

equipped with Dayton wheels and/or (in the case of motorcycles) drive sprockets. No problems with the Dayton products, of any sort, were claimed by any of those we queried.

5.0 Dayton Product Evaluations

5.1 Petitioner Documentation

In support of his claim that the subject products are “defective” thus constituting “a substantial risk of catastrophic personal injury,” the petitioner cites a number of tests and analyses conducted on behalf of Dayton * * * the last of these dated February 22, 2006.¹² The Petitioner has characterized these as documented test failures.

5.2 Dayton Documentation

In responding to both the petitioner’s allegations and item numbers 6 and 9 of our March 9, 2010, inquiry, Dayton provided additional information and context. Two items are relevant here: First, the Finite Element Analysis conducted by RHAMM Technologies, LLC of Dayton, Ohio on behalf of Dayton in January 2006 was later found flawed because the analysis parameters did not account for work-hardening of the spoke material. Additionally, RHAMM could not define a real-world failure point within the reasonably expected load limits.¹³

The second relevant item concerns the allegation that testing conducted by Standard Test Labs (STL) on Dayton’s behalf, was invalid. According to Dayton, when this allegation was first made, sometime in 2006, it retained the services of Rexnord Technical Services of Milwaukee, WI to assess STL’s testing and results. Rexnord’s analysis validated STL’s tests and results.¹⁴

6.0 NHTSA Analysis

In assessing the petitioner’s claim that the subject Dayton products are defective, NHTSA reviewed all reasonably available information to determine whether the products were failing in real-world use and, if so, how frequently? After conducting a comprehensive effort to uncover reports of Dayton wheel separation and/or collapse or motorcycle drive pulley failure, we found no such reports concerning Dayton wheels and one (from 2007) involving a drive pulley, the latter apparently resulting from improper installation. If, as the

petitioner alleges, the testing results (from 2003–2006) indicated Dayton was producing and selling sub-standard wheels and pulleys, it would follow that real-world failures would have occurred, certainly in the last five years. NHTSA found no such evidence.

7.0 Conclusion

Based on the foregoing analysis, there is no reasonable possibility that an order concerning the notification and remedy of a safety-related defect would be issued as a result of granting Mr. Gisslen’s petition. Therefore, in view of the need to allocate and prioritize NHTSA’s limited resources to best accomplish the agency’s safety mission, the petition is denied.

[FR Doc. 2011–30612 Filed 11–28–11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2011–0223 (Notice No. 11–12)]

Information Collection Activities

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

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection Requests (ICR) abstracted below will be forwarded to the Office of Management and Budget (OMB) for review and comments. The ICRs describe the nature of the information collections and their expected burden. A **Federal Register** Notice with a 60-day comment period soliciting comments on these collections of information was published in the **Federal Register** on September 14, 2011 [76 FR 56872] under Docket No. PHMSA–2011–0223 (Notice No. 11–9).

DATES: Interested persons are invited to submit comments on or before December 29, 2011.

ADDRESSES: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget (OMB), *Attention:* Desk Officer for PHMSA, 725 17th Street NW., Washington, DC 20503. 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.

FOR FURTHER INFORMATION CONTACT: Steven Andrews or T. Glenn Foster, U.S. Department of Transportation, Standards and Rulemaking Division (PHH–10), Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue SE, East Building, 2nd Floor, Washington, DC. 20590–0001, Telephone (202) 366–8553.

SUPPLEMENTARY INFORMATION:

Section 1320.8(d), Title 5, Code of Federal Regulations requires Federal agencies to provide interested members of the public and affected agencies an opportunity to comment on information collection and recordkeeping requests. This notice identifies information collection requests that PHMSA will be submitting to OMB for renewal and extension. These information collections are contained in 49 CFR Parts 172 and 173 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171–180). PHMSA has revised burden estimates, where appropriate, to reflect current reporting levels or adjustments based on changes in proposed or final rules published since the information collections were last approved. The following information is provided for each information collection: (1) Title of the information collection, including former title if a change is being made; (2) OMB control number; (3) abstract of the information collection activity; (4) description of affected persons; (5) estimate of total annual reporting and recordkeeping burden; and (6) frequency of collection. PHMSA will request a three-year term of approval for each information collection activity and, when approved by OMB, publish notice of the approvals in the **Federal Register**.

PHMSA requests comments on the following information collections:

Title: Testing, Inspection, and Marking Requirements for Cylinders.

OMB Control Number: 2137–0022.

Summary: Requirements in § 173.301 for qualification, maintenance and use of cylinders require that cylinders be periodically inspected and retested to ensure continuing compliance with packaging standards. Information

¹² John R. Folkert, Jr., Esq., to Ronald Medford, National Highway Traffic Safety Administration, Washington, DC, 26 July 2010, attachment 8.

¹³ Letter from Jeffrey P. Hinebaugh to Richard P. Boyd, NHTSA, Washington, DC, 14 May 2010, item number 9.

¹⁴ *Ibid.*

collection requirements address registration of retesters and marking of cylinders by retesters with their identification number and retest date following the completion of required tests. Records showing the results of inspections and retests must be kept by the cylinder owner or designated agent until expiration of the retest period or until the cylinder is re-inspected or retested, whichever occurs first. These requirements are intended to ensure that retesters have the qualifications to perform tests and to identify to cylinder fillers and users that cylinders are qualified for continuing use. Information collection requirements in § 173.303 require that fillers of acetylene cylinders keep, for at least 30 days, a daily record of the representative pressure to which cylinders are filled. PHMSA did not receive any comments pertaining to this OMB control number in response to the **Federal Register** Notice published on September 14, 2011.

