

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Notice of Final Federal Agency Actions on Proposed Highway in California**

**AGENCY:** Federal Highway Administration (FHWA), Department of Transportation (DOT).

**ACTION:** Notice of limitation on claims for judicial review of actions by the California Department of Transportation (Caltrans).

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans, that are final. The actions relate to a proposed highway project, the State Route 46 Corridor Improvement Project—Cholame Section approximately 2 miles northwest of the town of Shandon in the County San Luis Obispo, State of California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before November 19, 2020. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For Caltrans, Jason Wilkinson, Branch Chief, Central Region Environmental, Caltrans District 5, 50 Higuera Street, San Luis Obispo, California 93401. Office hours: Monday–Friday, 9:00 a.m.–5:00 p.m. PDT. (805) 542–4663 or email [jason.wilkinson@dot.ca.gov](mailto:jason.wilkinson@dot.ca.gov). For FHWA, contact David Tedrick at 916.498.5024 or email [david.tedrick@dot.gov](mailto:david.tedrick@dot.gov).

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans, have taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: The State Route 46 Corridor Improvement Project—Cholame Section on State Route 46 will begin at PM 49.7, approximately 0.2 miles east of the Shandon Roadside Rest Area and will continue to post mile 54.7, approximately 0.5 miles west of the State Route 41/46 intersection. Caltrans proposes to continue the widening of the State Route 46 Corridor from a two-

lane highway to a four-lane divided expressway (FHWA Project No. 0514000027). The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Updated Environmental Assessment (FEA) with Finding of No Significant Impact (FONSI) for the project, approved on February 14, 2020 and in other documents in Caltrans' project records. The FEA, FONSI and other project records are available by contacting Caltrans at the addresses provided above.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. Surface Transportation Project Delivery Pilot Program (Pilot Program) [23 U.S.C. 327]
2. National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4335]
3. Federal Endangered Species Act [16 U.S.C. 1531–1543]
4. Interagency Cooperation, Endangered Species Act of 1973 [50 CFR 402]
5. Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209]
6. The National Historic Preservation Act (NHPA) of 1966 [16 U.S.C. 470(f) et seq]
7. Energy Policy and Conservation Act of 1975 [42 U.S.C. 6201]
8. Determining Conformity of Federal Actions to State or Federal Implementation Plans [40 CFR 93]
9. Guidelines for Specification of Disposal Sites for Dredged or Fill Material [40 CFR 230]
10. Procedures for abatement of highway traffic noise and construction noise [23 CFR 772]
11. Farmland Protection Policy Act [7 CFR 658]
12. Protection of Historic Properties [36 CFR 800]
13. Cumulative Impact [40 CFR Section 1508.7]
14. Clean Air Act [42 U.S.C. 7401]
15. Protection of Wetlands Executive Order 11990
16. Clean Water Act [33 U.S.C. 1344]
17. Invasive Species Executive Order 13112
18. Federal Migratory Bird Treaty Act [16 U.S.C. 703–711]
19. The Bald and Golden Eagle Protection Act [16 U.S.C. 668]

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1).

Issued on: June 16, 2020.

**Rodney Whitfield,**

*Director, Financial Services, Federal Highway Administration, California Division.*

[FR Doc. 2020–13396 Filed 6–19–20; 8:45 am]

**BILLING CODE 4910–RY–P**

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Notice of Final Federal Agency Actions on Proposed Highway in California**

**AGENCY:** Federal Highway Administration (FHWA), Department of Transportation (DOT).

**ACTION:** Notice of limitation on claims for judicial review of actions by the California Department of Transportation (Caltrans).

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final. The actions relate to a proposed highway project, the State Route 14/Avenue N Interchange Improvement Project (Post Miles R63.4 to PM R63.9) in the City of Palmdale in Los Angeles County, California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before November 19, 2020. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For Caltrans: Karl Price, Senior Environmental Planner, Caltrans District 7, 100 South Main Street, Suite MS 16A, Los Angeles, California, 90012, (213) 266–3822, or email [karl.price@dot.ca.gov](mailto:karl.price@dot.ca.gov). For FHWA, contact David Tedrick at 916.498–5024 or email [david.tedrick@dot.gov](mailto:david.tedrick@dot.gov).

