

158 of the Federal Aviation Regulations (14 CFR part 158).

On September 5, 2001, the FAA determined that the application to impose a PFC, submitted by Yakima Air Terminal Board, Yakima, Washington, was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than December 8, 2001.

The following is a brief overview of the application.

*Level of the proposed PFC:* \$3.00.

*Proposed charge effective date:* February 1, 2002.

*Proposed charge expiration date:* February 1, 2004.

*Total requested for impose authority:* \$456,000.

*Brief description of proposed project:* Runway 27 Safety Area Improvement, Phase II.

*Class or classes of air carriers which the public agency has requested not be required to collect PFC's:* air taxi/commercial operators enplaning less than 1% of airport's total enplanements.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Office located at: Federal Aviation Administration, Northwest Mountain Region, Airports Division, ANM-600, 1601 Lind Avenue SW., Suite 315, Renton, WA 98055-4056.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Yakima Air Terminal-McAllister Field.

Issued in Renton, Washington, on September 5, 2001.

**David A. Field,**

*Manager, Planning, Programming and Capacity Branch, Northwest Mountain Region.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2000-8105; Notice 2]

#### Accuride Corporation; Grant of Application for Decision of Inconsequential Noncompliance

Accuride Corporation of Evansville, Indiana, a manufacturer of truck rims and wheels, has determined that approximately 3,700 20 × 7.5 FL side rings produced by Accuride de Mexico (AdM), Accuride's wholly-owned

subsidiary, at its Monterrey, Mexico plant, and by Industria Automotriz S.A. de C.V. (IaSa), a Mexican corporation and Accuride's Mexican joint venture partner, fail to comply with Federal Motor Vehicle Safety Standard (FMVSS) 120, "Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars." Accuride filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Accuride has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published, with a 30-day comment period, on March 2, 2001, in the **Federal Register** (66 FR 13126). NHTSA received no comments.

The purpose of FMVSS No. 120, according to S2, is "to provide safe operational performance by ensuring that vehicles to which it applies are equipped with tires of adequate size and load rating and with rims of appropriate size and type designation." Paragraph S5.2 of FMVSS No. 120 requires that each piece, other than the rim base of a multipiece rim, be marked with specific information, including the rim size designation, and a designation that identifies the manufacturer of the rim by name, trademark, or symbol.

Accuride's noncompliance relates to the mis-stamping of the marking on the multipiece rim rings. The stamped rim size designation and type designation on the ring, was transposed as "R7.5 × 20 FL" instead of "20 × 7.5 FL." Accuride states, "All other stampings and markings required by FMVSS 120 and Accuride, including the part number and load rating, are correctly identified on each of the components in question." AdM produced a total of approximately 896 rings from January 3, 2000 to February 18, 2000, and approximately 2,804 rings were produced by IaSa and sold by Accuride prior to January 3, 2000. Accuride believes that there is no safety-related issue with respect to this equipment.

These rings, marked with transposed numbers, were sent to original equipment manufacturers and were fitted to Class 8 conventional trucks and trailers. Accuride argues that an individual in a heavy truck repair facility would quickly realize that this marking is incorrect and would be unlikely to attempt to fit this ring on a rim of the size marked. The probability of one of these rings being placed on a rim by an individual believing that the marking is correct is highly unlikely, if not physically impossible, would be

attempting to fit a 20-inch diameter ring on to a 7.5-inch diameter base rim.

According to the petitioner, senior Accuride management has extensively reviewed the processes, the causes of these noncompliances have been isolated, and changes in the processes have been instituted to prevent any future occurrences. In addition, the noncompliance is limited to the equipment addressed in this notice, and Accuride stated that its future products would comply with the requirements of FMVSS No. 120.

The agency agrees with Accuride's verbal statements, provided in a telephone conversation, that an individual working in a heavy truck repair shop or tire shop would quickly realize that the size on the ring is mislabeled by examining the matching rim and mounted tire. Accuride provides the correct size information; however, that information is transposed. These rings and matching rims will be serviced in Class 8 capable facilities with trained heavy truck personnel. The probability of these rings being placed on a rim by a trained individual believing that the marking is correct is remote.

In consideration of the foregoing, NHTSA has decided that the applicant has met its burden of persuasion that the noncompliance it describes is inconsequential to motor vehicle safety. Accordingly, Accuride's application is hereby granted, and the applicant is exempted from the obligation of providing notification of, and a remedy for, the noncompliance.

(49 U.S.C. 30118; delegations of authority at 49 CFR 1.50 and 501.8).

Issued on: September 7, 2001.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 01-22849 Filed 9-11-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2001-9116; Notice 2]

#### Hankook Tire Corporation; Grant of Application for Decision That Noncompliance Is Inconsequential to Motor Vehicle Safety

Hankook Tire Manufacturing Company, Ltd. (Hankook), a Korean corporation, has determined that approximately 7,600 P205/75R14 Dayton Thorobred tires, produced in the Hankook Daejun Plant during August

2000 through January 2001, do not meet the labeling requirements mandated by Federal Motor Vehicle Safety Standard (FMVSS) No. 109, "New Pneumatic Tires."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Hankook has petitioned for a determination that the noncompliance is inconsequential to motor vehicle safety. It has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

Notice of receipt of application was published, with a 30-day comment period, on April 3, 2001, in the **Federal Register** (66 FR 17747). NHTSA received no comments on this application.

