

FOR FURTHER INFORMATION CONTACT: Paul Scott on (202) 366-4104.

SUPPLEMENTARY INFORMATION:

Federal Highway Administration

Title: Developing and Recording Costs for Utility Adjustments.

OMB Number: 2125-0519.

Type of Request: Reinstatement, with change, of a previously approved collection for which approval has expired.

Affected Public: 3,000 U.S. Utilities Companies.

Form(s): N/A.

Abstract: Under the provisions of 23 U.S.C. 123, Federal-aid highway funds may be used to reimburse State highway agencies (SHAs) when they have paid for the cost of relocation of utility facilities necessitated by the construction of Federal-aid highway projects. This reimbursement is based on actual costs incurred by a utility company as a result of adjusting its facilities. Payment for "costs incurred" is a basic tenet of the Federal-aid program. This general principle is also established in 23 U.S.C. 121 when Federal-aid highway funds are being used to reimburse the State highway agencies for the cost of construction of Federal-aid highway projects. To implement these provisions of law, Federal Highway Administration (FHWA) regulations, 23 CFR 645, Subpart A, require that the utility be able to document its costs or expenses for adjusting its facilities. This record of costs then forms the basis for payment by the SHA to the utility company and in turn FHWA reimburses the SHA for its payments to the utility company. A utility company's cost accounting records establish a means of identifying the costs incurred in adjusting utility facilities. The SHA uses these records to verify the costs to base its payments on. The FHWA payment is based on the costs the State pays for. If the utility did not keep a record of its costs, then there would be no documentation of the expenses it would have incurred in adjusting its facilities. If this should occur, there would be no basis for Federal-aid highway fund participation in the costs and, under 23 U.S.C. 123, the FHWA would not be able to reimburse the State for utility adjustments. There are approximately 30,000 utility companies in the United States. In any one year, it is estimated that about 10 percent, or 3,000, of these utilities will be involved with reimbursable utility adjustments on Federal-aid projects. It is further estimated that each of these 3,000 utilities will have about 3 adjustments

of its facilities per year on Federal-aid projects. The net impact is approximately 9,000 reimbursable utility adjustments. For a typical adjustment, about 20 hours of staff time (16 hours professional staff; 4 hours secretarial staff) are expended to establish and maintain the record of costs.

Estimated Annual Burden: 180,000 hours.

ADDRESSES: Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention FHWA Desk Officer.

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.

Issued in Washington, DC, on August 20, 1997.

Phillip A. Leach,

Clearance Officer, United States Department of Transportation.

[FR Doc. 97-22741 Filed 8-26-97; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Task Force on Assistance to Families in Aviation Disasters Open Meeting

AGENCY: Office of the Secretary, (DOT).

ACTION: Notice of Meeting.

SUMMARY: The Task Force on Assistance to Families in Aviation Disasters will hold a meeting to discuss assistance to families of passengers involved in aviation accidents. The meeting is open to the public.

DATES: The meeting will be held on Thursday, September 18, 1997, from 9:00 a.m. to 5:00 p.m. and on Friday, September 19, 1997, from 8:30 a.m. to 5:00 p.m.

ADDRESSES: The meetings will take place in Room 2230 of Department of Transportation (DOT) Headquarters, 400 7th Street, SW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Steven R. Okun, Task Force Executive

Director, telephone 202-366-4702, or Marc C. Owen, Task Force Staff Director, mailing address, 400 7th Street SW., Room 5424, Washington, DC 20590, telecopier 202-366-7147, and telephone 202-366-6823.

SUPPLEMENTARY INFORMATION: Pursuant to the Federal Advisory Committee Act (5 U.S.C. Appendix), DOT gives notice of a meeting of the Task Force on Assistance to Families in Aviation Disasters (Task Force). The Task Force was established by the Aviation Disaster Family Assistance Act of 1996 to develop recommendations on ways to improve the treatment of families of passengers involved in aviation accidents. The meeting is open to the public both days. In particular, topics for discussion at the September 18 session include a presentation by the National Transportation Safety Board on the lessons learned from the Korean Air Flight 801 disaster as well as a review of the recommendations to be issued by the Task Force in its Final Report to Congress, including a discussion of passenger manifest requirements that could be implemented to speed family notification. On September 19, the Task Force will hear testimony regarding the treatment of families by lawyers and continue the review of the recommendations to be issued by the Task Force in its Final Report to Congress.

Issued in Washington, DC, on August 21, 1997.

Steven R. Okun,

Task Force Executive Director, Department of Transportation.