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the FHWA assigned, and the Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: The State Route 14/Avenue N Interchange Improvement Project to construct two roundabouts at the Avenue N and SR–14 Interchange. It would also widen Avenue N between

17th Street West and 10th Street West to accommodate additional traffic lanes, a raised center median, sidewalks, and bike lanes. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Environmental Assessment/ Finding of No Significant Impact (EA/ FONSI) for the project, approved on October 31, 2019, and in other documents in the FHWA project records. The EA/FONSI and other project records are available by contacting Caltrans at the addresses provided above. The Caltrans EA/FONSI can be viewed and downloaded from the project website at <https://www.cityofpalmdale.org/277/Environmental-Documents>.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. National Environmental Policy Act (NEPA) (42 U.S.C. 4321–4351)
2. Clean Air Act (42 U.S.C. 7401–7671 (q))
3. Migratory Bird Treaty Act (16 U.S.C. 703–712)
4. Title VI of the Civil Rights Act of 1964, as amended
5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470(f) *et seq.*)
6. Clean Water Act (Section 401) (33 U.S.C. 1251–1377)
7. Federal Endangered Species Act of 1973 (16 U.S.C. 1531–1543)
8. Executive Order 11990—Protection of Wetlands
9. Department of Transportation Act of 1966, Section 4(f) (49 U.S.C. 303)
10. Noise Control Act of 1972
11. Executive Order 13112—Invasive Species

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1).

Issued on: June 16, 2020.

**Rodney Whitfield,**

Director, Financial Services, Federal Highway Administration, California Division.

[FR Doc. 2020–13399 Filed 6–19–20; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2019–0013; Notice 2]

#### Michelin North America, Inc., Grant of Petition for Decision of Inconsequential Noncompliance

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Grant of petition.

**SUMMARY:** Michelin North America, Inc. (MNA), has determined that certain BFGoodrich All-Terrain T/A KO2 replacement tires do not comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Radial Tires for Light Vehicles*. MNA filed a noncompliance report dated November 13, 2018, and subsequently petitioned NHTSA on December 10, 2018, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces the grant of MNA's petition.

**FOR FURTHER INFORMATION CONTACT:** Abraham Diaz, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366–5310, facsimile (202) 366–5930.

#### SUPPLEMENTARY INFORMATION:

##### I. Overview

MNA has determined that certain All-Terrain TA KO2 tires do not comply with paragraph S5.5.1(b) of FMVSS No. 139, *New Pneumatic Radial Tires for Light Vehicles* (49 CFR 571.139). MNA filed a noncompliance report dated November 13, 2018, pursuant to 49 CFR 573, *Defect and Noncompliance Responsibility and Reports*, and subsequently petitioned NHTSA on December 10, 2018, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 40 U.S.C. 30118 and 49 U.S.C. 30120, *Exemption for Inconsequential Defect or Noncompliance*.

Notice of receipt of MNA's petition was published, with a 30-day public comment period on July 3, 2019, in the **Federal Register** (84 FR 32010). No Comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Then follow the online search instructions to

locate docket number “NHTSA–2019–0013.”

##### II. Equipment Involved

Approximately 415 BFGoodrich All-Terrain T/A KO2 replacement tires, size LT275/65R20, manufactured between September 2, 2018, and October 6, 2018, are potentially involved.

##### III. Noncompliance

MNA explains that the noncompliance is that the subject tires were marked with an incorrectly sequenced Tire Identification Number (TIN) and therefore, do not meet the requirements of paragraph S5.5.1(b) of FMVSS No. 139. Specifically, the DOT symbol was incorrectly placed between the first and second grouping of the TIN when the symbol should be placed either in front of or below the TIN, thus, both the DOT symbol and the plant code were marked in the incorrect sequence.

##### IV. Rule Requirements

Paragraph S5.5.1 (b) of FMVSS No. 139 includes the requirements relevant to this petition. Each tire must be labeled with the TIN on the intended outboard sidewall of the tire, as required by 49 CFR part 574. Either the TIN or a partial TIN should contain all characters in the TIN, except for the date code and, at the discretion of the manufacturer, any optional code, and must be labeled on the other sidewall of the tire. If the tire does not have an intended outboard sidewall, the tire must be labeled with the TIN required by 49 CFR part 574 on one sidewall and with either the TIN, containing all characters in the TIN except for the date code and at the discretion of the manufacturer, any optional code, on the other sidewall.

##### V. Summary of Petition

MNA described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, MNA submitted the following reasoning:

##### 1. Operational Safety

a. The TIN marking noncompliance does not create any operational safety risk for the vehicle. The tires comply with applicable FMVSSs and all other applicable regulations.

b. The incorrect marking sequence of the DOT symbol and TIN plant code has no bearing on tire performance.

c. The subject tires are properly marked with all other markings required under FMVSS No. 139 such as S5.5(c) maximum permissible inflation pressure and S5.5(d) maximum load rating. The necessary information is available on the sidewall of the tire to ensure proper application and usage.