

(3) To reissue the exemption originally issued on an emergency basis and modify the exemption to provide for Division 6.1 material as an additional class for transportation in IM portable tanks.

(4) To reissue exemption originally issued on an emergency basis to authorize the manufacture, mark and sale of non-DOT specification collapsible, non-reusable woven polypropylene bulk bags for use in transporting sodium azide, Division 6.1.

This notice of receipt of applications for modification of exemptions is published in accordance with Part 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on March 20, 1997.

J. Suzanne Hedgepeth,

Director, Office of Hazardous Materials Exemptions and Approvals.

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Office of Hazardous Materials Safety; Notice of Applications for Exemptions

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applicants for exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the applications described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

DATES: Comments must be received on or before April 25, 1997.

ADDRESS COMMENTS TO: Dockets Unit, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption application number.

FOR FURTHER INFORMATION CONTACT:

Copies of the applications (See Docket Number) are available for inspection at the New Docket Management Facility, PL-401, at the U.S. Department of Transportation, Nassif Building, 400 7th Street, SW, Washington, DC 20590.

This notice of receipt of applications for new exemptions is published in accordance with Part 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

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J. Suzanne Hedgepeth,

Director, Office of Hazardous Materials Exemptions and Approvals.

NEW EXEMPTIONS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of Exemption Thereof
11814-N	11814-N	The Columbiana Boiler Co., Columbiana, OH.	49 CFR 178.245	To manufacture, mark and sell non-DOT specification steel portable tanks permanently fitted with in an ISO frame similar to DOT-51 portable tanks for use in transporting those hazardous materials as authorized in DOT-Specification 51 portable tanks. (modes 1, 2, 3).
11839-N	RSPA-97-2217	Williams Field Services, Opal, WY.	49 CFR 177.834(i)	To authorize loading of cargo tank containing Class 3 and Division 2.1 material without the physical presence of an unloader. (mode 1).
11840-N	RSPA-97-2218	TRW Vehicle Safety Systems, Inc., Queen Creek, AZ.	49 CFR 172 Subparts D&E, 173.51(a), 173.62(c).	To authorize the transportation in commerce of passenger air bag inflator classed in Division 1.4 and Division 4.1, to be transported without required marking and labeling in reusable plastic trays banded or strapped to pallets. (mode 1).
11841-N	RSPA-97-2224	Stepan Co., Northfield, IL	49 CFR 179.200-16	To authorize the transportation in commerce of tank cars equipped with alternative loading and unloading devices to be transported without required DOT exemption markings for use in the shipment of Class 9 material. (mode 2).
11842-N	RSPA-97-2226	Maine State Ferry Service, Augusta, MA.	49 CFR 176.89(a)(6)	To authorize the transportation in commerce of tank trucks carrying fuel oil, Class 3 to be transported in ferry service without an operator staying with the vehicle. (mode 3).
11843-N	RSPA-97-2227	Shell Chemical Co., Houston, TX.	49 CFR 173.31(f)(1) & (2).	To authorize an exemption from the requirement to modify, reassign, retire, or remove at least 50 percent of in-service tank car fleet used for the transportation of a hazardous substance. (mode 2).
11844-N	RSPA-97-2228	Evergreen International Airlines, Inc., McMinnville, OR.	49 CFR 172.101, Col 9B, 172.204(a) and (c), 173.27, 173.54(j), 175.30(a)(1) App. B to subpart B of part 107.	To authorize the transportation in commerce of explosives, Division 1, that are forbidden or exceed the quantity limitation for transportation by air. (mode 4).
11847-N	RSPA-97-2229	Energy & Environmental Tech. Co., Southfield, MI.	49 CFR 173.188(a)(2)	To authorize the transportation in commerce of Division 4.2 material contained in hermetically sealed warheads overpacked in 55 gallon 1A2 drums instead of 30 gallon steel drums. capacity. (mode 1).

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DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network

Privacy Act of 1974; System of Records

AGENCY:Departmental Offices, Treasury.

ACTION: Notice of a proposed New Privacy Act system of records.

SUMMARY: In accordance with the Privacy Act of 1974, as amended, 5 U.S.C. 552a, the Financial Crimes Enforcement Network ("FinCEN"), Department of the Treasury (Treasury), gives notice of a proposed new Treasury-wide system of records entitled the "Suspicious Activity Reporting System (the "SAR System")—Treasury/DO.212."

