

Group 6, anchor bolts) for construction of projects by Contra Costa County Public Works, CA, and Vermont Agency of Transportation, respectively. Domestic sources of these materials were identified through FHWA's public notice process.

**DATES:** Since the Buy America waiver is not granted, there is no effective date for the waiver.

**FOR FURTHER INFORMATION CONTACT:** For questions about this notice, please contact Mr. Gerald Yakowenko, FHWA Office of Program Administration, (202) 366-1562, or via e-mail at [gerald.yakowenko@dot.gov](mailto:gerald.yakowenko@dot.gov). For legal questions, please contact Mr. Michael Harkins, FHWA Office of the Chief Counsel, (202) 366-4928, or via e-mail at [michael.harkins@dot.gov](mailto:michael.harkins@dot.gov). Office hours for the FHWA are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Electronic Access**

An electronic copy of this document may be downloaded from the **Federal Register's** home page at: <http://www.archives.gov> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

**Background**

The FHWA's Buy America policy in 23 CFR 635.410 requires a domestic manufacturing process for any steel or iron products (including protective coatings) that are permanently incorporated in a Federal-aid construction project. The regulation also provides for a waiver of the Buy America requirements when the application would be inconsistent with the public interest or when satisfactory quality domestic steel and iron products are not sufficiently available. This notice provides information regarding the FHWA's finding that Buy America waivers are not appropriate for the use of: (1) The hollow structural section for construction of Iron Horse Trail Pedestrian Overcrossing Project by Contra Costa County Public Works in California, and (2) one-inch diameter stainless steel anchor bolts for the construction of East Montpelier Bridge project #BRF 028-3(36) by the Vermont Agency of Transportation.

In accordance with Division K, section 130 of the "Consolidated Appropriations Act, 2008" (Pub. L. 110-161), the FHWA published the notices of intent to issue the waivers on its Web site for: (1) The hollow structural section (<http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=34>) on June 10, and (2)

the one-inch diameter stainless steel anchor bolts (<http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=35>) on June 15.

The FHWA received a comment from Independence Tube Corporation which claimed to have the capacity to manufacture the hollow structural section domestically. Further inquiries confirmed that the hollow structural section can be manufactured domestically. The FHWA received three comments indicating that the one-inch diameter stainless steel anchor bolts are available domestically. The Contra Costa County Public Works and Vermont Agency of Transportation have verified that the hollow structural section and the one-inch diameter stainless steel anchor bolts are available domestically; therefore, FHWA concludes that the materials are available domestically and that Buy America waivers are not appropriate for the hollow structural section and the one-inch diameter stainless steel anchor bolts.

In accordance with the provisions of section 117 of the SAFETEA-LU Technical Corrections Act of 2008 (Pub. L. 110-244, 122 Stat.1572), the FHWA is providing this notice as its finding that a waiver of Buy America requirements is not appropriate for these projects. The FHWA invites public comment on this finding for an additional 15 days following the effective date of the finding. Comments may be submitted to the FHWA's Web site via the links provided to the California and Vermont waiver pages noted above.

**Authority:** 23 U.S.C. 313; Public Law 110-161, 23 CFR 635.410.

Issued on: July 29, 2009.

**King W. Gee,**

*Associate Administrator for Infrastructure.*

[FR Doc. E9-18607 Filed 8-3-09; 8:45 am]

**BILLING CODE 4910-22-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**Fuel Drain Valves**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of re-issuance of Technical Standard Order (TSO) C76, Fuel Drain Valves.

**SUMMARY:** This notice announces the re-issuance of TSO-C76, Fuel Drain Valves, telling manufacturers seeking TSO authorization (TSOA) or letter of design approval (LODA) what minimum performance standard (MPS) their Fuel

Drain Valve must first meet for approval and identification with the appropriate TSO markings. In the event that you feel a need to comment on the re-issuance of TSO-C76, please do so to the address listed below.

**DATES:** Comments must be received on or before September 3, 2009.

**ADDRESSES:** Send all comments regarding the re-issuance of the Fuel Drain Valve TSO to: Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, Technical Programs and Continued Airworthiness Branch, 950 L'Enfant Plaza, SW., 5th Floor, Washington, DC 20024. *Attn.:* Jim Kabbara, AIR-120. You may hand deliver comments to: Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, AIR-100, 950 L'Enfant Plaza, SW., 5th Floor, Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Jim Kabbara, AIR-120, Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, AIR-100, 950 L'Enfant Plaza, SW., 5th Floor, Washington, DC 20024. *Telephone:* (202) 385-6335; *Fax:* (202) 385-6475; *or via e-mail at:* [jim.kabbara@faa.gov](mailto:jim.kabbara@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested persons are invited to comment on the re-issuance of the TSO-C76 by submitting written data, views, or arguments to the above-specified address. Your comments should stipulate "Comments, re-issuance of TSO-C76." All comments received may be examined after the comment closing date by visiting Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, AIR-100, 950 L'Enfant Plaza, SW., 5th Floor, Washington, DC 20024, weekdays except Federal holidays, between 8:30 a.m. and 4 p.m. The Director, Aircraft Certification Service, will consider all comments received on or before the closing date before issuing the final notice of re-issuance.

**Background**

This TSO is being re-issued in its entirety. We have cancelled TSO-C76a because the specific requirements that make up the minimum performance standard necessary to have the Fuel Drain Valves be marked as TOS approved, provided no technical value. Those requirements have resulted in manufacturers seeking TSO approval of their Fuel Drain Valves to experience difficulties in meeting the MPS. We have deemed the requirements to be

arbitrary, resulting in our re-issuing of the original TSO-C76.

