

Section 556 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Pub. L. 109-102) ("FY 2006 FOAA"), as carried forward in the Revised Continuing Appropriations Resolution, 2007 (Pub. L. 110-5) ("FY 2007 CR"), and Section 649 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (Div. J, Pub. L. 110-161) ("FY 2008 SFOAA"), and delegated to me pursuant to Department of State Delegation of Authority 245, I hereby determine, certify, and report that the Colombian Armed Forces are meeting the conditions contained in Sections 556(a)(2) and 556(a)(3) of FY 2006 FOAA, as carried forward in the FY 2007 CR, as well as Sections 649(c)(2) and 649(c)(3) of the FY 2008 SFOAA, and that I have consulted with Congress as is consistent with the latter.

The Department of State has periodically consulted with internationally recognized human rights organizations regarding the Colombian Armed Forces' progress in meeting the above-mentioned conditions, as provided in Section 556(c) of the FY 2006 FOAA, as carried forward in the FY 2007 CR, and Section 649(d) of the FY 2008 SFOAA.

This Determination and Certification shall be published in the **Federal Register** and copies shall be transmitted to the appropriate committees of Congress.

Dated: July 28, 2008.

**John D. Negroponte,**

*Deputy Secretary of State, Department of State.*

[FR Doc. E8-17680 Filed 7-30-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2008-0086; Notice 2]

#### Goodyear Dunlop Tires North America, Ltd., Grant of Petition for Decision of Inconsequential Noncompliance

Goodyear Dunlop Tires North America, Ltd. (GDTNA), has determined that certain tires that it manufactured during the period beginning January 2003 through July 2004, do not fully comply with paragraph S6.5(f) of 49 CFR 571.119 (Federal Motor Vehicle Safety Standard (FMVSS) No. 119 *New Pneumatic Tires for Motor Vehicles With a GVWR of More than 4,536 Kilograms (10,000 pounds) and Motorcycles*). On January 18, 2008, GDTNA filed an appropriate

report pursuant to 49 CFR Part 573, *Defect and Noncompliance Responsibility and Reports* identifying approximately 3,050 150/60R18 Dunlop D251 motorcycle tires, produced from January 2003 through July 2004, that do not comply with the paragraphs of FMVSS No. 119 cited above.

Pursuant to 49 U.S.C. 30118(d) and 30120(h) and the rule implementing those provisions at 49 CFR part 556, GDTNA 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. Notice of receipt of the petition was published, with a 30-day public comment period, on May 12, 2008 in the **Federal Register** (73 FR 27023). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System Web site at: <http://www.regulations.gov/>. Then follow the online search instructions to locate docket number "NHTSA-2008-0086."

For further information on this decision, contact Mr. George Gillespie, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-5299, facsimile (202) 366-7002.

Paragraph S6.5(f) of 49 CFR 571.119 requires:

S6.5(f) The actual number of plies and the composition of the ply cord material in the sidewall and, if different, in the tread area.

GDTNA described the noncompliance as incorrect labeling of construction materials information on the sidewalls. The labeling incorrectly lists "TREAD 5 PLYS 2 RAYON + 3 NYLON" and "SIDEWALL: 2 PLYS 2 RAYON" whereas this labeling should be "TREAD 4 PLYS 2 NYLON + 2 NYLON" and "SIDEWALL 2 PLYS 2 NYLON."

GDTNA stated that it believes the noncompliance is inconsequential to motor vehicle safety because most consumers do not base tire purchase or vehicle operation on the construction information listed on the tire sidewalls, the tires meet or exceed all other applicable FMVSS, they "were designed, manufactured and tested to the standards and regulations as applicable, and they meet all of the internal and regulatory performance test requirements."

GDTNA also stated that it has corrected the problem with the affected tire mold and that all subsequent production will have the correct

material information shown on the sidewall.

GDTNA additionally stated that no customer complaints have been received.

#### NHTSA Decision

By way of background, the Transportation Recall, Enhancement, Accountability, and Documentation (TREAD) Act (Pub. L. 106-414) required, among other things, that the agency initiate rulemaking to improve tire label information. In response, the agency published an Advance Notice of Proposed Rulemaking (ANPRM) in the **Federal Register** on December 1, 2000 (65 FR 75222).

The agency received more than 20 comments on the tire labeling information required by 49 CFR Sections 571.109 and 119, Part 567, Part 574, and Part 575. In addition, the agency conducted a series of focus groups, as required by the TREAD Act, to examine consumer perceptions and understanding of tire labeling. Few of the focus group participants had knowledge of tire labeling beyond the tire brand name, tire size, and tire pressure.

Based on the information obtained from comments to the ANPRM and the consumer focus groups, we have concluded that it is likely that few consumers have been influenced by the tire construction information (number of plies and cord material in the sidewall and tread plies) provided on the tire label when deciding to buy a motor vehicle or tire.

Therefore, the agency agrees with GDTNA's statement that the incorrect markings in this case do not present a serious safety concern.<sup>1</sup> There is no effect of the noncompliance on the operational safety of vehicles on which these tires are mounted. In the agency's judgment, the incorrect labeling of the tire construction information will have an inconsequential effect on motor vehicle safety because most consumers do not base tire purchases or vehicle operation parameters on the number of plies in the tire. In addition, the tires are certified to meet all the performance requirements of FMVSS No. 119.

