

exempt 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'S Analysis of DJG'S*

*Reasoning:* To answer this petition, the pertinent regulations in question are:

FMVSS No. 213 S5.5.2 (l) requires:

(1) An installation diagram showing the child restraint system installed in:

(1) A seating position equipped with a continuous-loop lap/shoulder belt;

(2) A seating position equipped with only a lap belt, as specified in the manufacturer's instructions; and

(3) A seating position equipped with a child restraint anchorage system.

The purpose for S5.5.2 (l) is to provide consumers with an installation diagram depicting the proper installation of a child restraint using the attachment methods (lap/shoulder belt, lap belt only, and anchorage system) available in vehicles.

FMVSS No. 213 S5.5 states:

*Labeling.* Any labels or written instructions provided in addition to those required by this section shall not obscure or confuse the meaning of the required information or be otherwise misleading to the consumer \* \* \*

The purpose of S5.5 is to prevent additional information from confusing or misleading the consumer, resulting in misuse of the child restraint and/or non-use.

The only complaint received by DJG was submitted by a Child Passenger Safety Technician, on behalf of a consumer, over concerns that the labels were put on incorrectly and the arrows pointed to the solid plastic and not the rear-facing belt path.

DJG conducted a survey to demonstrate any effects the noncompliance may have on seat installation. DJG installed a Complete Air LX model, which represents the Alpha Elite model as well, in 26 vehicles in rear-facing mode using both the vehicle belts and lower anchorage belts. According to DJG, the 26 vehicles represented a cross-section of vehicles on the road. The vehicle belts and lower anchorage belts were routed through the forward-facing belt path of the Complete Air LX. DJG reported that in none of the 26 vehicles was it possible to route the lower anchorage belts through the forward-facing belt path and secure the lower anchorages to the vehicle anchor bars due to the lower anchorage belts being too short to allow this improper installation. In 5 of the 26 evaluated vehicles, the vehicle belt allowed for this improper installation with a coupling of the vehicle belt and vehicle buckle.

In reaching our decision, NHTSA carefully reviewed the subject petition and CU's comments. NHTSA does not agree with DJG that the preponderance of correct rear-facing installation diagrams and instructions appears to outweigh the potential for improper installation resulting from the misplaced arrows. NHTSA believes that consumers will likely look first at diagrams on the child restraint for guidance on correct installation, and not from written instructions, particularly for re-installations, i.e., removing the restraint from one vehicle and putting it in another vehicle. The pointing arrows on the label will likely be the first place a consumer will look for guidance on choosing the proper belt routing path. S5.5 of FMVSS No. 213 specifically addresses that additional information may not confuse or mislead the user. If a user is reading the labels for guidance on how to properly install the restraint, the directional arrows pointed in the wrong direction clearly may present a confusing picture that could lead to improper installation and/or nonuse.

NHTSA believes that the lone complaint reported by DJG does not necessarily mean that consumers are installing the restraint properly. Users may be installing the restraint improperly without realizing it, and these cases therefore would not be reported.

NHTSA reviewed its Vehicle Owner Questionnaire (VOQ) data and uncovered one VOQ, dated May 2011, which highlighted installation problems with the same child restraint device when the owner attempted to follow instructions provided on the attached label.

NHTSA understands that the results of DJG's survey of vehicles shows a low percentage of vehicles surveyed that allow an improper installation because of the relative short length webbing for either the lower anchorage belt or the vehicle seat belt. However we believe that the survey is limited by the relatively small number of vehicles surveyed compared to the entire vehicle fleet and the use of only two DJG models.

NHTSA believes that the misplaced labels result in a confusion of the meaning of the required information (diagram showing correct installation in the rear-facing configuration) and thus the potential for mis-installation or perhaps non-use of the restraint.

*NHTSA'S Response to Consumer Union Comments:* In its comment to the docket, CU disagrees with DJG's assessment that the noncompliance is inconsequential to safety because the incorrectly installed diagrams will lead

to confusion by the consumer and increase the likelihood that the restraints will be installed improperly or not at all.

CU reported that it tested an Alpha Omega Elite model which is one of the DJG models included in this petition. Based on CU observations, the rear-facing belt path on the Alpha Omega Elite is not visible from the top or the side of the restraint. Therefore without a label clearly indicating its location, the rear-facing belt path could be hidden from the consumer. In this case, with the affected label pointing toward the forward-facing belt path, a consumer may assume that the rear-facing and forward-facing belt paths are the same, leading to an improper installation of the restraint.

*NHTSA Decision:* In consideration of the foregoing, NHTSA has decided that the petitioner has not met its burden of persuasion that the noncompliance described is inconsequential to motor vehicle safety. Accordingly, DJG's petition is hereby denied, and the petitioner must notify owners, purchasers and dealers pursuant to 49 U.S.C. 30118 and provide a remedy in accordance with 49 U.S.C. 30120.

**Authority:** (49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

Issued on: August 22, 2013.

**Nancy Lummen Lewis,**

*Associate Administrator for Enforcement.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2013-0185]

#### Pipeline Safety: Notice to Operators of Hazardous Liquid and Natural Gas Pipelines of a Recall on Leak Repair Clamps Due to Defective Seal

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

**ACTION:** Notice; Issuance of Advisory Bulletin.

**SUMMARY:** PHMSA is issuing an Advisory Bulletin to alert all pipeline operators of a T.D. Williamson, Inc. (TDW) Leak Repair Clamp (LRC) recall issued by TDW on June 17, 2013. The recall covers all TDW LRCs of any pressure class and any size. The LRCs may develop a dangerous leak due to a defective seal. Hazardous liquid and natural gas pipeline operators should

verify if they have any TDW LRCs subject to the recall by reviewing their records and equipment for installation of these LRCs. Operators with TDW LRCs should discontinue use immediately and contact TDW for further recall instructions. Operators can obtain recall information through TDW's Web site at <http://lrc.tdwilliamson.com/> or by calling TDW at 888-770-7085.

