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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:* September 7, 2006.

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

Issued on: August 3, 2006.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*  
[FR Doc. E6-12879 Filed 8-7-06; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2006-25525; Notice 1]

#### Fulmer Helmets, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

Fulmer Helmets, Inc. (Fulmer) has determined that certain helmets it produced in 2001 through 2006 do not comply with S5.2 of 49 CFR 571.218, Federal Motor Vehicle Safety Standard (FMVSS) No. 218, "Motorcycle Helmets." Fulmer 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), Fulmer 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 Fulmer'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 32,052 helmets which Fulmer certified as complying with FMVSS No. 218. These consist of approximately 26,762 Modular Motorcycle Helmets AF-M produced between January 2002 and April 2006, and approximately 5,290 Modular Snowmobile Helmets SN-M produced between November 2001 and

November 2005. S5.2 of FMVSS No. 218, penetration, requires that "when a penetration test is conducted in accordance with S7.2, the striker shall not contact the surface of the test headform." When this test was conducted on the subject helmets, the striker contacted the surface of the test headform. Fulmer has corrected the problem that caused these errors so that they will not be repeated in future production.

Fulmer believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. Fulmer states that it asked Harry Hurt, "a leading expert in helmet testing and motorcycle accident research \* \* \* [whose] experience is more than 50 years," to review the test results. Fulmer further states,

[Harry Hurt's] opinion is that the noncompliance on the penetration test is inconsequential because the helmets performed exceptionally well on all impact attenuation tests. In his experience, there has never been any correlation between the penetration test and accident performance, and damage like the penetration test is never seen in crash involved motorcycle helmets.

Mr. Hurt's full statement is available in the docket.

Interested persons are invited to submit written data, views, and arguments on this petition. 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.

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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.

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Issued on: August 3, 2006.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*  
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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety

#### Notice of Delays in Processing of Special Permit Applications

**AGENCY:** Pipeline and Hazardous Safety Administration, DOT.

**ACTION:** List of applications delayed more than 180 days.

**SUMMARY:** In accordance with the requirements of 49 U.S.C. 5117(c), PHMSA is publishing the following list of special permit 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:** Ann Mazzullo, Office of Hazardous Materials Special Permits and Approvals, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001, (202) 366-4535.

#### Key to "Reason for Delay"

1. Awaiting additional information from applicant.
2. Extensive public comment under review.
3. Application is technically complex and is of significant impact or precedent-setting and requires extensive analysis.
4. Staff review delayed by other priority issues or volume of special permit applications.

#### Meaning of Application Number Suffixes

- N—new applications.
- M—Modification request.
- X—Renewal.
- PM—Party to application with modification request.

Issued in Washington, DC, on August 1, 2006.

**Delmer Billings,**

Director, Office of Hazardous Materials  
Safety, Special Permits & Approvals.

**MODIFICATION TO EXEMPTIONS**

Application No.	Applicant	Reason for delay	Estimated date of completion
11903-M .....	Comptank Corporation, Bothwell, ON .....	4	08-31-2006
13583-M .....	Structural Composites Industries, Pomona, CA .....	3, 4	08-31-2006
12677-M .....	Austin Powder Illinois Company, Cleveland, OH .....	1	08-31-2006
10945-M .....	Structural Composites Industries, Pomona, CA .....	4	09-30-2006

**NEW EXEMPTION APPLICATIONS**

Application No.	Applicant	Reason for delay	Estimated date of completion
13563-N .....	Applied Companies, Valencia, CA .....	1	08-31-2006
14229-N .....	Senex Explosives, Inc., Cuddy, PA .....	4	08-31-2006
14232-N .....	Luxfer Gas Cylinders—Composite Cylinder Division, Riverside, CA.	4	08-31-2006
14285-N .....	INO Therapeutics LLC, Port Allen, LA .....	4	08-31-2006
14298-N .....	Air Products and Chemicals, Inc., Allentown, PA .....	4	08-31-2006
14318-N .....	Lockheed Martin Technical Operations, Vandenberg AFB, CA.	4	08-31-2006
14310-N .....	Praxair, Danbury, CT .....	4	09-30-2006
14314-N .....	North American Automotive Hazmat Action Committee.	4	08-31-2006
14316-N .....	VOTG North America, Inc., West Chester, PA .....	4	08-31-2006
14301-N .....	Triple S Gas Tanks (PTY) Ltd dba GasCon, Elsiesriver, South Africa.	4	09-30-2006
14289-N .....	City Machine & Welding, Inc., Amarillo, TX .....	4	08-31-2006
14277-N .....	Ascus Technologies, Ltd., Cleveland, OH .....	3, 4	08-31-2006
14266-N .....	NCF Industries, Inc., Santa Maria, CA .....	3	08-31-2006
14239-N .....	Marlin Gas Transport, Inc., Odessa, FL .....	1	08-31-2006
14237-N .....	Advanced Technology Materials, Inc. (ATMI), Danbury, CT.	1	08-31-2006
14257-N .....	Origin Energy American Samoa, Inc., Pago Pago, AS	4	08-31-2006

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**DEPARTMENT OF THE TREASURY**

**Submission for OMB Review;  
Comment Request**

**July 31, 2006.**

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before September 7, 2006 to be assured of consideration.

**Alcohol and Tobacco Tax and Trade Bureau (TTB)**

*OMB Number:* 1513-0100.

*Type of Review:* Extension.

*Title:* Applications, Notices, and Relative to Importation and Exportation of Distilled Spirits, Wine and Beer, Including Puerto Rico and Virgin Islands.

*Description:* Beverage alcohol, industrial alcohol, beer and wine are taxed when imported. The taxes on these commodities coming from the Virgin Islands and Puerto Rico are largely returned to these insular possessions. Exports are mainly tax-free. These documents ensure that proper taxes are collected and returned according to law.

*Respondents:* Business or other for-profit.

*Estimated Total Burden Hours:* 180 hours.

*OMB Number:* 1513-0097.

*Type of Review:* Extension.

*Title:* Notices Relating to Payment of Firearms and Ammunition Excise Tax.

*Description:* Excise taxes are collected on the sale or use of firearms and ammunition by firearms or ammunition manufacturers, importers or producers. Taxpayers who elect to pay excise taxes by electronic fund transfer must furnish a written notice upon election and discontinuance. Tax revenue will be protected.

*Respondents:* Business or other for-profit.

*Estimated Total Burden Hours:* 1 hour.

*Clearance Officer:* Frank Foote, Alcohol and Tobacco Tax and Trade Bureau, Room 200 East, 1310 G. Street, NW., Washington, DC 20005. (202) 927-9347.

*OMB Reviewer:* Alexander T. Hunt, Office of Management and Budget, Room 10235, New Executive Office