

for the manufacture and turnkey installation of eight combustion turbine generating units for operation beginning June 2000.

5. Approval of land exchange by the United States Department of Agriculture, Forest Service, affecting approximately 2.93 acres of former TVA land on Watauga Lake in Carter County, Tennessee (Tract No. XTWAR-30).

6. Ratification and confirmation of interpretation of the TVA Act respect in revenues from exchange power arrangements and Section 13 in-lieu-of-tax payments.

For more information: Please call TVA Public Relations at (423) 632-6000, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 898-2999.

Dated: October 14, 1998.

Edward S. Christenbury,
General Counsel Secretary.

[FR Doc. 98-28027 Filed 10-15-98; 10:43 am]

BILLING CODE 8120-08-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Reports, Forms and Recordkeeping Requirements: Agency Information Collection Activity Under OMB Review

AGENCY: Office of the Secretary, DOT.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requests (ICR) abstracted below have been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICRs describe the nature of the information collections and their expected burden. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collections was published on May 29, 1998 [63 FR 29468-29470].

DATES: Comments must be submitted on or before November 18, 1998.

FOR FURTHER INFORMATION CONTACT: Michael Robinson, NHTSA Information Collection Clearance Officer at (202) 366-9456.

SUPPLEMENTARY INFORMATION:

National Highway Traffic Safety Administration (NHTSA)

(1) *Title:* 49 CFR Part 512, Confidential Business Information.
OMB No.: 2127-0025.

Type of Request: Extension of a currently approved Collection.

Affected Public: Vehicle manufacturers and equipment manufacturers.

Abstract: NHTSA's statutory authority at 49 CFR chapter 301 prohibits, with certain exceptions, the agency from making public confidential information which it obtains. On the other hand, the Administrative Procedure Act requires all agencies to make public all non-confidential information upon request. (5 U.S.C. section 552) and all agency rules to be supported by substantial evidence in the public record (5 U.S.C. section 706). It is therefore very important for the agency to promptly determine whether or not information it obtains should be accorded confidential treatment. NHTSA therefore promulgated 49 CFR part 512 Confidential Business Information to establish the procedure by which NHTSA will consider claims that information submitted to the agency, or which it otherwise obtains, is confidential business information. Because of part 512, both NHTSA and the submitters of information for which confidential treatment is requested are now able to ensure that confidentiality requests are properly substantiated and expeditiously processed. Confidential information is obtained by the agency for use in all of its activities. These include investigations, rulemaking actions, program planning and management, and program evaluation. The confidential information is needed to ensure the agency has all the relevant information for decision making in connection with these activities. If part 512 were not in existence, the agency would still get this confidential information, either provided voluntarily by the manufacturers or through its information gathering powers. The only difference would be that the determinations of whether the information should be accorded confidential treatment would be more expensive and time consuming.

Estimated Annual Burden Hours: 600 hours.

(2) *Title:* 49 CFR Part 557, Petitions for Hearings on Notifications and Remedy on Defects.

OMB Control Number: 2127-0039.

Affected Public: Persons (petitioners) who believe that a manufacturer has been deficient in notifying owners of the existence of a safety related defect or noncompliance, and that the manufacturer has not remedied the problem in accordance with statutory requirements, and who wish redress.

Abstract: NHTSA's statutory authority at 49 U.S.C. sections 30118(e) and 30120(e) specifies that, on petition of any interested person, NHTSA may hold

hearings to determine whether a manufacturer of motor vehicles or motor vehicle equipment has met its obligation to notify owners, purchasers, and dealers of vehicles or equipment of a defect or noncompliance and to remedy a defect or noncompliance for Federal Motor Vehicle Safety Standards for some of the products the manufacturer produces. To address these areas, NHTSA has promulgated 49 CFR part 557, Petitions for Hearings on Notification and Remedy of Defects, which adopts a uniform regulation that establishes procedures to provide for submission and disposition of petitions, and to hold hearings on the issue of whether the manufacturer has met its obligation to notify owners, distributors, and dealers of safety related defects or noncompliance and to remedy the problems by repair, repurchase, or replacement. NHTSA never requires any person to file a petition under Part 557. Filing a petition, and providing the information is done entirely at the discretion of the petitioner.

Estimated Annual Burden Hours: 21.

(3) *Title:* 49 CFR Part 552, Petitions for Rulemaking, Defect and Noncompliance Orders.

Affected Public: Any person has a statutory right to petition the agency to issue an order under section 30162.

