

received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Documents submitted to a docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at <http://www.regulations.gov> by following the online instructions for accessing the dockets. DOT's complete Privacy Act Statement is available for review in the **Federal Register** published on April 11, 2000, (65 FR 19477–78).

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.

#### SUPPLEMENTARY INFORMATION:

I. *Overview:* Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), BATO submitted a petition 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 BATO'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.

II. *Tires Involved:* Affected are approximately 328 Bridgestone R192GZ size 12R22.5 bus tires sold in the U.S. territory of Guam and manufactured between January 1, 2004 and April 30, 2015.

III. *Noncompliance:* BATO explains that the noncompliance is that the sidewall of the subject tires clearly states the speed restriction in km/h, however, omits the English units in mph as required by paragraph S6.5(e) of FMVSS No. 119.

IV. *Rule Text:* Paragraph S6.5 of FMVSS No. 121 requires in pertinent part:

S6.5 *Tire Markings.* Except as specified in this paragraph, each tire shall be marked on each sidewall with the information specified in paragraphs (a) through (j) of this section

(e) The speed restriction of the tire, if 90 km/h (55 mph) or less, shown as follows:  
Max speed \_\_km/h (\_\_mph).

V. *Summary of BATO's Petition:* BATO believes that the subject noncompliance is inconsequential to motor vehicle safety. BATO states that Guam does not have interstate highways and that the speed limits throughout Guam (35 mph rural, 15 mph urban and 15–25 in school zones) are significantly lower than the speed restriction of the subject tires (55 mph), thus, BATO, believes that there is no risk of drivers consistently driving faster than the speed restriction on the tires, even if a driver is unfamiliar with metric units.

BATO also believes that most professional drivers would understand the speed restriction as stated in metric units. Since the subject tires cannot be used in a passenger vehicle application, and will be serviced and driven by professionals who understand the difference between English and metric units; it is unlikely an unqualified driver would mistakenly drive these tires faster than the speed restriction.

BATO notes that they have not received any complaints, claims, or warranty adjustments related to the subject tires and that these tires, meet all other performance requirements of FMVSS No. 119.

BATO has additionally informed NHTSA that it has corrected the noncompliance so that all future production of the subject tires complies with FMVSS No. 119.

In summation, BATO believes that the described noncompliance of the subject tires is inconsequential to motor vehicle safety, and that its petition, to exempt BATO from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject tires that BATO no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve equipment distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after BATO notified them that the subject noncompliance existed.

**Authority:** (49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8)

**Jeffrey Giuseppe,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2015–25067 Filed 10–1–15; 8:45 am]

**BILLING CODE 4910–59–P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Hazardous Materials: Notice of Application for Special Permits

**AGENCY:** Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, (PHMSA), DOT.

**ACTION:** List of Applications for Special Permits.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

**DATES:** Comments must be received on or before November 2, 2015.

*Address Comments To:* Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:** Ryan Paquet, Director, Office of Hazardous Materials Approvals and Permits Division, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH–30, 1200 New Jersey Avenue Southeast, Washington, DC 20590–0001, (202) 366–4535.

Copies of the applications are available for inspection in the Records Center, East Building, PHH–30, 1200 New Jersey Avenue Southeast,

Washington DC or at <http://regulations.gov>.

This notice of receipt of applications for special permit is published in

accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on September 3, 2015.

**Donald Burger,**  
Chief, General Approvals and Permits.

NEW SPECIAL PERMITS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permits thereof
16545-N ...	.....	Veolia ES Technical Solutions, L.L.C., Lombard, IL.	49 CFR 173.21(b), 173.51, 173.54(a), 173.56(b), 173.340.	To authorize the transportation in commerce of certain riot control agents and fireworks to a disposal facility. (mode 1)
16549-N ...	.....	Special Devices, Incorporated Mesa, AZ.	49 CFR 172.320, 173.56(b)	To authorize the transportation in commerce of certain pyrotechnic articles classed as Division 1.4S, UN0431, Articles pyrotechnic for technical purposes without being examined, classed, and approved under 49 CFR 173.56(b). (modes 1, 2, 3, 4)
16554-N ...	.....	Apple, Inc., Cupertino, CA	49 CFR Subparts C through H of Part 172, 173.185(f).	To authorize the transportation in commerce of recalled lithium ion batteries contained in equipment in retail packaging by motor vehicle. (mode 1)
16558-N ...	.....	National Aeronautics and Space Administration, Washington, DC.	49 CFR 173.185(c)(1)(iv), 173.185(c)(4).	To authorize the transportation in commerce of certain lithium metal batteries contained in equipment in non-UN performance oriented packaging. (modes 1, 4)
16559-N ...	.....	HTEC Hydrogen Technology & Energy Corporation, North Vancouver, BC, Canada.	49 CFR 173.302a .....	To authorize the transportation in commerce of certain non-DOT specification cylinders containing compressed hydrogen. (mode 1)
16560-N ...	.....	LightSail Energy, Berkely, CA.	49 CFR 173.302a .....	To authorize the manufacture, mark, sale and use of non-DOT specification cylinders used to transport certain non-liquefied compressed gases in commerce. (modes 1, 2, 3)
16563-N ...	.....	Call2Recycle, Inc., Atlanta, GA.	49 CFR Subparts C through H of Part 172, 173.185(f).	To authorize the transportation in commerce of damaged or defective lithium ion cells and batteries and lithium metal cells and batteries and equipment containing these cells or batteries that originally met the requirements under 49 CFR 173.185(c). (modes 1, 2, 3)
16564-N ...	.....	Carrier Corporation, Charlotte, NC.	49 CFR 173.306(e)(1)(i) .....	To authorize the transportation in commerce of new (unused) refrigerating machines containing up to 7,500 pounds of a Group A1 refrigerant in each pressure vessel. (modes 1, 3)
16565-N ...	.....	Special Devices, Incorporated, Mesa, AZ.	49 CFR 172.320, 173.56(b)	To authorize the transportation in commerce of certain pyrotechnic actuators classed as Class 9 hazardous materials. (modes 1, 2, 3, 4)
16567-N ...	.....	FM Global Research Campus, Glocester, RI.	49 CFR 173.185(f) .....	To authorize the transportation in commerce of certain damaged or defective lithium ion cells and batteries in alternative packaging. (mode 1)

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BILLING CODE 4909-60-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

**Application of Aviation Partners of Boynton Beach, LLC; D/B/A Hummingbird Air for Commuter Authority**

AGENCY: Department of Transportation.

ACTION: Notice of Order to Show Cause (Order 2015-9-14), Docket DOT-OST-2014-0116.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding Aviation Partners of Boynton Beach, LLC d/b/a

Hummingbird Air fit, willing, and able, and awarding it a Commuter Air Carrier Authorization.

DATES: Persons wishing to file objections should do so no later than October 5, 2015.

ADDRESSES: Objections and answers to objections should be filed in Docket DOT-OST-2014-0116 and addressed to U.S. Department of Transportation, Docket Operations, (M-30, Room W12-140), 1200 New Jersey Avenue SE., West Building Ground Floor, Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Lauralyn Remo, Air Carrier Fitness Division (X-56), U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 366-9721.

Dated: September 21, 2015.

**Susan L. Kurland,**  
Assistant Secretary for Aviation and International Affairs.

[FR Doc. 2015-24552 Filed 10-1-15; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. DOT-OST-2015-0172]

**Notice of Rights and Protections Available Under the Federal Antidiscrimination and Whistleblower Protection Laws**

AGENCY: Office of the Secretary, U.S. Department of Transportation.

ACTION: No FEAR Act Notice.