

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permits thereof
15031-N .....	.....	Euro Asia Packaging (Guangdon) Co., Ltd. ZhongShan, Canton.	49 CFR 173.304(d), 173.306(a) and 178.33a.	To authorize the manufacture, marking, sale and use of inner metal receptacles similar to the DOT 2Q specification for the transportation in commerce of certain compressed gases. (modes 1, 2, 3, 4).
15036-N .....	.....	UTLX Manufacturing, Incorporated Alexandria, LA.	49 CFR 173.31(e)(2)(ii), 173.244(a)(2), 173.314, 179.100, 179.101, 179.102-3, 179.15(b) and 179.16.	To authorize the manufacture, marking, sale and use of a non-DOT specification tank car for transportation of chlorine and certain other materials toxic by inhalation. (mode 2).
15037-N .....	.....	National aeronautics and Space Administration (NASA) Washington, DC.	49 CFR 173.226 and 173.336.	To authorize the transportation in commerce of non-DOT specification packaging for the transportation in commerce of Dinitrogen tetroxide and Methylhydrazine by motor vehicle. (mode 1).
15038-N .....	.....	The American Pacific Corporation—In Space Propulsion Niagara Falls, NY.	49 CFR 173.24 (a)(1) and (2) and 173.201.	To authorize the transportation in commerce of Hydrazine, anhydrous in non-DOT specification packaging (Propellant Storage Assembly) by motor vehicle. (mode 1).

[FR Doc. 2010-14426 Filed 6-16-10; 8:45 am]

BILLING CODE 4909-60-M

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

[Docket No. NHTSA-2010-0078]

**Decision That Certain Nonconforming Motor Vehicles Are Eligible for Importation**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Notice of decision by NHTSA that certain nonconforming motor vehicles are eligible for importation.

**SUMMARY:** This document announces decisions by NHTSA that certain motor vehicles not originally manufactured to comply with all applicable Federal Motor Vehicle Safety Standards (FMVSS) are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for sale in the United States and certified by their manufacturers as complying with the safety standards, and they are capable of being readily altered to conform to the standards or because they have safety features that comply with, or are capable of being altered to comply with, all applicable FMVSS.

**DATES:** These decisions became effective on the dates specified in Annex A.

**FOR FURTHER INFORMATION CONTACT:** Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

**SUPPLEMENTARY INFORMATION:**

**Background**

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and/or sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Where there is no substantially similar U.S.-certified motor vehicle, 49 U.S.C. 30141(a)(1)(B) permits a nonconforming motor vehicle to be admitted into the United States if its safety features comply with, or are capable of being altered to comply with, all applicable FMVSS based on destructive test data or such other evidence as NHTSA decides to be adequate.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notices in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

NHTSA received petitions from registered importers to decide whether the vehicles listed in Annex A to this notice are eligible for importation into

the United States. To afford an opportunity for public comment, NHTSA published notices of these petitions as specified in Annex A. The reader is referred to those notices for a thorough description of the petitions. No substantive comments were received in response to these notices. Based on its review of the information submitted by the petitioners, NHTSA has decided to grant the petitions.

**Vehicle Eligibility Number for Subject Vehicles**

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. Vehicle eligibility numbers assigned to vehicles admissible under this decision are specified in Annex A.

**Final Decision**

Accordingly, on the basis of the foregoing, NHTSA hereby decides that each motor vehicle listed in Annex A to this notice, which was not originally manufactured to comply with all applicable FMVSS, is either substantially similar to a motor vehicle manufactured for importation into and/or sale in the United States, and certified under 49 U.S.C. 30115, as specified in Annex A, and is capable of being readily altered to conform to all applicable FMVSS or has safety features that comply with, or is capable of being altered to comply with, all applicable Federal Motor Vehicle Safety Standards.

**Authority:** 49 U.S.C. 30141(a)(1)(A), (a)(1)(B) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: June 9, 2010.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

### **Annex A**

#### **Nonconforming Motor Vehicles Decided To Be Eligible for Importation**

##### *1. Docket No. NHTSA-2010-0045*

*Nonconforming Vehicles:* 2006-2007 Mercedes Benz G-Class Long Wheelbase Multi-Purpose Passenger Vehicle.

*Substantially Similar U.S. Certified Vehicles:* 2006-2007 Mercedes Benz G-Class Long Wheelbase Multi-Purpose Passenger Vehicle.

##### Notice of Petition

*Published at:* 75 FR 19461 (April 14, 2010).

*Vehicle Eligibility Number:* VSP-527. (Effective date May 25, 2010.)

##### *2. Docket No. NHTSA-2010-0031*

*Nonconforming Vehicles:* 1991 Porsche 911 Series Passenger Cars.

*Substantially Similar U.S. Certified Vehicles:* 1991 Porsche 911 Series Passenger Cars.

