

purchasers and correct the defeat. This information also enables NHTSA to serve a foreign manufacturer with all administrative and judicial processes, notices, orders, decisions and requirements.

Estimates of the Total Annual Reporting and Recordkeeping Burden Resulting From the Collection of Information: NHTSA estimates that the number of respondents per year is 70. Each respondent provides the information once. NHTSA estimates it takes one hour to write the letter to NHTSA providing the information. The estimated total burden on all respondents for this standard is 70 hours per year.

Based on an assumed clerical cost of \$20.00 per hour, it costs each manufacturer \$20.00 to write the letter, and postage (on the average from a foreign country) of approximately \$1.00 per letter. Thus, each response costs the manufacturer a total of \$21.00. Since NHTSA estimates the number of respondents per year is 70, the total cost on all respondents per year is approximately \$1,470.00.

There are no recordkeeping costs to the manufacturers.

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 on: September 26, 2002.

Heidi L. Coleman,

Assistant Chief Counsel for Traffic Injury Control and General Law.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 2002-13357; Notice 1]

Uniroyal Goodrich Tire Manufacturing, Receipt of Application for Decision of Inconsequential Noncompliance

Uniroyal Goodrich Tire Manufacturing (Uniroyal) has determined that a total 11,262 P155/80R 13 79S Uniroyal Tiger Paw AWP 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."

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

During the period of the 5th through the 48th weeks of 2000, the Woodburn, Indiana plant of Uniroyal Goodrich Tire Manufacturing produced and cured a total of 11,262 tires with erroneous marking. Of this total, no more than 3,796 may have been delivered to end users. The remaining tires have been isolated in Uniroyal warehouses and will be brought into compliance.

FMVSS No. 109 (S4.3(e)) requires that each tire shall 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 S4.3(e) relates to the mold number. The tires were marked: SIDEWALL 2 Plies instead of the required marking of: SIDEWALL 1 Ply.

Uniroyal does not believe that this marking error will impact motor vehicle safety because the tires meet all applicable Federal Motor Vehicle Safety performance standards, and the noncompliance is one of labeling.

Interested persons are invited to submit written data, views, and arguments on the application described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation, Docket Management, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below. Comment closing date: (30 days after Publication Date).

Authority: 49 U.S.C. 301118, 301120; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: September 26, 2002.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34249 (Sub-No. 1)]

Union Pacific Railroad Company—Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company

AGENCY: Surface Transportation Board, DOT.

ACTION: Petition for exemption.

SUMMARY: The Board, under 49 U.S.C. 10502, exempts the trackage rights described in STB Finance Docket No. 34249¹ to permit the trackage rights arrangement to extend only until October 24, 2002.

DATES: This exemption is effective on October 24, 2002. Petitions to stay must be filed by October 15, 2002. Petitions to reopen must be filed by October 17, 2002.

ADDRESSES: An original and 10 copies of all pleadings referring to STB Finance Docket No. 34249 (Sub-No. 1) must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of all pleadings must be served on petitioner's representative: Robert T. Opal, General Commerce Counsel, 1416 Dodge Street, Room 830, Omaha, NE 68179.

FOR FURTHER INFORMATION CONTACT:

Beryl Gordon, (202) 565-1600. (Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339).

SUPPLEMENTARY INFORMATION:

Additional information is contained in

¹ On August 30, 2002, UP concurrently filed a notice of exemption under the Board's class exemption procedures at 49 CFR 1180.2(d)(7). The notice covered the agreement by The Burlington Northern and Santa Fe Railway Company (BNSF) to grant temporary overhead trackage rights to Union Pacific Railroad Company (UP) between BNSF milepost 6.1 near Fort Worth, TX, and BNSF milepost 218.1 near Temple, TX. See *Union Pacific Railroad Company—Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company*, STB Finance Docket No. 34249 (STB served Sept. 18, 2002). Trackage rights operations under the exemption were scheduled to be consummated on or after September 9, 2002.