

2011 Chevrolet Malibu—because of these incidents did not have an underlying cause or failure mode in common with the other ruptures.¹⁶² NHTSA does not agree that these incidents lack sufficient commonality to be considered, as described in section II.A. Additionally, as previously explained, root cause is not necessary for a defect determination. It is not appropriate to eliminate any of the ruptures in vehicles—the very incidents where people have already been harmed—from its evaluation of whether there is an unreasonable risk.

Consumer safety “would be most ill served by extending [a] delay based on new predictions that the number of injuries caused by the defect will diminish.” *Carburetors*, 565 F.2d at 759. The agency also does not believe that logistical and cost-related concerns raised by commenters about a recall of the subject inflators warrants leaving the unreasonable risk unaddressed by a recall. NHTSA acknowledges the potential ramifications of a recall of this magnitude and does not take its decision lightly. However, the crux of this issue is not a variety of potential (or even attenuated or largely hypothetical) reverberations stemming from a recall—it is that there is defect in the subject inflators that presents an unreasonable risk of death or injury in the event of a crash, and that defect must be addressed.

Every subject inflator that deploys is at risk of rupture, and rupture events are unpredictable and dangerous. Three of the seven field ruptures in the United States occurred between 2009 and 2017, and three more field ruptures occurred in the span of just over four months in 2021. The last field rupture occurred very recently, in 2023. While it is impossible to predict when the next rupture will occur, each inflator that deploys is at risk. NHTSA’s statistical evaluation of the future rupture risk, while not imperative to its decision here, reinforces that field ruptures are expected to occur in the future, and any hopes premised simply on the relatively low odds of an inflator rupturing are insufficient to warrant inaction. *Cf. Carburetors*, 565 F.2d at 759 (“[T]he fact that in past reported cases good luck and swift reactions have prevented many serious injuries does not mean that luck will continue to work in favor of passengers of burning cars. As a matter of statistics their chances may well . . . appear quite favorable. The purpose of the Safety Act, however, is not to protect individuals from the risks

associated with defective vehicles only after serious injuries have already occurred; it is to prevent serious injuries stemming from established defects before they occur.”). With each subject inflator that deploys, the vehicle occupants are at risk of severe injury or death from a rupture. That risk is plainly unreasonable under the Safety Act.

III. Conclusion

Every field rupture of the subject inflators in the United States has resulted in at least one vehicle occupant being injured, several have resulted in severe injury, and one has resulted in death. Seven of the subject inflators have already ruptured in vehicles the United States. The facts and circumstances surrounding these U.S. field ruptures, the four foreign field ruptures, and the twenty-three lot acceptance test ruptures underscore the severe impact of the defect on motor vehicle safety. Based on its comprehensive analysis, NHTSA has concluded that the evidence shows that the causes of these ruptures stem from use of a friction welding process without adequate inspection safeguards in place and that all of the subject inflators were produced using this same process. As such, all of the subject inflators have a risk of rupture and are defective. The pattern and evidence of these ruptures confirms that the reactionary, limited-scope recalls are insufficient to address the safety risk and that a recall for the full subject inflator population is necessary. Given the severity of a rupture and the known ruptures there is ample evidence of a defect in the subject inflators. Common sense demands acknowledging that metal shrapnel projecting at high speeds and causing injury or death presents an unreasonable risk to safety, and the Safety Act does not allow for such a risk to remain unaddressed.

Pursuant to the Safety Act, NHTSA may make a final decision “only after giving the manufacturer[s] an opportunity to present information, views, and arguments showing that there is no defect or noncompliance or that the defect does not affect motor vehicle safety. Any interested person also shall be given an opportunity to present information, views, and arguments.” 49 U.S.C. 30118(b)(1). Given the more extensive detail and discussion of the technical issues in this notice, and to ensure opportunity for additional public feedback, NHTSA is providing an additional 30-day comment period. No additional public meeting will be held.

If NHTSA makes a final decision that the subject inflators contain a safety defect, NHTSA will order ARC to comply with the obligation to file notice of the safety defect with the agency and will order the vehicle manufacturers to carry out recalls by providing notice and a free remedy. *See id.* section 30118(b)(2).

Authority: 49 U.S.C. 30118(a), (b); 49 CFR 554.10; delegations of authority at 49 CFR 1.50(a) and 49 CFR 501.8.

Eileen Sullivan,

Associate Administrator for Enforcement.

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DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Revision of an Approved Information Collection; Submission for OMB Review; Customer Complaint Form

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning a revision of its information collection titled, “Customer Complaint Form” The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by September 4, 2024.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email:* prainfo@occ.treas.gov.
- *Mail:* Chief Counsel’s Office,

Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0232, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

• *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

- *Fax:* (571) 293–4835.

¹⁶² See Comments of FCA US LLC Regarding Initial Decision at pp. 5–6.

Instructions: You must include “OCC” as the agency name and “1557–0232” in your comment. In general, the OCC will publish comments on www.reginfo.gov without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Written comments and recommendations for the proposed information collection should also be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. You can find this information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice by the method set forth in the next bullet.

- **Viewing Comments Electronically:** Go to www.reginfo.gov. Hover over the “Information Collection Review” tab and click on “Information Collection Review” from the drop-down menu. From the “Currently under Review” drop-down menu, select “Department of Treasury” and then click “submit.” This information collection can be located by searching OMB control number “1557–0232” or “Customer Complaint Form.” Upon finding the appropriate information collection, click on the related “ICR Reference Number.” On the next screen, select “View Supporting Statement and Other Documents” and then click on the link to any comment listed at the bottom of the screen.

- For assistance in navigating www.reginfo.gov, please contact the Regulatory Information Service Center at (202) 482–7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, Clearance Officer, (202) 649–5490, Chief Counsel’s Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information

that they conduct or sponsor. “Collection of information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks the OMB to extend its approval of the collection in this notice.

Title: Customer Complaint Form.

OMB Control No.: 1557–0232.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: The customer complaint form was developed as a courtesy for customers who contact the OCC’s Consumer Assistance Group (CAG) and wish to file a formal written complaint. The form offers a template for consumers to use to focus their issues and identify the information necessary to provide a complete picture of their concerns. Use of the form is entirely voluntary; however, use of the form does help avoid the processing delays associated with incomplete complaints and allows CAG to process complaints more efficiently.

CAG uses the information included in a completed form to create a record of the consumer’s contact, capture information that can be used to resolve the consumer’s issues, and create a database of information that is incorporated into the OCC’s supervisory process.

Estimated Burden:

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 10,000.

Estimated Total Annual Responses: 10,000.

Estimated Total Annual Burden: 3,300.

Comments: On May 31, 2024, the OCC published a 60-day notice for this information collection, (89 FR 47237). No comments were received.

Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC’s estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation,

maintenance, and purchase of services to provide information.

Eden M. Gray,

Assistant Director, Office of the Comptroller of the Currency.

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DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Bank Appeals Follow-Up Questionnaire

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, “Bank Appeals Follow-Up Questionnaire.” The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by September 4, 2024.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email:* prainfo@occ.treas.gov.

- *Mail:* Chief Counsel’s Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0332, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

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- *Fax:* (571) 293–4835.

Instructions: You must include “OCC” as the agency name and “1557–0332” in your comment. In general, the OCC will publish comments on www.reginfo.gov without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received,