

tire size, rim designation and recommended cold inflation pressure on the certification label specified by 49 CFR Section 567.4, but rather utilized the option in S5.3(b) of FMVSS 120 and provided a separate label attached to the driver side B-pillar. The separate tire information label did not list the gross vehicle weight rating (GVWR) and gross axle weight rating (GAWR) of the vehicle because those weights were identified on the Section 567.4 certification label which is also affixed to the driver side B-pillar.

Volkswagen believes that the failure of the tire information label on the driver's side B-pillar to include the vehicle weight values is at a minimum inconsequential for motor vehicle safety because the weights are included on the certification label which is also mounted on the driver side B-pillar of the vehicle. Any consumer who is interested in the vehicle weights would be able to find those values on the certification label where they are included pursuant to the requirements of Section 567.4.

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: November 2, 2001.

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

Issued on: September 27, 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 2001-10695; Notice 1]

Volkswagen of America, Inc.; Receipt of Application for Decision of Inconsequential Noncompliance

Volkswagen of America, Inc. (Volkswagen), has determined that approximately 5,772 vehicles produced between July 2000 and June 22, 2001, do not meet the labeling requirements of paragraph S5.3(b) of Federal Motor Vehicle Safety Standard (FMVSS) No. 120 "Tire Selection and Rims for Motor Vehicles Other than Passenger Cars". Pursuant to 49 U.S.C. 30118(d) and 30120(h), Volkswagen has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR Section 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.

The noncompliant vehicles were produced by Audi AG and were imported by Volkswagen. The noncompliance relates to MPV vehicles produced and imported under the Audi Allroad Quattro model designation. In these vehicles, the manufacturer did not include tire size, rim designation and recommended cold inflation pressure on the certification label specified by 49 CFR Section 567, but rather utilized the option in S5.3(b) of FMVSS 120 and provided a separate label attached to the driver side B-pillar. The separate tire information label did not list the gross vehicle weight rating (GVWR) and gross axle weight rating (GAWR) of the vehicle because those weights were identified on the Section 567.4 certification label which is also affixed to the driver side B-pillar.

Volkswagen believes that the failure of the tire information label on the driver's side B-pillar to include the vehicle weight values is at a minimum inconsequential for motor vehicle safety because the weights are included on the certification label which is also mounted on the driver side B-pillar of the vehicle. Any consumer who is interested in the vehicle weights would be able to find those values on the certification label where they are included pursuant to the requirements of Section 567.4 are visible when the door is open.

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.

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Stephen R. Kratzke,

Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Office of Hazardous Materials Safety; Notice of Delays in Processing of Exemption Applications

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applications delayed more than 180 days.

SUMMARY: In accordance with the requirements of 49 U.S.C. 5117(c), RSPA is publishing the following list of exemption applications that have been in process for 180 days or more. The reason(s) for delay and the expected completion date for action on each application is provided in association with each identified application.

FOR FURTHER INFORMATION CONTACT: J. Suzanne Hedgepeth, Director, Office of Hazardous Materials, Exemptions and Approvals, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001, (202) 366-4535.

Key to "Reasons for Delay"

1. Awaiting additional information from applicant.
2. Extensive public comment under review.