In consideration of the foregoing, NHTSA has decided that GDTNA has met its burden of persuasion that the subject FMVSS No. 119 labeling noncompliance is inconsequential to motor vehicle safety. Accordingly, GDTNA's petition is granted and the

<sup>1</sup> This decision is limited to its specific facts. As some commenters on the ANPRM noted, the existence of steel in a tire's sidewall can be relevant to the manner in which it should be repaired or retreaded.

petitioner is exempted from the obligation of providing notification of, and a remedy for, the subject noncompliance under 49 U.S.C. 30118 and 30120.

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

Issued on: July 25, 2008.

**Daniel C. Smith,**

*Associate Administrator for Enforcement.*

[FR Doc. E8-17527 Filed 7-30-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket ID PHMSA-RSPA-1997-2426]

#### Pipeline Safety: National Pipeline Mapping System

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

**ACTION:** Notice; Issuance of Advisory Bulletin.

**SUMMARY:** This document advises gas transmission pipeline operators, hazardous liquid pipeline operators, and Liquefied Natural Gas (LNG) plant operators of voluntary changes pertaining to submittal dates and Operator ID numbers for National Pipeline Mapping System (NPMS) submissions.

**FOR FURTHER INFORMATION CONTACT:** Amy Nelson by phone at (202) 493-0591 or by e-mail at [amy.nelson@dot.gov](mailto:amy.nelson@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Pipeline Safety Improvement Act of 2002 requires gas transmission pipeline operators, hazardous liquid pipeline operators, and LNG plant operators to submit data to NPMS. Currently, operators submit their data annually, within one year of the last submission date. PHMSA is attempting to simplify NPMS's reporting process and to improve PHMSA's ability to accurately describe an operator's assets internally and to Congress.

##### II. Advisory Bulletin (ADB-08-07)

*To:* Operators of Gas Transmission Pipelines, Hazardous Liquid Pipelines and LNG Plant Operators.

*Subject:* NPMS Submissions.

*Purpose:* To advise operators of voluntary changes to their NPMS submissions.

*Advisory:* Beginning on January 1, 2009, PHMSA is requesting that operators submit their NPMS data concurrently with hazardous liquid and gas transmission annual report submissions. Annual reports are due on March 15 each year for gas transmission operators and on June 15 for hazardous liquid operators. PHMSA suggests that beginning on January 1, 2009, gas transmission NPMS submissions be submitted by March 15, 2009, and represent the pipeline operator assets as of December 31, 2008. LNG plant operators would also submit to NPMS by March 15, 2009, representing assets as of December 31, 2008. Hazardous liquid annual reports and NPMS submissions would both be submitted by June 15, 2009, representing assets as of December 31, 2008. In 2010 and beyond, the annual report and NPMS submission due dates would remain March 15 for gas transmission and LNG plants and June 15 for hazardous liquid pipelines. NPMS submissions would represent physical assets as of December 31 of the previous year.

Submitting annual reports and NPMS data at the same time will alleviate the need for pipeline operators to track their last NPMS submission and may decrease the receipt of notices from PHMSA that data has not been submitted.

PHMSA also suggests that Operator ID numbers (internal DOT numbers assigned by PHMSA to the operator for specific assets) in annual report submissions match the same assets described in NPMS submissions. Operators who choose to follow this guidance will use the same Operator ID number to describe a pipeline or LNG asset in both the annual report and NPMS submission beginning with their 2009 submissions. This does not apply to pipeline operators who have requested and been assigned only one Operator ID number. Synchronizing the Operator ID numbers will alleviate confusion in identifying operator assets and improve PHMSA's ability to accurately describe the pipeline operated by a specific pipeline operator. The ability to accurately identify and track operator physical assets is beneficial to PHMSA, pipeline operators, and all stakeholders who utilize our data, and ultimately helps promote pipeline safety.

Pipeline operators whose NPMS submission due date would normally fall between October 1, 2008, and December 31, 2008, and who choose to align their submission dates with annual report due dates, may wait to submit their 2008 data capture until their new submission dates (either

March 15, 2009 or June 15, 2009). As stated above, NPMS submissions will reflect the state of the assets on December 31, 2008.

The NPMS processing department encourages operators to submit data prior to the suggested deadlines. Submitting early will speed submission processing and provide time for the processing department to notify operators if a submission is incomplete. Submissions for the December 31, 2008, data capture will be accepted starting January 2, 2009. If operators have no change since their previous NPMS submission, they may continue to send an e-mail to [npms-nr@mbakercorp.com](mailto:npms-nr@mbakercorp.com) or use the "Update your submission online" tool on the NPMS Web site (<http://www.npms.phmsa.dot.gov>) in lieu of making a submission.

Issued in Washington, DC, on July 24, 2008.

**Jeffrey D. Wiese,**

*Associate Administrator for Pipeline Safety.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2008-0186]

#### Pipeline Safety: Voluntary Survey of Regulated and Unregulated Low-Stress Pipeline Information

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

**ACTION:** Notice.

**SUMMARY:** PHMSA's Office of Pipeline Safety (OPS) is requesting each operator of a rural low-stress hazardous liquid pipeline to complete a voluntary survey to gather information concerning the mileage and characteristics of these pipelines to assess the costs of subjecting rural low-stress pipeline mileage to the pipeline safety standards and regulations pursuant to the PIPES Act. The purpose of this notice is to request all operators of LSPs to complete the voluntary survey, including operators of low-stress pipelines that will not be subject to the pipeline safety standards and regulations until Phase II of the rulemaking proceeding.

**DATES:** It is requested that the voluntary survey be completed by September 15, 2008.

**ADDRESSES:** To complete the voluntary survey, go to the OPS Online Data Entry Web site at <http://>