

should be "max load single 1400 kg (3085 lbs)."

Continental Tire believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. Continental Tire states,

All other sidewall identification markings and safety information is correct. A consumer acting on the incorrect information would underload the vehicle by 20 kg per tire. This incorrect load capacity molding does not affect the safety, performance and durability of the tire; the tire was built as designed.

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. Mail: Docket Management Facility, U.S. Department of Transportation, Nassif Building, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC. It is requested, but not required, that two copies of the comments be provided. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays. Comments may be submitted electronically by logging onto the Docket Management System Web site at <http://dms.dot.gov>. Click on "Help" to obtain instructions for filing the document electronically. Comments may be faxed to 1-202-493-2251, or may be submitted to the Federal eRulemaking Portal: go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

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.

Comment closing date: March 2, 2006.

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

Issued on: January 24, 2006.

**Daniel C. Smith,**

*Associate Administrator for Enforcement.*

[FR Doc. E6-1161 Filed 1-30-06; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 290 (Sub-No. 4)]

#### Railroad Cost Recovery Procedures-Productivity Adjustment

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Proposed adoption of a Railroad Cost Recovery Procedures-productivity adjustment.

**SUMMARY:** The Surface Transportation Board proposes to adopt 1.019 (1.9%) as the measure of average change in railroad productivity for the 2000-2004 (5-year) averaging period. This value is a decline of 1% from the current measure of 2.9% that was developed for the 1999-2003 period.

**DATES:** Comments are due February 15, 2006.

*Effective Date:* The proposed productivity adjustment is effective March 1, 2006.

**ADDRESSES:** Send comments (an original and 10 copies) referring to STB Ex Parte No. 290 (Sub-No. 4) to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION CONTACT:** H. Jeff Warren, (202) 565-1533. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

#### SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision, which is available on our Web site <http://www.stb.dot.gov>. To purchase a copy of the full decision, write to, e-mail or call the Board's contractor, ASAP Document Solutions; 9332 Annapolis Rd., Suite 103, Lanham, MD 20706; e-mail: [asapdc@verizon.net](mailto:asapdc@verizon.net); phone: (202) 306-4004. [Assistance for the hearing impaired is available through FIRS: 1-800-877-8339.]

This action will not significantly affect either the quality of the human environment or energy conservation.

Pursuant to 5 U.S.C. 605(b), we conclude that our action will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Decided: January 23, 2006.

By the Board, Chairman Buttrey, and Vice Chairman Mulvey.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E6-1187 Filed 1-30-06; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

January 24, 2006.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before March 2, 2006 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-1146.

*Type of Review:* Extension.

*Title:* Applicable Conventions under the Accelerated Cost Recovery System PS-54-89 (Final).

*Description:* The regulations describe the time and manner of making the notation required to be made on Form 4562 under certain circumstances when the taxpayer transfers property in certain non-recognition transactions. The information is necessary to monitor compliance with the section 168 rule.

*Respondents:* Business or other for-profit and Farms.

*Estimated Total Burden Hours:* 70 hours.

*OMB Number:* 1545-1948.

*Type of Review:* Extension.

*Title:* One-Time Dividends Received Deduction for Certain Cash Dividends from Controlled Foreign Corporations.

*Form:* IRS form 8895.

*Description:* Form 8895 is used by a U.S. corporation to elect the 85% dividends received deduction provided under section 965 and to compute the DRD.

*Respondents:* Business or other for-profit.

*Estimated Total Burden Hours:* 50,020 hours.

*OMB Number:* 1545-1957.

*Type of Review:* Extension.

*Title:* Notice 2005-64 Foreign Tax Credit and other Guidance under Section 965.

*Description:* This document provide guidance under new section 965 enacted by the American Jobs Creation Act of 2004 (Pub. L. 108-357). In general, and subject to limitations and