Issued in Washington, DC, on July 30, 2009.

**Susan J.M. Cabler,**

*Assistant Manager, Aircraft Engineering Division, Aircraft Certification Service.*

[FR Doc. E9-18575 Filed 8-3-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Fuel Drain Valves

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of cancellation of Technical Standard Order (TSO) C76a, Fuel Drain Valves.

**SUMMARY:** This notice announces the cancellation of TSO-C76a, Fuel Drain Valves. If you have reason to believe that this proposed action will negatively impact aviation safety, we would like to solicit your comments.

**DATES:** Comments must be received on or before September 3, 2009.

**ADDRESSES:** Send all comments regarding the cancelling of the Fuel Drain Valve TSO-C76a to: Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, Technical Programs and Continued Airworthiness Branch, 950 L'Enfant Plaza, SW., 5th Floor, Washington, DC 20024. ATTN.: Jim Kabbara, AIR-120. You may hand deliver comments to: Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, AIR-100, 950 L'Enfant Plaza, SW., 5th Floor, Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Jim Kabbara, AIR-120, Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, AIR-100, 950 L'Enfant Plaza, SW., 5th Floor, Washington, DC 20024. Telephone: (202) 385-6335; Fax: (202) 385-6475; or via e-mail at: jim.kabbara@faa.gov.

#### SUPPLEMENTARY INFORMATION:

Comments Invited:

Interested persons are invited to comment on the cancellation of TSO-C76a by submitting written data, views, or arguments to the above-specified address. Your comments should stipulate "Comments, cancellation of TSO-C76a." Comments received on or before the closing date may be examined by visiting Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division,

AIR-100, 950 L'Enfant Plaza, SW., 5th Floor, Washington, DC 20024, weekdays except Federal holidays, between 8:30 a.m. and 4 p.m. The Director, Aircraft Certification Service, will consider all comments received on or before the closing date before issuing the final notice of cancellation.

#### Background

Note 3 attachment to Table 2, Fuel Resistance and Extreme Temperature Test Schedule, is located in Appendix 1 of TSO-C76a, only appears in the "a" version. A subsequent review of the "a" revision of TSO-C76 determined that the revised temperature values contained in Note 3 were arbitrary and provides no technical value to the qualification of fuel drain valves, nor will the testing to those temperature values provide an increase in the operational safety of the fuel drain valve. Therefore, we are taking this opportunity to cancel TSO-C76a.

Issued in Washington, DC, on July 30, 2009.

**Susan J.M. Cabler,**

*Assistant Manager, Aircraft Engineering Division, Aircraft Certification Service.*

[FR Doc. E9-18576 Filed 8-3-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[NHTSA-06-24175]

#### Insurer Reporting Requirements; Reports Under 49 U.S.C. on Section 33112(c)

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

**ACTION:** Notice of Availability.

**SUMMARY:** This notice announces publication by NHTSA of the annual insurer report on motor vehicle theft for the 2003 reporting year. Section 33112(h) of Title 49 of the U.S. Code, requires this information to be compiled periodically and published by the agency in a form that will be helpful to the public, the law enforcement community, and Congress. As required by section 33112(c), this report provides information on theft and recovery of vehicles; rating rules and plans used by motor vehicle insurers to reduce premiums due to a reduction in motor vehicle thefts; and actions taken by insurers to assist in deterring thefts.

**ADDRESSES:** Interested persons may obtain a copy of this report or read background documents by going to

<http://regulations.dot.gov> at any time or to Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 am and 5 pm, Monday through Friday, except Federal Holidays. Requests should refer to Docket No. 2006-24175.

**FOR FURTHER INFORMATION CONTACT:** Ms. Carlita Ballard, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, 1200 New Jersey Ave., SE., Washington, DC 20590. Ms. Ballard's telephone number is (202) 366-0846. Her fax number is (202) 493-2990.

**SUPPLEMENTARY INFORMATION:** The Motor Vehicle Theft Law Enforcement Act of 1984 (Theft Act) was implemented to enhance detection and prosecution of motor vehicle theft (Pub. L. 98-547). The Theft Act added a new Title VI to the Motor Vehicle Information and Cost Savings Act, which required the Secretary of Transportation to issue a theft prevention standard for identifying major parts of certain high-theft lines of passenger cars. The Act also addressed several other actions to reduce motor vehicle theft, such as increased criminal penalties for those who traffic in stolen vehicles and parts, curtailment of the exportation of stolen motor vehicles and off-highway mobile equipment, establishment of penalties for dismantling vehicles for the purpose of trafficking in stolen parts, and development of ways to encourage decreases in premiums charged to consumers for motor vehicle theft insurance.

This notice announces publication by NHTSA of the annual insurer report on motor vehicle theft for the 2003 reporting year. Section 33112(h) of Title 49 of the U.S. Code, requires this information to be compiled periodically and published by the agency in a form that will be helpful to the public, the law enforcement community, and Congress. As required by section 33112(h), this report focuses on the assessment of information on theft and recovery of motor vehicles, comprehensive insurance coverage and actions taken by insurers to reduce thefts for the 2003 reporting period.

Section 33112 of Title 49 requires subject insurers or designated agents to report annually to the agency on theft and recovery of vehicles, on rating rules and plans used by insurers to reduce premiums due to a reduction in motor vehicle thefts, and on actions taken by insurers to assist in deterring thefts. Rental and leasing companies also are required to provide annual theft reports to the agency. In accordance with 49