

and Performance Requirements for Lighter-Than-Air Light Sport Aircraft.

i. ASTM Designation F 2356-05, titled: Standard Specification for Production Acceptance Testing System for Lighter-Than-Air Light Sport Aircraft.

j. ASTM Designation F 2415-05, titled: Standard Practice for Continued Airworthiness System for Light Sport Gyroplane Aircraft.

k. ASTM Designation F 2425-05, titled: Standard Specification for Continued Airworthiness System for Weight-Shift-Control Aircraft.

l. ASTM Designation F 2426-05, titled: Standard Guide on Wing Interface Documentation for Powered Parachute Aircraft.

m. ASTM Designation F 2427-05, titled: Standard Specification for Required Product Information to be Provided with Lighter-Than-Air Light Sport Aircraft.

n. ASTM Designation F 2447-05, titled: Standard Practice for Production Acceptance Test Procedures for Weight-Shift-Control Aircraft.

o. ASTM Designation F 2448-04, titled: Standard Practice for Manufacturer Quality Assurance System for Weight-Shift-Control Aircraft.

p. ASTM Designation F 2449-05, titled: Standard Specification for Manufacturer Quality Assurance Program for Light Sport Gyroplane Aircraft.

q. ASTM Designation 2457-05, titled: Standard Specification for Required Product Information to be Provided with Weight-Shift-Control Aircraft.

Availability

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Issued in Kansas City, Missouri on July 19, 2005.

William J. Timberlake,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2005-21925; Notice 1]

Continental Tire North America, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

Continental Tire North America, Inc. (Continental Tire) has determined that certain tires that it produced do not comply with S6.5 of 49 CFR 571.119, Federal Motor Vehicle Safety Standard (FMVSS) No. 119, "New pneumatic tires for vehicles other than passenger cars." Continental Tire has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Continental Tire has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Continental Tire's petition 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 petition.

Affected are a total of approximately 430 tires produced on May 24, 2005. One requirement of S6.5 of FMVSS No. 119, tire markings, is that the tire identification shall comply with 49 CFR Part 574, "Tire Identification and Recordkeeping," which includes the marking requirements of 574.5(b) DOT size code, and 574.5(c) DOT tire type. The subject tires are incorrectly marked for both size code and tire type. The markings read "A3 3T 1WP XXXX" when they should read "A3 55 1N1 XXXX."

Continental Tire explains:

[T]he curing mold used in the production of the tires was being serviced. During the service, the interchangeable plugs that contain the DOT size and type information came out of the mold. The individual replacing the plugs inserted plugs engraved with the incorrect information. The noncompliance was discovered after 430 tires had been cured in this mold.

Continental Tire believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. Continental Tire states that "[a]ll other sidewall identification markings and safety information are correct, referring to recognizable size markings and load carrying capacities. A consumer or dealer examining the DOT Code could still determine the correct

manufacturing plant and correct manufacturing date."

Interested persons are invited to submit written data, views, and arguments on the petition described above. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods. Mail: Docket Management Facility, U.S. Department of Transportation, Nassif Building, Room PL-401, 400 Seventh Street, SW., Washington, DC, 20590-0001. Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC. It is requested, but not required, that two copies of the comments be provided. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal holidays. Comments may be submitted electronically by logging onto the Docket Management System Web site at <http://dms.dot.gov>. Click on "Help" to obtain instructions for filing the document electronically. Comments may be faxed to 1-202-493-2251, or may be submitted to the Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

The petition, supporting materials, and all comments received before the close of business on the closing date indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: August 26, 2005.

Authority: 49 U.S.C. 30118, 30120; Delegations of authority at CFR 1.50 and 501.8.

Issued on: July 21, 2005.

Ronald L. Medford,

Senior Associate Administrator for Vehicle Safety.

[FR Doc. 05-14856 Filed 7-26-05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2005-21192; Notice 2]

ArvinMeritor, Inc., Denial of Petition for Decision of Inconsequential Noncompliance

ArvinMeritor Inc. (ArvinMeritor) has determined that certain automatic slack

adjusters assembled by the petitioner in 2004 do not comply with S5.1.8(a) and S5.2.2(a) of 49 CFR 571.121, Federal Motor Vehicle Safety Standard (FMVSS) No. 121, "Air brake systems." Pursuant to 49 U.S.C. 30118(d) and 30120(h), ArvinMeritor 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." Notice of receipt of the petition was published, with a 30 day comment period, on May 17, 2005 in the **Federal Register** (70 FR 28352). NHTSA received two comments.

