

- **Adjourn**

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on March 15, 2012.

**John Raper,**

*Manager, Business Operations Branch,  
Federal Aviation Administration.*

[FR Doc. 2012-6838 Filed 3-21-12; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Commercial Space Transportation Advisory Committee—Open Meeting

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

**ACTION:** Notice of Commercial Space Transportation Advisory Committee Open Meeting.

**SUMMARY:** Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. 2), notice is hereby given of a meeting of the Commercial Space Transportation Advisory Committee (COMSTAC). The meeting will take place on Thursday, May 10, 2012, from 8 a.m. to 5 p.m., and Friday, May 11, 2012, from 8 a.m. to 4:30 p.m., at the National Housing Center, 1201 15th Street NW., Washington, DC 20005. This will be the 55th meeting of the COMSTAC.

The proposed agenda for May 10 features a meeting of the full COMSTAC in the morning, followed by meetings of the working groups as follows:

- Business/Legal 10 a.m.–12 noon)
- Operations (1 p.m.–3 p.m.)
- Export Controls (3 p.m.–5 p.m.)

The proposed agenda for the morning of May 11 features the Systems working group (8:30 a.m.–10:30). The working groups will then present their reports and recommendations, followed by the opportunity for public comment.

Interested members of the public may submit relevant written statements for the COMSTAC members to consider under the advisory process. Statements may concern the issues and agenda items mentioned above and/or additional issues that may be relevant for the U.S. commercial space transportation industry. Interested

parties wishing to submit written statements should contact Susan Lender, DFO, (the Contact Person listed below) in writing (mail or email) by May 3, 2012, so that the information can be made available to COMSTAC members for their review and consideration before the May 10 and 11, 2012 meetings. Written statements should be supplied in the following formats: one hard copy with original signature and/or one electronic copy via email.

Subject to approval, a portion of the May 11, 2012, meeting will be closed to the public (starting at approximately 3:45 p.m.).

An agenda will be posted on the FAA Web site at [www.faa.gov/go/ast](http://www.faa.gov/go/ast). For specific information concerning the times and locations of the COMSTAC working group meetings, contact the Contact Person listed below.

Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should inform the Contact Person listed below in advance of the meeting.

**FOR FURTHER INFORMATION CONTACT:** Susan Lender (AST-100), Office of Commercial Space Transportation (AST), 800 Independence Avenue SW., Room 331, Washington, DC 20591, telephone (202) 267-8029; Email [susan.lender@faa.gov](mailto:susan.lender@faa.gov). Complete information regarding COMSTAC is available on the FAA Web site at: [http://www.faa.gov/about/office\\_org/headquarters\\_offices/ast/advisory\\_committee/](http://www.faa.gov/about/office_org/headquarters_offices/ast/advisory_committee/).

Issued in Washington, DC, March 14, 2012.

**George C. Nield,**

*Associate Administrator for Commercial Space Transportation.*

[FR Doc. 2012-6832 Filed 3-21-12; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Request To Release Airport Property at Tulsa International Airport, Tulsa, OK

**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 Tulsa International Airport under the provision of Section 817 of the FAA Modernization and Reform Act of 2012.

**DATES:** Comments must be received on or before April 30, 2012.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Mr. Edward Agnew, Manager, Federal Aviation Administration, Southwest Region, Airports Division, AR/OK Airports District Office, 2601 Meacham Boulevard, Fort Worth, Texas, 76137.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Jeff Hough, Deputy Airports Director, Tulsa International Airport, P.O. Box 581838, Tulsa, Oklahoma, 74158.

**FOR FURTHER INFORMATION CONTACT:** Mr. Roman Piñon, Project Manager, Federal Aviation Administration, Southwest Region, Airports Division, AR/OK Airports District Office, 2601 Meacham Boulevard, Fort Worth, Texas 76137.

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

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release property at the Tulsa International Airport under the provision of the FAA Modernization and Reform Act of 2012.

On June 18, 2010, the FAA determined that the request to release property at Tulsa International Airport submitted by the Tulsa Airport Authority, Tulsa, Oklahoma, 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 April 30, 2012.

The following is a brief overview of the request:

The Tulsa International Airport requests the release of 68,167 square feet of non-aeronautical property to the Tulsa Airport Authority. The current property is currently vacant and has no ability to have any aviation use associated with the land. The parcel does not have access to the airfield and is in no conflict with the Master Plan in this area. The purpose of this release is to allow the Tulsa Airport Authority to sell the subject land that no longer serves any aeronautical purpose to the airport to Danny's Auto Salvage for use as an automobile salvage yard.

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 Tulsa International Airport, 8602 South Elwood, Tulsa, Oklahoma, 74132.

Issued in Fort Worth, Texas, on March 9, 2012.

Joseph G. Washington,

Acting Manager, Airports Division Office.

[FR Doc. 2012-6833 Filed 3-21-12; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2010-0180; Notice 2]

#### BMW of North America, LLC, Grant of Petition for Decision of Inconsequential Noncompliance

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice of Petition Grant.

