

Therefore BHC decided to suspend sales of the warning triangles produced by TORCH.

BHC stated its belief that the minor discrepancy between the measurements of the orange material and the luminance tests result has an inconsequential effect on motor vehicle safety. The competitor's test results also makes claims regarding whether the Torch triangles meet the FMVSS No. 125 with regard to stability and reflectivity. BHC has not independently verify these allegations.

BHC stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

1. The triangles are not an integral part of vehicle operation, and are limited to use as a visual warning to passing motorists of a roadside incident.

2. Under FMVSS No. 125, a minimum of 1.25 inches of orange fluorescent material (see page 18 of Industrial Testing Laboratory test report number 120320-05C) must be present. Based on the laboratory testing results and BHC's own measurements, the Choice triangles' reflective material has been measured as 1.23 inches, a difference inconsequential to vehicle safety.

3. The competitor's testing results allege that the reflectivity and stability of the Choice triangles failed to meet NHTSA standards by similarly small margins, which do not present a material safety risk to vehicle operations. Although BHC has not independently verified the competitor's testing results, it has discontinued selling this item.

4. BHC has received no reports from any dealer or end use purchaser of the Choice triangle kits of any failure of these products, accidents, injuries, or other incidents allegedly related to the suspected non-compliance.

5. BHC believes that any recall campaign would be ineffective. BHC is in the process of notifying its approximately 300 dealers of the issue, and has offered to replace any unsold stock with DOT-compliant products. Based on our best information, BHC believes that the retailers of these products generally do not maintain records on end-use purchasers. BHC cannot identify effective point-of-sale or public notice strategies that would effectively notify and remedy the suspected noncompliance.

BHC also, believes that the combination of minor and inconsequential suspected deviations from the DOT standard, the lack of any report of actual failure of the products in the field, and the problems faced in formulating an effective recall program

are sufficient to support the granting of this petition. BHC hopes that this application and attached materials fully illustrate the seriousness with which BHC has taken this matter, including the immediate cessation of sales, attempts to verify the suspected deficiencies, and replacement of unsold stock with compliant equipment. BHC believes that such steps are a reasonable and satisfactory step for an importer in this position, and that a recall campaign would produce no marginal benefit in terms of vehicle safety.

In summation, BHC believes that the described noncompliance of its equipment 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 must 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.

**Comment Closing Date:** August 14, 2013.

**Authority:** 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8.

Issued on: July 2, 2013.

**Claude H. Harris,**  
*Director, Office of Vehicle Safety Compliance.*  
[FR Doc. 2013-16793 Filed 7-12-13; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35732]

#### Sonoma-Marin Area Rail Transit District—Acquisition Exemption—In Marin County, Cal.

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

**ACTION:** Notice of Exemption.

**SUMMARY:** The Board is granting an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10902 for Sonoma-Marin Area Rail Transit District (SMART), a Class III rail carrier, to acquire an approximately 11.25-mile line of railroad in Marin County, Cal., from Golden Gate Bridge, Highway, and Transportation District; County of Marin; and Marin County Transit District.

**DATES:** The exemption will be effective on August 14, 2013. Petitions to stay must be filed by July 25, 2013. Petitions for reconsideration must be filed by August 5, 2013.

**ADDRESSES:** An original and 10 copies of all pleadings, referring to Docket No. FD 35732, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on SMART's

representative: Linda J. Morgan, Nossaman LLP, 1666 K Street NW., Suite 500, Washington, DC 20006.

**FOR FURTHER INFORMATION CONTACT:** Amy C. Ziehm, (202) 245-0391.

[Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision. Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: July 9, 2013.

By the Board, Chairman Elliott, Vice Chairman Begeman, and Commissioner Mulvey.

**Derrick Gardner,**

*Clearance Clerk.*

[FR Doc. 2013-16872 Filed 7-12-13; 8:45 am]

**BILLING CODE 4915-01-P**

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**DEPARTMENT OF VETERANS AFFAIRS**

**[OMB Control No. 2900-0619]**

**Agency Information Collection Activities Under OMB Review**

**AGENCY:** Veterans Health Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) of 1995

(44 U.S.C. 3501-21), this notice announces that the Veterans Health Administration (VHA), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before August 14, 2013.

**ADDRESSES:** Submit written comments on the collection of information through [www.Regulations.gov](http://www.Regulations.gov); or to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503 (202) 395-7316. Please refer to "OMB Control No. 2900-0619" in any correspondence.

**FOR FURTHER INFORMATION OR A COPY OF THE SUBMISSION CONTACT:**

Crystal Rennie, Records Management Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632-7492, or email: [crystal.rennie@va.gov](mailto:crystal.rennie@va.gov). Please refer to "OMB Control No. 2900-0619."

**SUPPLEMENTARY INFORMATION:**

*Title:* Inquiry Routing and Information System (IRIS).

*OMB Control Number:* 2900-0619.

*Type of Review:* Revision of a currently approved collection.

*Abstract:* The World Wide Web is a powerful media for the delivery of information and services to veterans, dependents, and active duty personnel worldwide. IRIS allows a customer to submit questions, complaints, compliments, and suggestions directly to the appropriate office at any time and receive an answer more quickly than through standard mail. IRIS does not provide applications to veterans or serve as a conduit for patient data, etc.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on March 26, 2013, at pages 18426-18427.

*Affected Public:* Individuals or households.

*Estimated Annual Burden:* 108,000 hours.

*Estimated Average Burden per Respondent:* 10 minutes.

*Frequency of Response:* Monthly.

*Estimated Number of Respondents:* 648,000.

Dated: July 9, 2013.

By direction of the Secretary.

**Crystal Rennie,**

*VA Clearance Officer, U.S. Department of Veterans Affairs.*

[FR Doc. 2013-16773 Filed 7-12-13; 8:45 am]

**BILLING CODE 8320-01-P**