The noncompliance with FMVSS No. 109, paragraph S4.3 (a) relates to a mismarking of the tire size on one mold, Serial Number 24383. The actual stamping in the bead area of the DOT serial side (normally mounted in-board) is P205/75R15 and the correct stamping should have been P205/75R14, which is stamped on the customer side of the tires (normally mounted outboard).

Hankook stated that the estimated 7,600 affected P205/75R14 Dayton Thorobred tires meet all other requirements of FMVSS No. 109. According to Hankook, there is a larger, predominant P205/75R14 correct marking on the mid-sidewall of both sides of the tires and the tire labels supplied to tire dealers with the tires are also marked with the correct tire size information. Furthermore, Hankook stated that an attempt by the company to mount the P205/75R14 tire on a 15-inch rim was unsuccessful since the mounting machine could not apply sufficient force to accomplish the mismatch. Hankook submitted that it was unaware of any adverse effects of this noncompliance and, as a result, believes the noncompliance is inconsequential to motor vehicle safety.

The agency believes that the true measure of inconsequentiality to motor vehicle safety in this case is the effect of the noncompliance on tire and rim safety. Tire and rim safety would be adversely affected if these tires, which are 14 inches in diameter, were to be mounted on 15-inch rims. Hankook stated in its petition for inconsequential noncompliance that the tires are mislabeled on one side only, the DOT serial side, which is generally mounted in-board. In addition to the labeling information in the bead area required by FMVSS No. 109, the tire size is marked in large characters in the mid-sidewall area. According to Hankook, these mid-sidewall tire size markings on both sides of the tires are correct and the new tire label supplied to tire dealers with the

tires is also marked with the correct tire size. Since the tire size is marked incorrectly in one location (in-board bead) only, and correctly marked in several other locations, the agency believes it is highly unlikely that the tire size could be misunderstood by a tire service technician. According to Hankook, an attempt to mount one of these 14-inch tires on a 15-inch rim was unsuccessful because the tire-mounting machine could not generate sufficient force to mount the tire on an oversized rim. The agency believes it would highly unlikely that 14-inch diameter tires could be mounted on 15-inch rims in the event they were mistaken to be 15-inch tires. The agency has no knowledge of safety problems that have arisen as a result of tire size mislabeling when the incorrect label indicated that the tire was larger than its actual size. Based on the information provided by Hankook, the agency believes the noncompliance is inconsequential to motor vehicle safety.

In consideration of the foregoing, NHTSA has decided that the applicant has met the burden of persuasion and that the noncompliance is inconsequential to motor vehicle safety. Accordingly, Hankook's application is granted and the applicant is exempted from providing the notification of the noncompliance as required by 49 U.S.C. 30118, and from remedying the noncompliance, as required by 49 U.S.C. 30120.

(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: September 7, 2001.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2000-8557; Notice 2]

#### Uniroyal Goodrich Tire Manufacturing; Grant of Application for Decision That Noncompliance Is Inconsequential to Motor Vehicle Safety

Uniroyal Goodrich Tire Manufacturing (Uniroyal) has determined that a total of 284 P205/60R15 Regul Sport Challenger passenger tires do not meet the labeling requirements mandated by Federal Motor Vehicle Safety Standard (FMVSS) No. 109, "New Pneumatic Tires."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Uniroyal 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 the application was published, with a 30-day comment period, on January 4, 2001, in the **Federal Register** (66 FR 845). NHTSA received no comments on this application.

FMVSS No. 109, paragraph S4.3(d), requires that each tire have permanently molded into or onto both sidewalls the generic name of each cord material used in the plies (both sidewall and tread area) of the tire. Paragraph S4.3(e) requires that each tire have permanently molded into or onto both sidewalls the actual number of plies in the sidewall, and the actual number of plies in the tread area if different.

The noncompliance with paragraph S4.3 (d) and (e) involves tires that were marked: Tread Plies: 2 Polyester + 2 Steel + 1 Nylon, Sidewall Plies: 2 Polyester, instead of the correct marking of: Tread Plies: 1 Polyester + 2 Steel, Sidewall Plies: 1 Polyester.

Uniroyal states that of the total (284) tires produced, no more than 17 may have been delivered to end users. The remaining tires have been isolated in their warehouses and are being scrapped. Uniroyal does not believe that this marking error will impact motor vehicle safety because the tires meet all applicable Federal motor vehicle safety standards.

The Transportation Recall, Enhancement, Accountability, and Documentation (TREAD) Act of November 2000 required, among other things, that the agency initiate rulemaking to improve tire label information. In response to Section 11 of the TREAD Act, the agency published an Advance Notice of Proposed Rulemaking (ANPRM) in the **Federal Register** on December 1, 2000 (65 FR 75222). The agency received more than 20 comments addressing the ANPRM, which sought comments on the tire labeling information required by 49 CFR part 571.109 and 119, part 567, part 574, and part 575. Most of the comments were from motor vehicle and tire manufacturers, although several private citizens and consumer interest organizations responded to the ANPRM. With regard to the tire construction (number of plies and type of ply cord material in the tread and sidewall) labeling requirements of FMVSS 109, paragraphs S4.3 (d) and (e), most commenters indicated that the information was of little or no safety