

annual report documenting safety activities. Collection of this information will enable the State oversight agency to monitor effectively the safety of the rail fixed guideway system. Without certification from the State oversight agency, FTA would be unable to determine each State's compliance with Section 5330.

If a State fails to comply with the requirements of section 5330, FTA may withhold up to five percent of funds apportioned under section 5307 to a State, or urbanized area within a State, beginning in Fiscal Year 1997.

**Estimated Annual Burden on Respondents:** Approximately 663.50 hours for each of the 56 respondents.

**Estimated Total Annual Burden:** 37,158 hours.

**Frequency:** Annual.

Issued: July 24, 2002.

**Dorrie Y. Aldrich,**

*Associate Administrator for Administration.*

[FR Doc. 02-19130 Filed 7-29-02; 8:45 am]

**BILLING CODE 4910-57-M**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

**[Docket No. NHTSA 2002-12479; Notice 1]**

#### Dorel Juvenile Group; Receipt of Application for Determination of Inconsequential Non-Compliance

Dorel Juvenile Group [Cosco] (DJG), of Columbus, Indiana, failed to comply with S5.4.1(a) of Federal Motor Vehicle Safety Standard (FMVSS) No. 213, "Child Restraint Systems," which incorporates S5.1(d) of FMVSS No. 209, "Seat Belt Assemblies," and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." DJG has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance is inconsequential to motor vehicle safety.

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

The following summarizes the DJG petition based upon information provided with the petition in accordance with the requirements of 49 CFR part 556, "Exemption for Inconsequential Defect or Noncompliance."

#### Summary of the Petition

On July 11, 2001, as a result of its fiscal year 2001 testing, NHTSA notified DJG, by telephone, of a potential noncompliance regarding DJG's tether webbing. The noncompliance is the webbing utilized for tether assemblies on many of DJG child restraints produced from January 2000 through September 30, 2001 (39 Models and 3,957,826 units). DJG determined that one of the suppliers of tether webbing utilized in the tether assemblies had provided some webbing that did not meet the abrasion test requirements. DJG's unabraded tether webbing strength, measured by NHTSA's FY 2001 compliance testing, was 4,450 pounds, and after abrasion it was 2,450 pounds (a ratio of abraded/unabraded webbing strength of 55%). Section 5.4.1(a) of FMVSS No. 213 requires webbing to have an abraded strength of not less than 75% of its unabraded breaking strength.

DJG believes that because its unabraded webbing strength was high (4,450 pounds), not meeting the 75% abrasion strength requirement of S5.4.1(a) of FMVSS No. 213 is inconsequential to motor vehicle safety. DJG believes that its abraded strength at 2,450 pounds is far in excess of the anchorage strength requirements specified in FMVSS No. 225 "Child restraint anchorage systems" at 1,191 pounds. DJG also believes that the abraded webbing strength test procedure set forth in S5.4.1(a) of FMVSS No. 213 is flawed and that minimum abraded breaking strength should be specified. Therefore, DJG filed this petition on the basis that the noncompliance is inconsequential to motor vehicle safety.

#### Availability of the Petition and Other Documents

The petition and other relevant information are available for public inspection in NHTSA Docket No. NHTSA-2002-12479. You may call the Docket at (202) 366-9324 or you may visit the Docket Management in Room PL-401, 400 Seventh Street, SW, Washington, DC 20590 (10:00 a.m. to 5 p.m., Monday through Friday). You may also view the petition and other relevant information on the Internet. To do this, do the following:

(1) Go to Docket Management System (DMS) Web page for the Department of Transportation (<http://dms.dot.gov>)

(2) On that page, click on "Simple Search."

(3) On the next page (<http://dms.dot.gov/search/SearchFormSimple.cfm>), type the docket number "12479." After typing the docket number, click on "search."

(4) On the next page, which contains docket summary information for the docket you selected, click on the desired comments. You may download the comments and other materials.

#### Comments

Interested persons are invited to submit written data, views and arguments on the petition of DJG 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 practicable. 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:** August 29, 2002.

(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on: July 23, 2002.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 02-19141 Filed 7-29-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

**[STB Docket No. AB-55 (Sub-No. 618)]**

#### CSX Transportation, Inc.—Discontinuance—at Memphis, in Shelby County, TN

On July 10, 2002, CSX Transportation, Inc. (CSXT), filed with the Surface Transportation Board (Board) an application for permission to discontinue service over a 1.1-mile portion of its Midwest Region, Nashville Division, Memphis Terminal line between milepost ONI 224.00, at Memphis and milepost ONI 222.9 east of Memphis, in Shelby County, TN.<sup>1</sup>

<sup>1</sup> CSXT previously filed a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903 to abandon the above line, plus an additional 12.24 miles of rail line, extending from milepost ONI 224.00 near Memphis, to milepost ONI 210.66 near Cordova. The Board denied the petition in *CSX Transportation, Inc.—Abandonment Exemption—(Between Memphis and Cordova) in Shelby County, Continued*

The line traverses U.S. Postal Service ZIP Codes 38111 and 38112. Applicant has indicated that the line includes the station of Memphis.

The line does not contain federally granted rights-of-way. Any documentation in CSXT's possession will be made available promptly to those requesting it. The applicant's entire case for discontinuance (case-in-chief) was filed with the application.

