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**SUPPLEMENTARY INFORMATION:** On May 16, 2002, the City of Tallahassee submitted a revised application to correct a mathematical discrepancy in total estimated PFC revenue and to change the proposed charge expiration date in the application the FAA found substantially complete on April 2, 2002. On June 11, 2002, the City of Tallahassee submitted a letter requesting that the no later than date of July 16, 2002 for the FAA to approve or disapprove the application, in whole or part, be extended to August 15, 2002.

Issued in Orlando, Florida, on June 12, 2002.

**W. Dean Stringer,**

*Manager, Airports District Office.*

[FR Doc. 02-15801 Filed 6-21-02; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

#### Docket Number FRA-2002-12175

**Applicant:** CSX Transportation, Incorporated, Mr. Eric G. Peterson, Assistant Chief Engineer, Signal Design and Construction, 4901 Belfort Road, Suite 130 (S/C J-370), Jacksonville, Florida 32256.

CSX Transportation, Incorporated seeks approval of the proposed modification of the signal systems, on three segments of the Baltimore Service Lane, Baltimore Terminal Subdivision, near, Baltimore, Maryland, consisting of the following:

1. Elimination of the present automatic block signal (ABS) Rules 243-246 which are in effect for westward movements on the South Baltimore Industrial Track between Westport and Carroll, on the South Baltimore Branch, and conversion of the method of operation to Rule 105 (Other than main track) and Rule 46 (Operating Speeds on other than main tracks).

2. Elimination of the present traffic control system (TCS) Rules 265-272

which are in effect on the Mt. Winans No.11 Track, and conversion of the method of operation to Rules 105 and 46.

3. Elimination of the present ABS current of traffic Rule D-251 and Yard Limit Rule 93 which are in effect between Westport, milepost BRN0.5 and Mt. Winans Yard Limits, milepost BAS0.5, and conversion of the method of operation to Rules 105 and 46.

The reason given for the proposed changes is that traffic density does not warrant retention of the signal systems through these track segments.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI-401, Washington, DC 20590-0001.

Communications received within 45 days of the date of this notice will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at DOT Central Docket Management Facility, Room PI-401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590-0001. All documents in the public docket are also available for inspection and copying on the internet at the docket facility's Web site at <http://dms.dot.gov>.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on June 13, 2002.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 02-15802 Filed 6-21-02; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Denial of Motor Vehicle Recall Petition, RP01-001

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Denial of petition for a hearing on the adequacy of recall notification.

**SUMMARY:** This notice sets forth the reasons for the denial of a petition submitted to NHTSA under 49 U.S.C. 30162, requesting that the agency hold a Public Hearing to determine whether General Motors Corporation (GM) has reasonably met its obligation to notify owners of NHTSA Safety Recall No. 00V-189. The petition is identified as RP01-001.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jonathan White, Office of Defects Investigation (ODI), NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Telephone: (202) 366-5226.

**SUPPLEMENTARY INFORMATION:** Mr. Franklin Walter Long, Jr., of Detroit, MI, submitted a petition to NHTSA by facsimile dated October 24, 2001, requesting that the agency hold a Public Hearing to determine whether GM has reasonably met its obligation to notify him of NHTSA Safety Recall No. 00V-189 with respect to his model year 1991 Oldsmobile Cutlass Supreme. The petitioner alleges that GM did not notify him of NHTSA Safety Recall No. 00V-189.

ODI has reviewed its records for this recall, which involved more than 700,000 vehicles, and no other individuals have expressed any concerns to NHTSA regarding notification. When a motor vehicle manufacturer conducts a safety recall, it is required by 49 U.S.C. 30119 to use its records and State motor vehicle records to identify owners of the vehicles covered by the recall. According to records provided by GM, Northern Michigan Loan, Inc., was notified of this recall on September 28, 2000. That entity apparently was identified as the registered owner of the vehicle at that time. Subsequently, Mr. Long was mailed an owner notification with respect to this recall on March 8, 2002. Furthermore, GM has advised NHTSA that it has taken steps to buy back the petitioner's vehicle.

In view of the foregoing, it is unlikely that NHTSA would issue an order to GM regarding the adequacy of the notification under this recall following a hearing such as the one the petitioner

requested. Therefore, in view of the need to allocate and prioritize NHTSA's limited resources to best accomplish the agency's safety mission, the petition is denied.

**Authority:** 49 U.S.C. 30162(d); delegations of authority at CFR 1.50 and 501.8.

Issued on: June 18, 2002.