Abstract: 49 U.S.C. section 30162 specifies that any interested person may file a petition with the Secretary of Transportation requesting the Secretary to begin a proceeding to prescribe a motor vehicle safety standard under 49 U.S.C. chapter 301, or to decide whether to issue an order under 49 U.S.C. section 30118(b). 49 U.S.C. 30111 gives the Secretary authority to prescribe motor vehicle safety standards. 49 U.S.C. section 30118(b) gives the Secretary authority to issue an order to a manufacturer to notify vehicle or equipment owners, purchasers, and dealers of the defect or noncompliance and to remedy the defect or noncompliance. Section 30162 further specifies that all petitions filed under its authority shall set forth the facts which it is claimed establish that an order is necessary and briefly describe the order the Secretary should issue. To implement these statutory provisions, NHTSA promulgated part 552 according to the informal rulemaking provisions of the Administrative Procedure Act (5 U.S.C. 553 *et seq.*) This regulation allows the agency to ensure that the petitions filed under section 30162 are both properly substantiated and efficiently processed. Under Part 552, any person has a statutory right to petition the agency to issue an order under section 30162. When NHTSA

receives such a petition, the agency's technical staff reviews the petition to determine whether there is a reasonable possibility that the requested order will be issued at the end of the appropriate proceeding. If the agency reaches such a conclusion, the petition is granted and NHTSA promptly commences the appropriate proceeding to issue the order. The petition is denied if NHTSA cannot conclude that there is a reasonable possibility that the order will be issued at the end of the appropriate proceeding. NHTSA is required to grant or deny any petitions within 120 days after agency receipt of the petition (49 U.S.C. 30162(d)). NHTSA uses the information in the petition, together with other information it may have or obtain, to decide whether to grant or deny the petition. Absent part 552, any person would still have a statutory right to file a petition requesting the agency to issue an order. The difference would be that the person preparing the petition would not know how to properly file such a petition and what information should be included in the petition. Further, without part 552, it would take the agency much longer to evaluate these petitions. Some of the petitions for rulemaking filed under part 552 ask for complex technical changes to our safety standards that require the agency to conduct testing or other research to learn if the petitions' allegations are accurate. If these petitions were not filed in accordance with some specified uniform procedures, the agency would not be able to meet the 120 day statutory deadline for granting or denying the petitions.

Estimated Annual Burden Hours: 100.

Addresses: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention DOT Desk Officer. *Comments are invited on:* whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued in Washington, DC, on October 13, 1998.

Vanester M. Williams,

Clearance Officer, United States Department of Transportation.

[FR Doc. 98-27919 Filed 10-16-98; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Aviation Proceedings, Agreements Filed During the Week Ending October 9, 1998

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. Sections 412 and 414. Answers may be filed within 21 days of date of filing. *Docket Number:* OST-98-4542 *Date Filed:* October 5, 1998

Parties: Members of the International

Air Transport Association

Subject:

PTC12 NMS-ME 0064 dated September 29, 1998

North Atlantic-Middle East expedited Resos

r-1-002x

r-2-044b

r-3-054b

r-4-064b

r-5-070mm

r-6-070rr

r-7-084mm

r-8-092mm

Intended effective date: November 15, 1998.

Docket Number: OST-98-4543

Date Filed: October 5, 1998

Parties: Members of the International

Air Transport Association

Subject:

COMP Telex Mail Vote 957 Group/Individual Fares for Ship Crews

r1-087aa

r2-090

Intended effective date: November 1, 1998.

Docket Number: OST-98-4544

Date Filed: October 5, 1998

Parties: Members of the International

Air Transport Association

Subject:

PTC12 MATL-EUR 0033 dated October 2, 1998

Mid Atlantic-Europe Expedited Resos

r1-002y

r2-015v

r3-076e

Intended effective date: November 15, 1998.

Docket Number: OST-98-4563

Date Filed: October 9, 1998

Parties: Members of the International

Air Transport Association

Subject:

(1) PTC3 Telex Mail Vote 960, r1-002r, Reso 016a Excluded in Australia/New Zealand

(2) PTC2 Telex Mail Vote 961, r2-070ca, Excursion Fares within Africa

Intended effective date: (1) December 1, 1998; (2) March 31, 1999.

Dorothy W. Walker,

Federal Register Liaison.

[FR Doc. 98-27980 Filed 10-16-98; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33663]

The Burlington Northern and Santa Fe Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company

Union Pacific Railroad Company (UP) has agreed to grant overhead trackage rights to The Burlington Northern and Santa Fe Railway Company (BNSF) between Beaumont, TX, in the vicinity of UP's milepost 30.17 and West Port Arthur, TX, in the vicinity of UP's milepost 12.7 (Sabine Branch); between West Port Arthur, TX, in the vicinity of UP's milepost 0.00 (Sabine Branch milepost 12.7) and Port Arthur, in the vicinity of UP's milepost 3.21 (Port Arthur Lead); and between Chaison Jct., TX, in the vicinity of milepost 0.0 (Sabine Branch milepost 26.1) and Chaison, TX, in the vicinity of UP's milepost 3.3 (Chaison Spur), for a total distance of 10.58 miles.

The transaction was expected to be consummated on or after October 6, 1998.¹

The purpose of the overhead trackage rights is to obtain competitive access to additional industries.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or

¹ Under 49 CFR 1180.4(g)(1), a trackage rights exemption is effective 7 days after the notice is filed. Although applicant indicated that the proposed transaction would be consummated on October 1, 1998, the notice was not filed until September 29, 1998, and thus the proposed transaction could not be consummated before the October 6, 1998 effective date. BNSF's representative has acknowledged by telephone that the transaction may not be consummated prior to October 6, 1998.