

defect trends. The adjustment and claims rates are low in comparison to peer tires, and the incidence of injury crashes do not reflect a trend for any specific tire.

ODI analyzed all available data relating to the Decatur Steeltex R4S LT225/75R16 E tire installed on the lead plaintiff's motorhome. These tires were manufactured from 1995-1999 and were used as original equipment on some Ford full-size pick-up trucks and vans and sold as replacement tires. The tires were also frequently installed on Class C motorhomes on which overloading of an axle or specific wheel position is not unusual, which can contribute to tire failures. The warranty rates for these tires have been less than 0.1% from 1997 through 1999, and were never greater than 0.3%. There have been only two injury crashes associated with tread separations in these tires, both involving full-sized vans, and no fatalities.

As noted in PE00-040, the adjustment and claims tread separation rates for the subject tires are lower than those observed in peer LRE tires. This is true of the total population of subject tires, as well as individual tires analyzed by product code and assembly plant.

Discussion

The subject Steeltex tires, as defined in the Petition, represent an immense population of 39 million tires, manufactured over twelve years, and a wide variety of different tire line, size, load range, and plant combinations. The numbers of tread separation failures in those tires are functions of the large volume produced and the more severe service conditions associated with light truck radial tires, especially in the LRE category. Within this universe of experience, ODI identified a total of 54 crashes involving injury, resulting in 106 injuries and 13 deaths. Tread separation was alleged as the failure mode in 41 of these crashes, which were responsible for all of the deaths and 90 of the injuries.

These failures are distributed among a variety of different tires and assembly plants. About half of these incidents involve tires manufactured at the Joliette assembly plant, which is consistent with the number of subject tires produced there. Firestone's examination of some of the tires involved in these events has identified evidence of under-inflation, impact break, shoulder damage, un-repaired punctures, and improper repair. In addition, some of the tires that were sold as replacement tires were misapplied. While ODI has not been able to independently examine these tires, we note that the facts related to the

causes of many of these events are in dispute.

ODI has monitored its VOQ database since it closed PE00-040, to identify Steeltex complaints and any related injury reports. In general, ODI has seen a continued decline in the rate of complaints received since October 2000, despite the publicity related to the Petition and associated class action lawsuit.

To better analyze specific tire lines of interest, ODI examined property damage claim and warranty adjustment data furnished by Firestone. These data are both the largest bodies of failure data and the only data available that contain the specific tire identification information necessary to conduct detailed analyses by tire line and assembly plant. The overall Steeltex claims rate rose from 28 to 31 ppm between the closing of PE00-040 and the present, while the overall adjustment rate remained constant at 0.04%. Some individual tire populations had higher rates of adjustments and claims; however, none were as high as those of the competitor LRE tires examined by ODI.

ODI examined the material submitted by the Petitioners in an effort to identify tire failures and crashes involving injury that could indicate the presence of a safety-related defect trend. Within this material, there were reports of 115 additional tire failures beyond those considered in PE00-040. These included three injury crashes, which led to four (4) injuries. Therefore, the fundamental statistics concerning the performance of the subject tires have changed little since PE00-040 was closed.

Conclusion

Based on ODI's analysis of information submitted in support of the Petition and additional complaint and claims information received since the closing of PE00-040, it is unlikely that NHTSA would issue an order for the notification and remedy of a safety-related defect in the subject Steeltex tires at the conclusion of the investigation requested in the Petition. The statistics concerning the performance of these tires have changed little since the closing of PE00-040 and no specific defect trend has been identified. Therefore, in view of the need to allocate and prioritize NHTSA's limited resources to best accomplish the agency's safety mission, ODI has decided to deny the petition to reopen the Steeltex investigation. ODI will continue to monitor the performance of these tires for any signs that a defect trend may be developing.

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

Issued on: June 11, 2003.

Kenneth N. Weinstein,
Associate Administrator for Enforcement.
[FR Doc. 03-15191 Filed 6-16-03; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. RSPA-2003-14307 (Notice No. 03-8)]

Notice of Information Collection Approval

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of information collection approval.

SUMMARY: This notice announces Office of Management and Budget approval of information collection requests (ICRs), for OMB No. 2137-0559, "Rail Carriers and Tank Car Tank Requirements"; and OMB No. 2137-0051, "Rulemaking, Exemption, and Preemption Requirements." These information collections have been extended until May 31, 2006.

DATES: The expiration date for these ICRs is May 31, 2006.

ADDRESSES: Requests for a copy of an information collection should be directed to Deborah Boothe or T. Glenn Foster, Office of Hazardous Materials Standards (DHM-10), Research and Special Programs Administration, Room 8102, 400 Seventh Street, SW., Washington, DC 20590-0001.

FOR FURTHER INFORMATION CONTACT: Deborah Boothe or T. Glenn Foster, Office of Hazardous Materials Standards (DHM-10), Research and Special Programs Administration, Room 8102, 400 Seventh Street, SW., Washington, DC 20590-0001, Telephone (202) 366-8553.