Affected Public: Fillers, owners, users and retesters of reusable cylinders.

Recordkeeping:

Number of Respondents: 139,352.

Total Annual Responses: 153,287.

Total Annual Burden Hours: 171,642.

Frequency of collection: On occasion.

Title: Hazardous Materials Security Plans.

OMB Control Number: 2137-0612.

Summary: To assure public safety, shippers and carriers must take reasonable measures to plan and implement procedures to prevent unauthorized persons from taking control of, or attacking, hazardous materials shipments. Part 172 of the HMR requires persons who offer or transport certain hazardous materials to develop and implement written plans to enhance the security of hazardous materials shipments. The security plan requirement applies to shipments of: (1) A highway route-controlled quantity of a Class 7 (radioactive) material; (2) more than 25 kg (55 lbs) of a Division 1.1, 1.2, or 1.3 (explosive) material; (3) more than 1 L (1.06 qt) per package of a material poisonous by inhalation in hazard zone A; (4) a shipment of hazardous materials in a bulk packaging with a capacity equal to or greater than 13,248 L (3,500 gal) for liquids or gases, or greater than 13.24 cubic meters (468 cubic feet) for solids; (5) a shipment that requires placarding; and (6) select agents. Select agents are infectious substances identified by CDC as materials with the potential to have serious consequences for human health and safety if used illegitimately. A security plan will enable shippers and carriers to reduce the possibility that a

hazardous materials shipment will be used as a weapon of opportunity by a terrorist or criminal. This information collection was originally included in the **Federal Register** Notice published on September 14, 2011 [76 FR 56872] under Docket No. PHMSA-2011-0223 (Notice No. 11-9). However, since the September 14 publication, this information collection has been renewed in a separate OMB action. The expiration date has been extended until August 31, 2014.

Affected Public: Shippers and carriers of hazardous materials in commerce.

Recordkeeping:

Number of Respondents: 54,999.

Total Annual Responses: 44,880.

Total Annual Burden Hours: 372,064.

Frequency of collection: On occasion.

Title: Subsidiary Hazard Class and Number/Type of Packagings.

OMB Control Number: 2137-0613.

Summary: The HMR require that shipping papers and emergency response information accompany each shipment of hazardous materials in commerce. In addition to the basic shipping description information, we also require the subsidiary hazard class or subsidiary division number(s) to be entered in parentheses following the primary hazard class or division number on shipping papers. This requirement was originally required only by transportation by vessel. However, the lack of such a requirement posed problems for motor carriers with regard to complying with segregation, separation, and placarding requirements, as well as posing a safety hazard. For example, in the event the motor vehicle becomes involved in an accident, when the hazardous materials being transported include a subsidiary hazard such as “dangerous when wet” or a subsidiary hazard requiring more stringent requirements than the primary hazard, there is no indication of the subsidiary hazards on the shipping papers and no indication of the subsidiary risks on placards. Under circumstances such as motor vehicles being loaded at a dock, labels are not enough to alert hazardous materials employees loading the vehicles, nor are they enough to alert emergency responders of the subsidiary risks contained on the vehicles. Therefore, we require the subsidiary hazard class or subsidiary division number(s) to be entered on the shipping paper, for purposes of enhancing safety and international harmonization.

We also require the number and type of packagings to be indicated on the shipping paper. This requirement makes it mandatory for shippers to indicate on shipping papers the numbers and types

of packages, such as drums, boxes, jerricans, etc., being used to transport hazardous materials by all modes of transportation.

Shipping papers serve as a principal means of identifying hazardous materials during transportation emergencies. Firefighters, police, and other emergency response personnel are trained to obtain the DOT shipping papers and emergency response information when responding to hazardous materials transportation emergencies. The availability of accurate information concerning hazardous materials being transported significantly improves response efforts in these types of emergencies. The additional information would aid emergency responders by more clearly identifying the hazard. PHMSA did not receive any comments pertaining to this OMB control number in response to the **Federal Register** Notice published on September 14, 2011.

Affected Public: Shippers and carriers of hazardous materials in commerce.

Recordkeeping:

Number of Respondents: 250,000.

Total Annual Responses: 6,337,500.

Total Annual Burden Hours: 17,604.

Frequency of collection: On occasion.

Issued in Washington, DC on November 22, 2011.

Delmer F. Billings,

Senior Regulatory Advisor, Standards and Rulemaking Division.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB 1077X]

**Wiregrass Central Railway, LLC—
Abandonment Exemption—in Coffee
County, AL**

On November 9, 2011, Wiregrass Central Railway, LLC (WCR) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 to exempt from the prior approval requirements of 49 U.S.C. 10903 WCR's abandonment of a 1.2-mile line of railroad extending between milepost 820.0 and milepost 821.2 in Enterprise, in Coffee County, Ala. (the line).¹ The line traverses United States Postal

¹ The line is part of a 21.2-mile rail line that WCR acquired from Wiregrass Central Railroad Company, Inc. See *Wiregrass Cent. Ry.—Acquis. & Operation Exemption—Wiregrass Cent. R.R.*, FD 35489 (STB served Apr. 22, 2011).