**Kenneth N. Weinstein,**

*Associate Administrator for Safety Assurance.*

[FR Doc. 02-15798 Filed 6-21-02; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF VETERANS AFFAIRS

### Diseases Not Associated With Exposure to Certain Herbicide Agents

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** As required by law, the Department of Veterans Affairs (VA) hereby gives notice that the Secretary of Veterans Affairs, under the authority granted by the Agent Orange Act of 1991, has determined that a presumption of service connection based on exposure to herbicides used in the Republic of Vietnam during the Vietnam Era is not warranted for the following conditions: Hepatobiliary cancers, nasal and nasopharyngeal cancer, bone cancers, breast cancer, cancers of the female reproductive system, urinary bladder cancer, renal cancer, testicular cancer, leukemia, reproductive effects (abnormal sperm parameters and infertility), Parkinson's disease, chronic persistent peripheral neuropathy, lipid and lipoprotein disorders, gastrointestinal and digestive disease (other than diabetes mellitus), immune system disorders, circulatory disorders, respiratory disorders (other than certain respiratory cancers), skin cancer, cognitive and neuropsychiatric effects, gastrointestinal tract tumors, brain tumors, amyloidosis, and any other condition for which the Secretary has not specifically determined a presumption of service connection is warranted.

**FOR FURTHER INFORMATION CONTACT:** John Bisset, Jr., Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, 810 Vermont Avenue, NW., Washington, DC 20420, telephone (202) 273-7213.

**SUPPLEMENTARY INFORMATION:** Section 3 of the Agent Orange Act of 1991, Public Law 102-4, 105 Stat. 11, directed the Secretary to seek to enter into an agreement with the National Academy of Sciences (NAS) to review and

summarize the scientific evidence concerning the association between exposure to herbicides used in support of military operations in the Republic of Vietnam during the Vietnam Era and each disease suspected to be associated with such exposure. Congress mandated that NAS determine, to the extent possible: (1) Whether there is a statistical association between the suspect diseases and herbicide exposure, taking into account the strength of the scientific evidence and the appropriateness of the methods used to detect the association; (2) the increased risk of disease among individuals exposed to herbicides during service in the Republic of Vietnam during the Vietnam Era; and (3) whether there is a plausible biological mechanism or other evidence of a causal relationship between herbicide exposure and the suspect disease. Section 3 of Public Law 102-4 also required that NAS submit reports on its activities every two years (as measured from the date of the first report) for a ten-year period.

Section 2 of Public Law 102-4 provides that whenever the Secretary determines, based on sound medical and scientific evidence, that a positive association (i.e., the credible evidence for the association is equal to or outweighs the credible evidence against the association) exists between exposure of humans to an herbicide agent (i.e., a chemical in an herbicide used in support of the United States and allied military operations in the Republic of Vietnam during the Vietnam Era) and a disease, the Secretary will publish regulations establishing presumptive service connection for that disease. If the Secretary determines that a presumption of service connection is not warranted, he is to publish a notice of that determination, including an explanation of the scientific basis for that determination. The Secretary's determination must be based on consideration of the NAS reports and all other sound medical and scientific information and analysis available to the Secretary.

Although Public Law 102-4 does not define "credible," it does instruct the Secretary to "take into consideration whether the results [of any study] are statistically significant, are capable of replication, and withstand peer review." Simply comparing the number of studies which report a positive relative risk to the number of studies which report a negative relative risk for a particular condition is not a valid method for determining whether the weight of evidence overall supports a finding that there is or is not a positive

association between herbicide exposure and the subsequent development of the particular condition. Because of differences in statistical significance, confidence levels, control for confounding factors, bias, and other pertinent characteristics, some studies are clearly more credible than others, and the Secretary has given the more credible studies more weight in evaluating the overall weight of the evidence concerning specific diseases.

NAS issued its initial report, entitled "Veterans and Agent Orange: Health Effects of Herbicides Used in Vietnam," (VAO) on July 27, 1993. The Secretary subsequently determined that a positive association exists between exposure to herbicides used in the Republic of Vietnam and the subsequent development of Hodgkin's disease, porphyria cutanea tarda, multiple myeloma, and certain respiratory cancers; and that there was no positive association between herbicide exposure and any other condition, other than chloracne, non-Hodgkin's lymphoma, and soft-tissue sarcomas, for which presumptions already existed. A notice of the diseases that the Secretary determined were not associated with exposure to herbicide agents was published on January 4, 1994. (See 59 FR 341 (1994).)

NAS issued its second report, entitled "Veterans and Agent Orange: Update 1996" (Update 1996), on March 14, 1996. The Secretary subsequently determined that a positive association exists between exposure to herbicides used in the Republic of Vietnam and the subsequent development of prostate cancer and acute and subacute peripheral neuropathy in exposed persons. The Secretary further determined that there was no positive association between herbicide exposure and any other condition, other than those for which presumptions already existed. A notice of the diseases that the Secretary determined were not associated with exposure to herbicide agents was published on August 8, 1996. (See 61 FR 41442 (1996).)

NAS issued a third report, entitled "Veterans and Agent Orange: Update 1998" (Update 1998), on February 11, 1999. The focus of this updated review was on new scientific studies published since the release of Update 1996 and updates of scientific studies previously reviewed. After NAS issued Update 1998, the Secretary determined that there was no positive association between herbicide exposure and any other condition, other than those for which presumptions already existed. A notice of the diseases that the Secretary determined were not associated with