SUPPLEMENTARY INFORMATION: Office of Management and Budget (OMB) regulations (5 CFR 1320) implementing provisions of the Paperwork Reduction Act of 1995 (P.L. 104-13) require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(s)) and specify that no person is required to respond to an information collection unless it displays a valid OMB control number. In accordance with the Paperwork Reduction Act of 1995, RSPA has received OMB approval of the following ICRs:

OMB Control Number: 2137-0559.
Title: Rail Carriers and Tank Car Tank Requirements.

OMB Control Number: 2137-0051.
Title: Rulemaking, Exemption, and Preemption Requirements.

These information collection approvals expire on May 31, 2006.

Issued in Washington, DC on June 12, 2003.

Edward T. Mazzullo,

Director, Office of Hazardous Materials Standards.

[FR Doc. 03-15279 Filed 6-16-03; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34323]

Alabama Gulf Coast Railway LLC— Exemption and Operation Exemption—The Burlington Northern and Santa Fe Railway Company

Alabama Gulf Coast Railway LLC (AGR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire from The Burlington Northern and Santa Fe Railway Company (BNSF) approximately 288.43 miles of rail line in Alabama and Mississippi. AGR proposes to: (1) Purchase BNSF's rail line between milepost 654.005 near Whitbury, MS, and milepost 776.1 near Gulf, AL, a distance of 122.095 miles; (2) lease BNSF's rail line between milepost 649.3 near Columbus, MS, and milepost 654.005 near Whitbury, MS, a distance of 4.705 miles; (3) acquire overhead trackage rights over BNSF's rail line between Amory, MS Yard, milepost 612.32, and Columbus, MS, milepost 649.3, a distance of 36.98 miles; (4) acquire by assignment BNSF's trackage rights over Norfolk Southern Railway Company (NS) line between Kimbrough, AL, and Mobile, AL (TASAD Switch), a distance of about 102.55 miles;¹ (5) lease BNSF's rail line between milepost 851.4 near M&T Chemical, AL, and milepost 873.5 at Mobile, AL; and (6) sublease certain facilities of the Terminal Railway Alabama State Docks. BNSF will retain overhead trackage rights on the rail lines

¹ NS's predecessor Southern Railway Company granted BNSF's predecessor, the Burlington Northern Railroad Company, the above-described trackage rights. See *Burlington Northern Railroad Company-Trackage Rights Exemption—Southern Railway Company*, ICC Finance Docket No. 30739 (ICC served Nov. 5, 1985); and *Burlington Northern Railroad Company—Trackage Rights Exemption—Southern Railway Company*, ICC Finance Docket No. 30739 (Sub-No. 1) (ICC served May 5, 1994).

that are purchased by AGR and trackage rights on the rail lines that are leased and subleased to AGR.

Because AGR's projected annual revenues will exceed \$5 million, AGR certified to the Board on March 11, 2003, that, on that date, it had posted the required notice of intent to undertake the proposed transaction at the workplace of the employees on the affected line and had served a copy of the notice of intent on the national offices of all labor unions with employees on the rail line. See 49 CFR 1150.42(e).

AGR states that it intends to consummate the transaction on or after June 1, 2003, which is more than 60 days after it certified to the Board that it had complied with the Board's rule at 49 CFR 1150.42(e).

If the notice 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. 34323, must be filed with the Surface Transportation Board, 1925 K Street NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Louis E. Gitomer, Ball Janik LLP, 1445 F Street, NW., Suite 225, Washington, DC 20005.

Board decisions and notices are available on our Web site at "<http://www.stb.dot.gov>."

Decided: June 9, 2003.

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

Vernon A. Williams,

Secretary.

[FR Doc. 03-14976 Filed 6-16-03; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Earned Income Tax Credit Issue Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Earned Income Tax Credit Issue Committee will be conducted (via teleconference).

DATES: The meeting will be held Wednesday, July 16, 2003.

FOR FURTHER INFORMATION CONTACT: Marisa Knispel at 1-888-912-1227, or 718-488-3557.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Earned Income Tax Credit Issue Committee will be held Wednesday, July 16, 2003 from 2 p.m. EDT to 3 p.m. EDT via a telephone conference call. The public is invited to make oral comments. Individual comments will be limited to 5 minutes. If you would like to have the TAP consider a written statement, please call 1-888-912-1227 or 718-488-3557, or write Marisa Knispel, TAP Office, 10 Metrotech Center, 625 Fulton Street, Brooklyn, NY 11021, or post comments to the Web site: <http://www.improveirs.org>. Due to limited conference lines, notification of intent to participate in the telephone conference call meeting must be made in advance with Marisa Knispel. Ms. Knispel can be reached at 1-888-912-1227 or 718-488-3557.

The agenda will include the following: Various IRS issues.

Note: Last minute changes to the agenda are possible and could prevent effective advance notice.

Dated: June 11, 2003.

Deryle Temple,

Director, Taxpayer Advocacy Panel.

[FR Doc. 03-15285 Filed 6-16-03; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Area 1 Taxpayer Advocacy Panel (Including the States of New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont and Maine)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: An open meeting of the Area 1 Taxpayer Advocacy Panel will be conducted (via teleconference).

DATES: The meeting will be held Tuesday, July 22, 2003.

FOR FURTHER INFORMATION CONTACT: Marisa Knispel at 1-888-912-1227, or 718-488-3557.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Area 1