[FR Doc. 97-22740 Filed 8-26-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. 97-28, Notice 2]

Cooper Tire & Rubber Co.; Grant of Application for Decision of Inconsequential Noncompliance

Cooper Tire & Rubber Company (Cooper) has determined that some of its tires fail to comply with the labeling requirements of 49 CFR 571.119, Federal Motor Vehicle Safety Standard (FMVSS) No. 119, "New Pneumatic Tires for Vehicles Other Than Passenger Cars" and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Cooper has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301,

"National Traffic and 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 April 22, 1997, in the **Federal Register** (62 FR 19651). This notice grants the application.

In FMVSS No. 119, paragraph S6.5(d) specifies that tires be marked on each sidewall with the maximum load rating and corresponding inflation pressure of the tire, and paragraph S6.5(j) specifies that each tire be marked with the letter designating the tire load range.

During the forty-seventh and forty-eighth production weeks of 1996, Cooper manufactured 553 tires with the incorrect load and inflation label on the serial side. The tires were the Dean Wildcat Radial (LT 235/85R16, tubeless, outline white letters, and 10 ply rating). The incorrect label reads "Load Range D Max at 65 PSI." The correct information should have been "Load Range E Max at 80 PSI."

Cooper supported its application for inconsequential noncompliance with the following information:

The mislabeling on each tire does not present a safety-related defect. The involved tires are designed to carry a heavier load (load range E at 80 PSI) than the incorrect labeling specified (load range D at 65 PSI). Consequently, any misapplication of the tire would be for the user to carry a lighter load than the maximum load for which the tires are designed.

The involved tires have the correct load and inflation information on the non-serial side which is the side with the outline white letters. In addition, each tire had a paper tread label affixed to it reflecting the correct load information.

The involved tires produced from this mold during the production periods comply with all other requirements of 49 CFR 571.

The incorrect load range and inflation information is within the design parameters of the tire and would not result in any overloading or overinflation of the involved tires.

The forty-eight (48) tires remaining in Cooper's inventory will be re-stamped with the correct load and inflation information.

NHTSA received no comments on this application during the 30-day comment period.

The primary safety purpose of requiring the load range label on a motor vehicle tire is to ensure that the end-users can select a tire appropriate for their vehicles. The absence of the vehicle label specifying the tire range load would likely result in an improper tire selection by the tire dealer or vehicle owner. In this case, Cooper understated the load carrying capability of the tire. Similarly, the labeled

maximum inflation pressure of 65 PSI is lower than the tire's designed maximum inflation pressure of 80 PSI. Cooper, in effect, produced a better tire than the label would indicate to the end-user. The agency agrees with Cooper's rationale that a vehicle equipped with the subject tires and loaded per the incorrect maximum load rating would not cause an unsafe condition, because the end-user would carry a lighter load than the load for which the tires are designed.

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 safety. Accordingly, its application is granted, and the applicant is exempted from providing the notification of the noncompliance that is 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, delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: August 21, 1997.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 97-22796 Filed 8-26-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

Release of Waybill Data

The Surface Transportation Board has received a request from Hogan & Hartson on behalf of Canadian Pacific Railway (WB471-2—7/7/97), for permission to use certain data from the Board's Carload Waybill Samples. A copy of the request may be obtained from the Office of Economics, Environmental Analysis, and Administration.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics, Environmental Analysis, and Administration within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.8.

Contact: James A. Nash, (202) 565-1542.

Vernon A. Williams,
Secretary.

[FR Doc. 97-22811 Filed 8-26-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33441]

Paducah & Louisville Railway— Trackage Rights Exemption—CSX Transportation, Inc.

CSX Transportation, Inc. (CSXT) has agreed to grant overhead trackage rights to Paducah & Louisville Railway (P&L) between the P&L/CSXT connection at Madisonville, KY, at or near milepost OOH 275, and the Diamond J Mine located on CSXT's Morganfield Branch, at or near milepost MB 294.1, including access to the Western Kentucky Railroad connection at Providence, KY, at or near milepost MB-291.8, for a total distance of approximately 18.8 miles in Hopkins and Webster Counties, KY.

The transaction is scheduled to be consummated on August 25, 1997.

The purpose of the trackage rights is to allow P&L to handle movements of coal from the Diamond J Mine and from the Pyro, Kentucky Mine to the BRT Terminal, at Jessup, KY, for blending and for barge movement beyond to the Tennessee Valley Authority water destinations, and to handle empties via the reverse route under contract PAL-C-0764.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33441, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on (1) J. Thomas Garrett, Esq., Paducah & Louisville Railway, 1500 Kentucky Avenue, Paducah, KY 42003, and (2) Fred R. Birkholz, Esq., CSX Transportation, Inc., 500 Water Street, J-150, Jacksonville, FL 32202.

Decided: August 20, 1997.