The line of railroad has appeared on CSXT's system diagram map or has been included in its narrative in category 1 since March 6, 2002.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

Any interested person may file with the Board written comments concerning the proposed discontinuance or protests (including the protestant's entire opposition case), by August 26, 2002. Because this is a discontinuance proceeding, and not an abandonment, trail use/rail banking, and public use requests are not appropriate. Also, only offers of financial assistance (OFA) under 49 U.S.C. 10904 to subsidize (not purchase) the line will be entertained.

Persons opposing the discontinuance who wish to participate actively and fully in the process should file a protest. Persons who may oppose the discontinuance but who do not wish to participate fully in the process by submitting verified statements of witnesses containing detailed evidence should file comments. Persons seeking information concerning the filing of protests should refer to 49 CFR 1152.25.

In addition, a commenting party or protestant may provide: (i) An OFA to subsidize rail service under 49 U.S.C. 10904 (due 120 days after the application is filed or 10 days after the application is granted by the Board, whichever occurs sooner); and (ii) recommended provisions for protection of the interests of employees.

The line sought to be discontinued will be available for subsidy for

*TN*, STB Docket No. AB-55 (Sub-No. 590X) (STB served Dec. 12, 2001), finding that CSXT had failed to show that the current situation imposed a burden on it that outweighed the harm if the line were to be abandoned. The Board's denial of the petition was without prejudice to CSXT's refiling an appropriate application or a petition for exemption. On March 29, 2002, CSXT filed a petition under 49 U.S.C. 10502 for exemption from 49 U.S.C. 10903 in *CSX Transportation, Inc.—Discontinuance Exemption—(Between East of Memphis and Cordova) in Shelby County, TN*, STB Docket No. AB-55 (Sub-No. 615X) to discontinue service over the 12.24-mile segment of the line between milepost ONI 222.9, east of Memphis, and milepost ONI 210.66, near Cordova, at the end of the line. The Board granted the petition by decision served on July 17, 2002.

continued rail use, if the Board decides to permit the discontinuance, in accordance with applicable laws and regulations (49 U.S.C. 10904 and 49 CFR 1152.27). Each OFA must be accompanied by a \$1,100 filing fee. See 49 CFR 1002.2(f)(25). No subsidy arrangement approved under 49 U.S.C. 10904 shall remain in effect for more than 1 year unless otherwise mutually agreed by the parties (49 U.S.C. 10904(f)(4)(B)). Applicant will promptly provide upon request to each interested party an estimate of the subsidy required to keep the line in operation. The carrier's representative to whom inquiries may be made concerning subsidy terms is set forth below.

All filings in response to this notice must refer to STB Docket No. AB-55 (Sub-No. 618) and must be sent to: (1) Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001; and (2) Louis E. Gitomer, Esq., Ball Janik, LLP, 1455 F St., NW., Suite 225, Washington, DC 20005. The original and 10 copies of all comments or protests shall be filed with the Board with a certificate of service. Except as otherwise set forth in part 1152, every document filed with the Board must be served on all parties to the discontinuance proceeding. 49 CFR 1104.12(a).

Persons seeking further information concerning discontinuance procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1552. [TDD for the hearing impaired is available at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in discontinuance proceedings normally will be made available within 33 days of the filing of the application. The deadline for submission of comments on the EA will generally be within 30 days of its service. The comments received will be addressed in the Board's decision. A supplemental EA or EIS may be issued where appropriate.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: July 24, 2002.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

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**BILLING CODE 4915-00-P**

## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

[Notice No. 949; ATF O 1130.29]

### Delegation Order—Delegation of The Director's Authorities in 27 CFR Part 26, Liquors and Articles From Puerto Rico and the Virgin Islands

To: All Bureau Supervisors

1. *Purpose.* This order delegates certain authorities of the Director to subordinate ATF officers and prescribes the subordinate ATF officers with whom persons file documents which are not ATF forms.

2. *Background.* The Director has the authority to take final action on matters relating to liquors and articles from Puerto Rico and the Virgin Islands. Certain of these authorities have been delegated to lower organizational levels through ATF O 1130.23—Delegation Order—Delegation of the Director's Authorities in 27 CFR part 250, Liquors and Articles from Puerto Rico and the Virgin Islands. ATF is currently restructuring the part numbering system in title 27 of the Code of Federal Regulations (CFR). The regulations relating to liquors and articles from Puerto Rico and the Virgin Islands, previously located in 27 CFR part 250, are now recodified as 27 CFR part 26. Due to this restructuring, ATF O 1130.23 must be cancelled and a new order must be issued to reflect the new part number.

3. *Cancellation.* ATF O 1130.23, Delegation Order—Delegation of the Director's Authorities in 27 CFR part 250, Liquors and Articles from Puerto Rico and the Virgin Islands, dated 8/13/2001, is canceled.

4. *Delegations.* Under the authority vested in the Director, Bureau of Alcohol, Tobacco and Firearms, by Treasury Department Order No. 120-01 (formerly 221), dated June 6, 1972, and by 26 CFR 301.7701-9, this ATF order delegates certain authorities to take final action prescribed in 27 CFR part 26 to subordinate officials. Also, this ATF order prescribes the subordinate officials with whom applications, notices, and reports required by 27 CFR part 26, which are not ATF forms, are filed. The attached table identifies the