

imperative for them to receive flexibility for team drivers who use the SB in order to expedite the delivery of high security-risk and time-sensitive TRU waste shipments in a safe and secure manner. According to DOE, acceptance of their proposed option would allow team drivers to manage their en-route rest periods effectively, thus resulting in a safe driving performance during the long distance trip.

The DOE's proposed exemption option would initially apply to those CMV drivers of only two DOE contracted motor carriers who are currently responsible for transporting TRU waste shipments. However, according to DOE, motor carrier contracts are subject to change, and they therefore request that FMCSA grant the exemption from 49 CFR 395.1(g)(1)(ii)(A)(1) for all DOE contractors transporting TRU waste shipments. If the exemption is granted, DOE will monitor and control the use of the exemption by the contracted motor carriers.

The DOE proposes to impose the following safety controls as part of its TRU waste operations under the exemption:

- Limit driving time to 10 hours before appropriate rest must be obtained;
- Real-time tracking and monitoring of TRU waste shipments using DOE's satellite-based TRANSCOM system;
- Use of electronic on-board recorders on trucks is contractually required by DOE/Waste Isolation Power Plant contracted motor carriers to ensure compliance with driver's HOS rules;
- Additional driver qualification and training requirements are established in the TRU waste transportation contract in addition to DOT regulatory qualification training requirements for HM and highway-route-controlled-quantity shipments;
- Train all CMV drivers on fatigue awareness;
- Maintain DOE's strict penalty system for infractions committed by its TRU waste drivers;
- Enhance fleet inspection program in accordance with the Commercial Vehicle Safety Alliance Level VI requirements prior to dispatch and en route. The tractor and trailer fleet maintenance programs are based primarily on the manufacturer's recommended service requirements;
- Monitor the TRU waste CMVs via satellite and in-cab video cameras; and
- Monitor the safety of these operations via FMCSA's SafeStat Program and DOE's Motor Carrier Evaluation Program.

Further details regarding DOE's proposed safety controls can be found in their application for exemption, which can be accessed in the docket identified at the beginning of this notice.

The DOE contends that the 8-hour SB requirement conflicts with DOE's security and safety regulations. In addition, DOE states that the TRU waste transportation requirements imposed by the SB rest period provisions of the current rule negatively impact team drivers' sleep and alertness. The DOE states that if its request for exemption is granted, the level of safety of its TRU waste operations would be equivalent to, or greater than, the level of safety that would be obtained by complying with the current SB regulations.

#### Request for Comments

In accordance with 49 U.S.C. 31315(b)(4) and 31136(e), FMCSA requests public comment on DOE's application for a limited exemption from 49 CFR 395.1(g)(1)(ii)(A)(1). The Agency will consider all comments received by close of business on July 14, 2008. Comments will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. The Agency will consider to the extent practicable comments received in the public docket after the closing date of the comment period.

Issued on: June 5, 2008.

**Charles A. Horan III,**  
*Acting Associate Administrator for Policy and Program Development.*

[FR Doc. E8-13160 Filed 6-11-08; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2008-0074; Notice 1]

#### Goodyear Tire & Rubber Company, Receipt of Petition for Decision of Inconsequential Noncompliance

Goodyear Tire & Rubber Company (Goodyear), has determined that certain passenger car tires manufactured during the week of January 7, 2008 did not fully comply with Federal Motor Vehicle Safety Standards (FMVSS) No. 139 *New Pneumatic Radial Tires for Light Vehicles*. Goodyear has filed an appropriate report 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), Goodyear 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.

This notice of receipt of Goodyear'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.

Affected are 18 P235/55R18 99V Goodyear Eagle RS-A passenger car tires manufactured in its Lawton, Oklahoma plant during the week of January 7, 2008.

Paragraph S5.5.1(a) of FMVSS No. 139 requires:

S5.5.1 *Tire identification number.* (a) Tires manufactured before September 1, 2009. Each tire must be labeled with the tire identification number required by 49 CFR part 574 on a sidewall of the tire. Except for retreaded tires, either the tire identification number or a partial tire identification number, containing all characters in the tire identification number, except for the date code and, at the discretion of the manufacturer, any optional code, must be labeled on the other sidewall of the tire.

Goodyear explains that due to a mold labeling error the labeling information on the subject tires incorrectly states "NOT FOR SALE" on the intended inboard sidewall instead of the partial tire identification number (TIN) "M60Y LNER." Therefore, it is Goodyear's belief that the subject tires are not in compliance with the tire labeling requirement found in S5.5.1(a) of FMVSS No. 139.

