

(d) Its load rating shall be that specified either in a submission made by an individual manufacturer, pursuant to S4, or in one of the publications described in S4 for its size designation, type and each appropriate inflation pressure. If the maximum load rating for a particular tire size is shown in more than one of the publications described in S4, each tire of that size designation shall have a maximum load rating that is not less than the published maximum load rating, or if there are differing maximum load ratings for the same tire size designation, not less than the lowest published maximum load rating.

*V. Summary of MNA's Petition:* MNA described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, MNA submitted the following reasoning:

(a) *Application*—The subject tires are marked with the correct maximum load and pressure load index, and load description (“Light Load”) to ensure proper application. Additionally, the tires have the correct tread sticker label showing the correct size designation, part number, etc. to ensure proper application.

(b) *Usage*—The tire is marketed as a performance summer tire commonly used for competition events on tracks or autocross courses. Thus, the users of these products are enthusiasts who are attentive to details about vehicles and equipment such as tires. In such competition events the vehicles are normally operated at the lightest loads possible for performance optimization. These tires are normally not used in situations involving vehicles with full passenger or cargo loads.

(c) *Other Markings*—All other markings conform to the applicable regulations.

(d) *Performance*—The subject tire meets all performance requirements of FMVSS No. 139. In the event the tire is fitted to an application calling for the European Tire and Rim Technical Organization (ETRTO) standard load application of up to 850 kgs because of the missing “P” prefix, there should be no performance concerns. The tire has been tested to FMVSS No. 139 using the

ETRTO standard load as a basis and it fulfills all performance requirements.

MNA concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the 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 MNA 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 MNA 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 M. Giuseppe,**  
*Director, Office of Vehicle Safety Compliance.*  
[FR Doc. 2017-14420 Filed 7-10-17; 8:45 am]

**BILLING CODE 4910-59-P**

**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Hazardous Materials: Notice of Applications for Special Permits**

**AGENCY:** 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, 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 August 10, 2017.

**ADDRESSES:** 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 SE., Washington, DC 20590-0001, (202) 366-4535.

**SUPPLEMENTARY INFORMATION:** Copies of the applications are available for inspection in the Records Center, East Building, PHH-30, 1200 New Jersey Avenue SE., 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 June 29, 2017.

**Donald Burger,**  
*Chief, Office of the Special Permits and Approvals.*

| Application No.             | Docket No. | Applicant              | Regulation(s) affected       | Nature of the special permits thereof   |
|-----------------------------|------------|------------------------|------------------------------|---|
| <b>Special Permits Data</b> |            |                        |                              |   |
| 20476-N .....               | .....      | A123 Systems LLC ..... | 172.101(j), 173.185(b) ..... | To authorize the transportation in commerce of lithium ion batteries exceeding 35 kg by cargo-only aircraft. (mode 4) |

| Application No. | Docket No. | Applicant                           | Regulation(s) affected   | Nature of the special permits thereof   |
|-----------------|------------|-------------------------------------|--|---|
| 20477-N         |            | Lithionics Battery, LLC             | 172.101(j)   | To authorize the transportation in commerce of lithium ion batteries exceeding 35 kg by cargo-only aircraft. (mode 4)   |
| 20478-N         |            | Thermo MF Physics LLC               | 173.304(a)   | To authorize the transportation in commerce of sulfur hexafluoride in non-specification packaging.  |
| 20480-N         |            | Carolina Logistics Services, L.L.C. | 172.301(c), 172.303(a), 173.185(c)(1)(ii), 173.185(c)(1)(iii), 173.185(c)(1)(iv), 173.185(c)(3). | To authorize the transportation in commerce of packages containing lithium cells and batteries without certain package markings when contained in over-packs and transported via motor vehicle and rail. (modes 1, 2)   |
| 20481-N         |            | Advanced Green Innovations, LLC.    | 173.212  | To authorize the manufacture, mark, sale, and use of non-DOT specification pressure vessels for the transportation of certain Division 4.2 materials. (modes 1, 2, 3)   |
| 20482-N         |            | Phosphorus Derivatives Inc..        | 173.35(e)  | To authorize the transportation in commerce of residue contained in IBCs where the closure nearest to the hazardous materials cannot be secured. (mode 1)   |
| 20484-N         |            | Teledyne Brown Engineering, Inc.    | 173.62(c), 173.62(c)(2), 173.62(c)(4), 173.302(a).   | To authorize the transportation in commerce of Class 1 materials and non-DOT specification cylinders contained in space launch systems. (modes 1, 3)  |
| 20490-N         |            | Rotak LLC                           | 172.101(j), 172.200, 172.204(c)(3), 172.301(c), 173.27(b)(2), 175.30(a)(1), 175.75.              | To authorize the transportation in commerce of certain hazardous materials which are forbidden for transportation by air or exceed quantity limitations, to be transported by cargo aircraft either inside the aircraft or in external load configuration within the state of Alaska and the 48 contiguous states when other means of transportation are impracticable or not available. (mode 4)   |
| 20491-N         |            | Rotak LLC                           | 172.101(j), 172.204(c)(3), 172.301(c), 173.27(b)(2), 175.30(a)(1), 175.75.                       | To authorize the transportation in commerce of certain class 1 hazardous materials which are forbidden for transportation by air, to be transported in Part 133 rotorcraft external load operations attached to or suspended from an aircraft, in remote areas of the State of Alaska and the contiguous 48 states, without being subject to hazard communication requirements, quantity limitations and certain loading and stowage requirements. (mode 4) |

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Hazardous Materials: Notice of Applications for Special Permits**

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

**ACTION:** List of applications for modification of 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 July 26, 2017.

**ADDRESSES:** 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.

**SUPPLEMENTARY INFORMATION:** 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 June 29, 2017.

**Donald Burger,**  
 Chief, Office of the Special Permits and Approvals.