DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD 2012 0045]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel LOST SOUL; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 9, 2012.

ADDRESSES: Comments should refer to docket number MARAD–2012–0045. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at http://www.regulations.gov.

FOR FURTHER INFORMATION CONTACT: Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W21–203, Washington, DC 20590. Telephone 202–366–5979, Email *Joann.Spittle@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel LOST SOUL is:

Intended Commercial Use of Vessel: ''Pleasure charter.''

Geographic Region: ''California, Oregon, Washington.''

The complete application is given in DOT docket MARAD–2012–0045 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: April 3, 2012.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2012–8457 Filed 4–6–12; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2012–0008; Notice 1]

OSRAM SYLVANIA Products Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Receipt of Petition.

SUMMARY: OSRAM SYLVANIA Products, Inc.[1] (OSRAM) has determined that certain Type HB2 replaceable light sources, manufactured between September 25, 2011, and October 8, 2011, do not fully comply with paragraph S7.7 of Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamp, Reflective Devices, and Associated Equipment.* OSRAM has filed an appropriate report dated November 23, 2011[2], pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.*

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), OSRAM 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 OSRAM'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.

Equipment involved: Affected are approximately 40,544 Type HB2 replaceable light sources that were manufactured by OSRAM Sylvania Products, Inc., between September 25, 2011, and October 8, 2011.

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, these provisions only apply to the subject Type HB2 replaceable light sources that OSRAM no longer controlled at the time it determined that the noncompliance existed.

Noncompliance: OSRAM explains that the noncompliance is due to an error in the production facility. Certain Type HB2 replaceable light sources were produced with an incorrect upper beam filament wire which results in an upper beam luminous flux outside (below) the specifications as required in paragraph S7.7 of FMVSS No. 108.

Rule text: Paragraph S7.7 of FMVSS No. 108 requires in pertinent part:

> S7.7 Each replaceable light source shall be designed to conform to the dimensions and electrical specifications furnished with respect to it pursuant to part 564 of this chapter, and shall conform to the following requirements:* * *

Summary of OSRAM's Analysis and Arguments:

OSRAM stated its belief that although the subject Type HB2 replaceable light source may not meet the required luminous flux specifications the noncompliance is inconsequential to motor vehicle safety. OSRAM came to this conclusion based on the following results of testing that it conducted on a large sample of lamps using the subject noncompliant Type HB2 replaceable light sources:

[1] OSRAM SYLVANIA Products Inc., is a manufacturer of motor vehicle replacement equipment and is registered under the laws of the state of Delaware.

[2] OSRAM submitted an amended version of the report on January 6, 2012.

(1) In half of the vehicle/lamp applications, the upper beam photometry specified for HB2 lamps will continue to be met,

(2) in the remaining applications, the photometry performance falls just below the specified minimums for HB2 lamps (and in no more than three, but typically just one or two, test points on a per-measured headlamp basis), and

(3) all lamps using the noncompliant bulbs perform at or above the upper beam photometry requirements of other lamp types, such as HB1 and HB5, that are currently permitted by FMVSS 108 and in prevalent use on U.S. roads.

OSRAM also stated that the issue that caused the subject noncompliance has been corrected at the production facility and all products currently being shipped meet the applicable requirements.

In summation, OSRAM believes that the described noncompliance of its Type HB2 replaceable light sources to meet the requirements of FMVSS No. 108 is inconsequential to motor vehicle safety, and that its petition, to exempt 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.

Comments: 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:

a. By mail addressed to: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

b. By hand delivery to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.

c. Electronically: by logging onto the Federal Docket Management System (FDMS) Web site at *http://www.regulations.gov/*. Follow the online instructions for submitting comments. Comments may also be faxed to 1–202–493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were 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.

DATES: Comment closing date: May 9, 2012.

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

Issued on: April 2, 2012.

Claude H. Harris,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2012–8460 Filed 4–6–12; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB 1096X]

Georgia Department of Transportation—Abandonment Exemption—in Fulton County, GA

On March 20, 2012,[1] the Georgia Department of Transportation (GDOT) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the prior approval requirements of 49 U.S.C. 10903 to abandon a 3.12-mile line of railroad between milepost 469.15 and milepost 472.27, which comprises a portion of a line known as the L&N Belt, in Fulton County, Ga. (West End Property). The West End Property traverses United States Postal Service Zip Codes 30310 and 30314, and includes no stations.

In addition to an exemption from the prior approval requirements of 49 U.S.C. 10903, GDOT seeks an exemption from 49 U.S.C. 10904 (offer of financial assistance procedures) and 10905 (public use provisions). In support, GDOT states that, following abandonment, the West End Property would be used in developing the Atlanta BeltLine, an economic development effort that combines transit, green space, trails and new commercial, residential, and public facility development along a 22-mile ring of historic rail segments encircling Atlanta's urban core. Specifically, according to GDOT, the West End Property would be used to develop a transit corridor to accommodate light rail or buses in a fixed guideway, along with a trail and adjacent uses designed to support and be supported by the variety of available transportation modes. These requests will be addressed in a later decision.

GDOT states that, based on information in its possession, the West End Property does not contain federally granted rights-of-way. Any documentation in GDOT's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued no later than July 6, 2012.[2]

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a $1,500 filing fee. *See* 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any

[1] GDOT submitted its petition on March 15, 2012. However, GDOT acquired the line in December 2001 but did not seek the requisite regulatory authority for this acquisition until February 2012. *See Ga. Dep't of Transp.—Acquis. Exemption—CSX Transp., Inc.,* FD 35591 (STB served Feb. 27, 2012). The acquisition exemption sought by GDOT in Docket No. FD 35591 did not become effective until March 18, 2012, three days after GDOT submitted its petition for abandonment in this proceeding. Thus, on March 28, 2012, GDOT submitted a letter asking the Board to deem GDOT's petition for abandonment exemption to have been filed on March 20, 2012. GDOT's petition is deemed to have been filed on March 20, 2012.

[2] GDOT has requested expedited consideration of its petition.