**ADDRESSES:** This document can be viewed on the PHMSA home page at: <http://www.phmsa.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ken Lee by phone at 202-366-2694 or by email at [kenneth.lee@dot.gov](mailto:kenneth.lee@dot.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On July 17, 2013, TDW issued a recall of its LRCs. The recall covers any TDW LRC of any pressure class or any size. The TDW LRC is a hinged split sleeve that is designed to fit around the damaged area of the affected pipe and provide a sealing barrier to arrest leaking product. The seal is activated when applied pressure from bolts causes the internal seal to encapsulate the leak. TDW specifies that this clamp provides temporary repair only when it is bolted closed. TDW designates the LRC as a permanent repair when it is welded shut; this is analogous to a full encirclement welded split sleeve with welded ends (e.g., B-Type Sleeve). The LRC may leak when it is installed in the bolted-closed position. According to TDW, when the LRC is completely welded shut the defective seal is encapsulated and no leakage is expected.

The LRCs subject to the recall were manufactured for TDW from September 2002 through August 2012 to the specifications of API 6H "Specification on End Closures, Connectors, and Swivels." Ranging in size from two-inches to 48-inches, the LRCs are designed for pressure classes of 150, 300, 400, 600 and 900 in accordance with ASME/ANSI B16.5 *Pipe Flanges and Flanged Fittings*. These LRCs were manufactured for use on hazardous liquid and natural gas pipelines.

TDW investigated an installed LRC, which indicated leakage, and determined that the manufactured seal was defective and could potentially be dangerous to public safety. Subsequently due to this investigation, TDW conducted a study through an independent laboratory to identify the failure mechanism, determine repair options, and evaluate the fitness of all existing LRCs. TDW concluded that a recall was necessary and urges all of its

customers to stop using its existing TDW LRCs and contact TDW immediately.

TDW has assigned personnel to follow-up and communicate directly with customers on the recall process and progress. TDW has established a Web site which offers three replacement options to customers to register for repair, obtain credit, or request a refund for the LRC. TDW has designated customer service personnel for each region on a global basis to assist with the recall process.

**II. Advisory Bulletin (ADB-2013-04)**

*To:* Owners and Operators of Hazardous Liquid and Natural Gas Pipeline Systems.

*Subject:* Notice to Operators of Natural Gas and Hazardous Liquid Pipelines of a Recall on Leak Repair Clamps Due to Defective Seal.

*Advisory:* PHMSA is informing all pipeline operators that TDW has deemed its LRCs defective due to the seal contained in every clamp not maintaining adequate pressure causing the clamp to fail. TDW has determined that failure of this clamp may cause a leak that could cause a fire or explosion resulting in injury or death. TDW asks all of its customers to stop using the LRC immediately and return it to TDW and follow up with TDW's recall procedures for the LRC.

PHMSA advises hazardous liquid and natural gas pipeline operators to take the following measures:

- Verify records to determine if a TDW LRC is installed.
- Stop using the TDW LRC immediately.
- Contact TDW and follow up with its recall process.
- TDW Web site: <http://lrc.tdwilliamson.com/>.
- TDW phone number: 888-770-7085.

**Authority:** 49 U.S.C. chapter 601; 49 CFR 1.53.

Issued in Washington, DC, on August 22, 2013.

**Alan K. Mayberry,**  
*Deputy Associate Administrator for Policy and Programs.*

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**DEPARTMENT OF THE TREASURY**

**Office of Foreign Assets Control**

**Additional Designations, Foreign Narcotics Kingpin Designation Act**

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of the Treasury's Office of Foreign Assets Control ("OFAC") is publishing the names of five individuals whose property and interests in property have been blocked pursuant to the Foreign Narcotics Kingpin Designation Act ("Kingpin Act") (21 U.S.C. 1901-1908, 8 U.S.C. 1182). Additionally, OFAC is publishing additions to the identifying information for seven entities previously designated pursuant to the Kingpin Act.

**DATES:** The designation by the Director of OFAC of the five individuals identified in this notice pursuant to section 805(b) of the Kingpin Act is effective on August 22, 2013.

**FOR FURTHER INFORMATION CONTACT:** Assistant Director, Sanctions Compliance & Evaluation, Office of Foreign Assets Control, U.S. Department of the Treasury, Washington, DC 20220, Tel: (202) 622-2490.

**SUPPLEMENTARY INFORMATION:**

**Electronic and Facsimile Availability**

This document and additional information concerning OFAC are available on OFAC's Web site at <http://www.treasury.gov/ofac> or via facsimile through a 24-hour fax-on-demand service at (202) 622-0077.

**Background**

The Kingpin Act became law on December 3, 1999. The Kingpin Act establishes a program targeting the activities of significant foreign narcotics traffickers and their organizations on a worldwide basis. It provides a statutory framework for the imposition of sanctions against significant foreign narcotics traffickers and their organizations on a worldwide basis, with the objective of denying their businesses and agents access to the U.S. financial system and the benefits of trade and transactions involving U.S. companies and individuals.

The Kingpin Act blocks all property and interests in property, subject to U.S. jurisdiction, owned or controlled by significant foreign narcotics traffickers as identified by the President. In addition, the Secretary of the Treasury, in consultation with the Attorney General, the Director of the Central Intelligence Agency, the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security may designate and block the property and interests in property, subject to U.S. jurisdiction, of persons who are found