greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

**DATES:** This decision is effective April 23, 2010. Comments must be received on or before May 21, 2010.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA-1999-6480; FMCSA-2001-11426; FMCSA-2003-16241; FMCSA-2003-16564; FMCSA-2005-21711; FMCSA-2005-22194; FMCSA-2005-22727; FMCSA-2005-23099; FMCSA-2007-0017; FMCSA-2007-0071, using any of the following methods.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

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