Affected are a total of approximately 187 automatic slack adjusters assembled between October 13, 2004 and December 20, 2004. S5.1.8(a) is applicable to trucks and buses, and S5.2.2(a) is applicable to trailers. Both sections are titled "Brake adjuster," and both require that:

Wear of the service brakes shall be compensated for by means of a system of automatic adjustment. When inspected pursuant to S5.9, the adjustment of the service brakes shall be within the limits recommended by the vehicle manufacturer.

ArvinMeritor states that the noncompliant automatic slack adjusters were assembled with housings supplied by TaeJoo Ind. Co., Ltd., and these housings were below the dimensional specifications. The petitioner states that as a result, there is interference between the automatic slack adjuster pawl and the housing cavity in which the pawl is positioned, preventing the pawl from properly engaging the actuator, which can result in a reduction or elimination of the automatic adjustment function as required by S5.1.8(a) and S5.2.2(a).

ArvinMeritor believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. ArvinMeritor states that it has conducted dynamic testing of vehicles simulating the affected automatic slack adjusters and based on the results of this testing, ArvinMeritor is satisfied that the braking systems will still halt a vehicle within the stopping distances required by FMVSS No. 121.

NHTSA has reviewed the petition and has determined that the noncompliance is not inconsequential to motor vehicle safety for the following reasons.

First, we believe that out-of-adjustment brakes present a significant safety concern. As indicated in NHTSA's October 20, 1992 final rule establishing automatic brake adjuster requirements, "When brakes are under-adjusted, stopping ability is reduced

and the probability of a crash is increased. When brakes are over-adjusted,* * *the possibility of a crash [is] increased as a result of excessive lining wear, wheel lock, or brake drum cracking. Such improper brake adjustment contributes to a significant number of crashes, including those in which vehicles are unable to stop in time and those in which there are 'runaways' on steep mountain grades" (57 FR 47793 at 47794).

Second, ArvinMeritor's testing showed no major degradation in stopping distance of trucks with temporarily disabled slack adjusters. However, their data did not address long-term effects of non-functioning slack adjusters on braking performance. Because automatic slack adjusters are designed to address degradation of braking performance over time, we believe that the petitioner's test results are not persuasive.

The agency received two public comments. The first commenter, Freightliner LLC (Freightliner), supports the petitioner's belief that the noncompliance is inconsequential to safety based on three points.

First, Freightliner says that the potential failure rate for these automatic slack adjusters is below Freightliner's warranty rate for this type of component.

NHTSA cannot determine that a noncompliance is inconsequential to motor vehicle safety because a potentially serious safety failure occurs relatively infrequently.

Second, Freightliner states that it instructs drivers of the vehicles to conduct a visual inspection of the slack adjuster, brake free stroke, and brake adjustment on all axles daily; thus any failure of the slack adjuster would be identified through this daily inspection.

NHTSA cannot determine that a noncompliance is inconsequential to safety because of recommended maintenance procedures or instructions established in response to a potential safety hazard. Among other things, we have no assurances that drivers would in fact follow Freightliner's visual inspection instructions.

Third, Freightliner states that it agrees with ArvinMeritor's contention that the affected vehicles will continue to meet the stopping distance requirements of FMVSS No. 121 even in the out-of-adjustment condition.

As explained above, we cannot accept Freightliner's argument because the tests conducted by the petitioner did not show that the noncompliance would not negatively affect braking performance over time.

The second comment suggested that the agency deny the petition but did not elaborate.

In consideration of the foregoing, NHTSA has decided that the petitioner has not met its burden of persuasion that the noncompliance described is inconsequential to motor vehicle safety. Accordingly, ArvinMeritor's petition is hereby denied.

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

Issued on: July 21, 2005.

Ronald L. Medford,

Senior Associate Administrator for Vehicle Safety.

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DEPARTMENT OF THE TREASURY

Bureau of Engraving and Printing

Privacy Act of 1974, as Amended; Systems of Records

AGENCY: Bureau of Engraving and Printing, Treasury.

ACTION: Notice of systems of records.

SUMMARY: In accordance with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a, the Bureau of Engraving and Printing is publishing its inventory of Privacy Act systems of records.

SUPPLEMENTARY INFORMATION: Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a) and the Office of Management and Budget (OMB) Circular No. A-130, Bureau of Engraving and Printing (BEP) has completed a review of its Privacy Act systems of records notices to identify minor changes that will more accurately describe these records.

The changes throughout the document are editorial in nature and consist principally of changes to system locations and system manager addresses and revisions to organizational titles. In addition, the title to BEP .027 is being changed from "Programmable Access Security System (PASS)" to "Access Control and Alarm Monitoring Systems (ACAMS)."

One new system of records was established by BEP entitled "BEP .047—Employee Emergency Notification System" on August 18, 2003, and published at 68 FR 49544.

The systems notices are reprinted in their entirety following the Table of Contents.