Goodyear makes the argument that this noncompliance is inconsequential to motor vehicle safety because the tires meet or exceed all other applicable FMVSS performance standards, and that the tires were designed, manufactured and tested to the standards and regulations as applicable and they meet all regulatory performance test requirements.

Goodyear also explains its belief that the Tire Identification Number (TIN) and the partial TIN are used to properly identify tires that are involved in a safety campaign. Goodyear stated its belief that the full TIN is molded on the intended outboard sidewall of these tires and consumers could be directed to have both sidewalls inspected for the TIN if any safety campaign would be required for these tires in the future. Goodyear compared this situation to that of any tire involved in a safety campaign that required the 4-digit week and year code to determine if it were involved.

Goodyear also stated that it has corrected the problem that caused these

errors so that they will not be repeated in future production.

In summation, Goodyear states that it believes that because the noncompliances are inconsequential to motor vehicle safety that no corrective action is warranted.

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.

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.

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.). DOT's complete Privacy Act Statement in the

**Federal Register** published on April 11, 2000 (65 FR 19477-78).

You may view documents submitted to a docket at the address and times given above. You may also view the documents on the Internet at <http://www.regulations.gov> by following the online instructions for accessing the dockets available at that Web site.

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: July 14, 2008.

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

Issued on: June 6, 2008.

**Claude H. Harris,**  
*Director, Office of Vehicle Safety Compliance.*  
[FR Doc. E8-13176 Filed 6-11-08; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF THE TREASURY

### Draft Report Addendum of the Advisory Committee on the Auditing Profession

**AGENCY:** Office of the Undersecretary for Domestic Finance, Treasury.

**ACTION:** Notice; request for comments.

**SUMMARY:** The Advisory Committee on the Auditing Profession is publishing a Draft Report Addendum and soliciting public comment.

**DATES:** Comments should be received on or before July 9, 2008.

**ADDRESSES:** Comments may be submitted to the Advisory Committee by any of the following methods:

#### Electronic Comments

- Use the Department's Internet submission form (<http://www.treas.gov/offices/domestic-finance/acap/comments>); or

#### Paper Comments

- Send paper comments in triplicate to Advisory Committee on the Auditing Profession, Office of Financial Institutions Policy, Room 1418, Department of the Treasury, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

In general, the Department will post all comments on its Web site (<http://www.treas.gov/offices/domestic-finance/acap/comments>) without

change, including any business or personal information provided such as names, addresses, e-mail addresses, or telephone numbers. The Department will also make such comments available for public inspection and copying in the Department's Library, Room 1428, Main Department Building, 1500 Pennsylvania Avenue, NW., Washington, DC 20220, on official business days between the hours of 10 a.m. and 5 p.m. Eastern Time. You can make an appointment to inspect comments by telephoning (202) 622-0990. All comments, including attachments and other supporting materials, received are part of the public record and subject to public disclosure. You should submit only information that you wish to make available publicly.

#### FOR FURTHER INFORMATION CONTACT:

Kristen E. Jaconi, Senior Policy Advisor to the Under Secretary for Domestic Finance, Department of the Treasury, Main Department Building, 1500 Pennsylvania Avenue, NW., Washington, DC 20220, at (202) 927-6618.

**SUPPLEMENTARY INFORMATION:** At the request of the two Co-Chairs of the Department of the Treasury's Advisory Committee on the Auditing Profession, the Department is publishing this notice soliciting public comment on the Advisory Committee's Draft Report Addendum. The text of this Draft Report Addendum is found in the appendix to this notice and may be found on the Web page of the Advisory Committee at <http://www.treas.gov/offices/domestic-finance/acap/index.shtml>. The Draft Report Addendum seeks comments on a variety of issues impacting the sustainability of a strong and vibrant public company auditing profession. All interested parties are invited to submit their comments in the manner described above.

Dated: June 6, 2008.

**Taiya Smith,**  
*Executive Secretary.*

#### Appendix: Advisory Committee on the Auditing Profession

##### Draft Report Addendum—June 3, 2008

*The Department of the Treasury*

##### Addendum to VI. Firm Structure and Finances

##### Auditor's Report

**Recommendation:** Urge the PCAOB to undertake a standard-setting initiative to consider improvements to the auditor's reporting model.