##### Notice of Petition

*Published at:* 75 FR 14484 (March 25, 2010).

*Vehicle Eligibility Number:* VSP-526. (Effective date May 20, 2010.)

##### *3. Docket No. NHTSA-2009-0191*

*Nonconforming Vehicles:* 2005-2006 Mercedes Benz S Class Passenger Cars Manufactured Before September 1, 2006.

*Substantially Similar U.S. Certified Vehicles:* 2005-2006 Mercedes Benz S Class Passenger Cars Manufactured Before September 1, 2006.

##### Notice of Petition

*Published at:* 75 FR 1117 (January 8, 2010).

*Vehicle Eligibility Number:* VSP-525. (Effective date February 22, 2010.)

##### *4. Docket No. NHTSA-2009-193*

*Nonconforming Vehicles:* 2001-2002 Ducati MH900E Motorcycles.

*Substantially Similar U.S. Certified Vehicles:* 2001-2002 Ducati MH900E Motorcycles.

##### Notice of Petition

*Published at:* 75 FR 1681 (January 12, 2010).

*Vehicle Eligibility Number:* VSP-524. (Effective date February 22, 2010.)

##### *5. Docket No. NHTSA-2009-0169*

*Nonconforming Vehicles:* 1994-1999 Bimota SB6 Motorcycles.

*Substantially Similar U.S. Certified Vehicles:* 1994-1999 Bimota SB6 Motorcycles.

##### Notice of Petition

*Published at:* 74 FR 57734 (November 9, 2009).

*Vehicle Eligibility Number:* VSP-523. (Effective date December 29, 2009.)

##### *6. Docket No. NHTSA-2009-0161*

*Nonconforming Vehicles:* 2009 Harley Davidson FX, FL, XL and VR Series Motorcycles.

*Substantially Similar U.S. Certified Vehicles:* 2009 Harley Davidson FX, FL, XL and VR Series Motorcycles.

##### Notice of Petition

*Published at:* 74 FR 51943 (October 8, 2009).

*Vehicle Eligibility Number:* VSP-522. (Effective date November 18, 2009.)

##### *7. Docket No. NHTSA-2009-0148*

*Nonconforming Vehicles:* 2003-2006 Mercedes Benz C Class (W203 Chassis) Passenger Cars Manufactured Before September 1, 2006.

*Substantially Similar U.S. Certified Vehicles:* 2003-2006 Mercedes Benz C Class (W203 Chassis) Passenger Cars Manufactured Before September 1, 2006.

##### Notice of Petition

*Published at:* 74 FR 42734 (August 24, 2009).

*Vehicle Eligibility Number:* VSP-521. (Effective date October 20, 2009.)

##### *8. Docket No. NHTSA-2009-0102*

*Nonconforming Vehicles:* 2006 BMW M3 Passenger Cars Manufactured Before September 1, 2006.

*Substantially Similar U.S. Certified Vehicles:* 2006 BMW M3 Passenger Cars Manufactured Before September 1, 2006.

##### Notice of Petition

*Published at:* 74 FR 26762 (June 3, 2009).

*Vehicle Eligibility Number:* VSP-520. (Effective date July 29, 2009.)

##### *9. Docket No. NHTSA-2009-0101*

*Nonconforming Vehicles:* 2006 Porsche Cayenne Multipurpose Passenger Vehicles Manufactured Before September 1, 2006.

*Substantially Similar U.S. Certified Vehicles:* 2006 Porsche Cayenne Multipurpose Passenger Vehicles Manufactured Before September 1, 2006.

##### Notice of Petition

*Published at:* 74 FR 26764 (June 3, 2009).

*Vehicle Eligibility Number:* VSP-519. (Effective date July 29, 2009.)

##### *10. Docket No. NHTSA-2009-0094*

*Nonconforming Vehicles:* 2006 Ferrari 599 Passenger Cars Manufactured Before September 1, 2006.

*Substantially Similar U.S. Certified Vehicles:* 2006 Ferrari 599 Passenger Cars Manufactured Before September 1, 2006.

##### Notice of Petition

*Published at:* 74 FR 24895 (May 26, 2009).

*Vehicle Eligibility Number:* VSP-518. (Effective date July 7, 2009.)

##### *11. Docket No. NHTSA-2009-0067*

*Nonconforming Vehicles:* 2008 Harley Davidson FX, FL, XL and VR Series Motorcycles.

*Substantially Similar U.S. Certified Vehicles:* 2008 Harley Davidson FX, FL, XL and VR Series Motorcycles.

##### Notice of Petition

*Published at:* 74 FR 18036 (April 20, 2009).

*Vehicle Eligibility Number:* VSP-517. (Effective date May 27, 2009.)