**SUMMARY:** BMW of North America, LLC (BMW)<sup>1</sup> a subsidiary of BMW AG, Munich, Germany, has determined that certain BMW vehicles equipped with “run-flat” tires do not fully comply with paragraphs S4.3(c) and S4.3(d) of 49 CFR 571.110, Federal Motor Vehicle Safety Standard (FMVSS) No. 110, *Tire selection and rims and motor home/recreation vehicle trailer load carrying capacity information for motor vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or less*. BMW filed an appropriate report, dated November 2, 2010, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*.

Pursuant to 49 U.S.C. 30118(d) and 30120(h) and the rule implementing those provisions at 49 CFR part 556, BMW 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.

Notice of receipt of BMW’s petition was published with a 30-day public comment period, on March 7, 2011, in the *Federal Register* (76 FR 12410). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System Web site at: <http://www.regulations.gov/>. Then follow the online search instructions to locate docket number “NHTSA-2010-0180.”

**FOR FURTHER INFORMATION CONTACT:** For further information on this decision contact Mr. John Finneran, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-0645, facsimile (202) 366-5930.

**Summary of BMW’s Petition:** BMW estimates that approximately 54,200 vehicles equipped with “run flat” tires are affected. The affected vehicle models are certain: Model Year 2008–2011 BMW X5 SAV multipurpose passenger vehicles, manufactured from February 2, 2008 through October 26, 2010; Model Year 2008–2011 BMW X6 SAC multipurpose passenger vehicles, manufactured from September 19, 2008 through October 26, 2010; and 2011 BMW 5-Series, BMW 5-Series Gran Turismo, and BMW 7-Series passenger cars, manufactured from September 1, 2010 through October 26, 2010.

BMW explains that the noncompliance is that the tire and loading information placards on the affected vehicles incorrectly include a recommended cold tire inflation pressure and size designation for a spare tire. Because the vehicles are equipped with “run-flat” tires and have no spare tire, the word “none,” as required by paragraphs S4.3(c) and S4.3(d) is required in place of the spare tire size and the associated recommended cold tire inflation pressure.

BMW argues that this noncompliance is inconsequential to motor vehicle safety for the following reasons:

1. Vehicle owner’s are informed via the vehicle Owner’s Manual that if “RSC” is stamped on the sidewall of the tire, then the tire is a “run-flat” tire.

2. BMW vehicle owners can contact BMW Roadside Assistance<sup>TM</sup> representatives by telephone 24 hours/day. These representatives can provide vehicle owners, on a vehicle model and model year basis, with all available tire sizes and specifications for the tires originally mounted on their vehicle, including the installation of “run-flat” tires.

3. For vehicles equipped with BMW Assist<sup>TM</sup>, passengers can contact BMW Roadside Assistance<sup>TM</sup> representatives directly from within the vehicle.<sup>2</sup>

BMW reported that the noncompliance was brought to their attention during inspections of vehicles equipped with “run-flat” tires. On October 26, 2010, BMW realized that the affected vehicles do not conform to FMVSS No. 110.

BMW has additionally informed NHTSA that it has corrected the noncompliance so that all future production vehicles will have compliant labels.

In summation, BMW believes that the described noncompliance of its vehicles to meet the requirements of FMVSS No. 110 is inconsequential to motor vehicle

safety, and that its petition, to 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, and should be granted.

**NHTSA Decision:** The agency agrees with BMW that 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 that there is no effect of the noncompliances on the operational safety of the subject vehicles in which the vehicle tire and loading information placards erroneously indicated that a spare tire was available when, in fact, “run flat” tires were installed in lieu of the spare tire.

In the agency’s judgment, this noncompliance to FMVSS No. 110 will have an inconsequential effect on motor vehicle safety because:

In the event of a flat with a “run flat” tire, the vehicle operator can continue to operate the vehicle. Instructions concerning the safe operation of a vehicle with a flat “run flat” tire are available from the vehicle owner’s manual as well as BMW Roadside<sup>TM</sup>.

Additionally, all information required for maintaining and/or replacing the front and rear tires (i.e., tire size designations and their respective cold tire inflation pressures), as well as the seating capacity and vehicle capacity weight are correct on the tire and loading information placard on the subject vehicles.

In consideration of the foregoing, NHTSA has decided that BMW has met its burden of persuasion that the subject FMVSS No. 110 labeling noncompliance is inconsequential to motor vehicle safety. Accordingly, GM’s petition is granted and the petitioner is exempted from the obligation of providing notification of, and a remedy for, the subject noncompliance under 49 U.S.C. 30118 and 30120.

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. Therefore, these provisions only apply to the 54,200<sup>3</sup> vehicles that have already

<sup>1</sup> BMW of North America, LLC (BMW) is a vehicle manufacturer incorporated under the laws of the state of New Jersey.

<sup>2</sup> Refer to the BMW petition for specific details on the availability of BMW Assist<sup>TM</sup>.

<sup>3</sup> BMW’s petition, which was filed under 49 CFR part 556, requests an agency decision to exempt BMW as a manufacturer from the notification and recall responsibilities of 49 CFR part 573 for 54,200