##### *12. Docket No. NHTSA-2009-0212*

*Nonconforming Vehicles:* 2007 Chevrolet Trailblazer Multipurpose Passenger Vehicle Manufactured Before September 1, 2007, for sale in Kuwait Market.

*Substantially Similar U.S. Certified Vehicles:* 2007 Chevrolet Trailblazer Multipurpose Passenger Vehicle Manufactured Before September 1, 2007.

##### Notice of Petition

*Published at:* 74 FR 1276 (January 12, 2009).

*Vehicle Eligibility Number:* VSP-514. (Effective date February 18, 2009.)

##### *13. Docket No. NHTSA-2008-0186*

*Nonconforming Vehicles:* 2005-2006 Porsche 911 Carrera Cabriolet Passenger Cars Manufactured Before September 1, 2006.

*Substantially Similar U.S. Certified Vehicles:* 2005-2006 Porsche 911 Carrera Cabriolet Passenger Cars Manufactured Before September 1, 2006.

##### Notice of Petition

*Published at:* 73 FR 75172 (December 10, 2008).

*Vehicle Eligibility Number:* VSP-513. (Effective date January 16, 2009.)

##### *14. Docket No. NHTSA-2008-0139*

*Nonconforming Vehicles:* 2005-2006 Mercedes Benz SLK Class (171 Chassis) Passenger Cars.

*Substantially Similar U.S. Certified Vehicles:* 2005–2006 Mercedes Benz SLK Class (171 Chassis) Passenger Cars.

Notice of Petition

*Published at:* 73 FR 51550 (September 3, 2008).

*Vehicle Eligibility Number:* VSP–511. (Effective date October 14, 2008.)

15. *Docket No. NHTSA–2010–0014*

*Nonconforming Vehicles:* 2009 AL–SPAW EMA Mobile Stage Trailers.

Because there are no substantially similar U.S.-certified version 2009 AL–SPAW EMA Mobile Stage Trailers, the petitioner sought import eligibility under 49 U.S.C. 30141 (a) (1) (B).

Notice of Petition

*Published at:* 75 FR 9019 (February 26, 2010).

*Vehicle Eligibility Number:* VCP–42. (Effective date April 6, 2010.)

[FR Doc. 2010–14565 Filed 6–16–10; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### Ritron, Incorporated

[Waiver Petition Docket Number FRA–2009–0015]

Ritron, Incorporated (Ritron) seeks a waiver of compliance from certain provisions of 49 CFR part 232, Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment. Specifically, Section 232.409(d)—Inspection and testing of end-of-train devices, which requires the telemetry equipment to be tested for accuracy and calibrated, if necessary at least every 368 days. It also requires that the date and location of the last calibration or test, as well as the name of the person performing the calibration or test, be legibly displayed on a weather-resistant sticker or other marking device affixed to the outside of both the front and the rear unit.

This petition concerns Ritron models DTX–445 and DTX–454 radio

transceiver modules. While the DTX–445 is a new product, it is similar in mechanical and electrical design to the model DTX–442, and its field reliability statistical performance should be representative of the performance of the DTX–445. The DTX–454 is an established product, having been in production for 7 years. These modules are used in a large number of U.S. railroad head-of-train (HOT) and end-of-train (EOT) devices manufactured and sold by various companies. The Ritron DTX transceiver module line has been in production from 4 to 8 years, depending upon the specific module. These transceivers use a master reference oscillator to determine the frequency stability of the transmitted signal. The actual transmitted signal is phase-locked to this master oscillator by the phase-locked loop (PLL). Circuitry within the PLL determines when the system is in “lock” and will prevent or inhibit transmission if the transmitted signal is not on frequency. The master oscillator, itself, is specified to a much higher accuracy than that required by Federal regulations. This oscillator is used in all of Ritron's extensive radio offerings and, to date, has never had a failure due to being out of tolerance.

In addition, the modulation circuitry used in the DTX radios is based upon very stable limiting operational amplifiers followed by passive filters and potentiometers. This has proven to be extremely reliable and has not produced any failures related to out-of-band emissions. The power control circuitry is different in the various versions of the DTX family, but is based either on a closed loop final amplifier current sensing design or an open loop lookup table. Both have shown to work well in the field and are believed to have caused little, if any, service issues.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA–2009–0015) and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.

- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12–140, Washington, DC 20590.

- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received within 30 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

Issued in Washington, DC, on June 10, 2010.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2010–14479 Filed 6–16–10; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Ford Petition for Exemption From the Vehicle Theft Prevention Standard; Correction

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Notice; correction.

**SUMMARY:** The National Highway Traffic Safety Administration (NHTSA) published a document in the **Federal Register** of May 28, 2010, granting in full Ford Motor Company's (Ford) petition for an exemption of its new Explorer vehicle line in accordance with 49 CFR part 543, *Exemption from the Theft Prevention Standard*. This document corrects certain aspects of the new Explorer vehicle line published in