DATES: Comments must be received no later than April 25, 1997. The proposed system of records will become effective without further notice April 25, 1997, unless comments are received that result in a contrary determination and notice is published to that effect.

ADDRESSES: Written comments should be sent to Office of Legal Counsel, FinCEN, 2070 Chain Bridge Road, Suite 200, Vienna, VA 22182-2536, Attention: SAR System of Records. Comments will be made available for inspection and copying by appointment. Persons wishing such an opportunity should call Eileen Dolan, (703) 905-3590.

FOR FURTHER INFORMATION CONTACT: Cynthia A. Langwiser, Attorney-Advisor, Office of Legal Counsel, FinCEN, (703) 905-3582.

SUPPLEMENTARY INFORMATION:

This new Privacy Act system of records is proposed to be established for the retention, retrieval, and dissemination of information, reported by financial institutions or certain of their affiliates to the Federal Government, concerning suspicious transactions and known or suspected criminal violations occurring by, at, or through such institutions. Suspicious transaction reporting is required by rules issued by FinCEN and the five supervisory agencies that examine and regulate the safety and soundness of financial institutions, namely the Board of Governors of the Federal Reserve System (the "Board"), the Office of the Comptroller of the Currency ("OCC"), the Federal Deposit Insurance Corporation ("FDIC"), the Office of Thrift Supervision ("OTS"), and the

National Credit Union Administration ("NCUA") (collectively, the "Federal Supervisory Agencies").¹

The requirements of FinCEN and the Federal Supervisory Agencies create an integrated system for reporting suspicious activity and known or suspected crimes. Under these requirements, financial institutions file a single uniform Suspicious Activity Report (a "SAR") with FinCEN. Previously, a financial institution reporting a known or suspected violation of law was required to file multiple copies of criminal referral forms with its Federal financial regulatory agency and Federal law enforcement agencies. Each Federal financial regulatory agency had promulgated a different form. Under the new system, a financial institution meets its obligation to report a known or suspected violation of law by filing one copy of a SAR with FinCEN.

SAR records are maintained in an automated database that is operated by agreement among FinCEN and the Federal Supervisory Agencies. FinCEN manages the automated SAR System, which is housed at the Internal Revenue Service Computing Center in Detroit, Michigan. The SAR System contains the suspicious activity information filed by financial institutions and related information concerning criminal prosecutions, civil actions, enforcement proceedings and investigations of concern to FinCEN and the Federal Supervisory Agencies. Currently, these categories of records are included in an existing Privacy Act system of records, FinCEN Data Base, Treasury/DO .200.² However, in order to provide more current and detailed information about these categories of records, a new and separate Privacy Act system of records is being created.

This single information system for the use of such reports is a key part of the integrated system. The SAR System will permit enhanced analysis and tracking of the information contained in the

¹ FinCEN and the Federal Supervisory Agencies have all published rules requiring such reporting. See the rules published by FinCEN, the Board, OCC, FDIC, OTS and NCUA, respectively, at: 61 FR 4326 (February 5, 1996); 61 FR 4338 (February 5, 1996); 61 FR 4332 (February 5, 1996); 61 FR 6095 (February 16, 1996); 61 FR 6100 (February 16, 1996); 61 FR 11526 (March 21, 1996).

² In addition, the Federal Supervisory Agencies have modified their existing Privacy Act Systems of Records to reflect the new interagency suspicious activity reporting process and the use of the database maintained and managed by FinCEN pursuant to the agreement. See the notices published by the Board, OCC, FDIC, OTS, and NCUA, respectively, at: 60 FR 44347 (August 25, 1995); 60 FR 64239 (December 14, 1995); 60 FR 52001 (October 4, 1995); 60 FR 64241 (December 14, 1995) and 61 FR 8689 (March 5, 1996).

reports, and rapid dissemination to appropriate Federal and state law enforcement and supervisory agencies. As a central repository for investigatory or enforcement information, the SAR System will permit analysis, retrieval, and dissemination of information by the Federal Supervisory Agencies, by appropriate Federal, state, and local law enforcement agencies, state banking supervisory agencies, and by FinCEN itself (SAR Users).³ In addition, the SAR System will permit dissemination of information, where appropriate, to non—United States financial regulatory agencies and law enforcement authorities. The SAR System will thereby improve efforts to prevent, identify, and enforce the laws against financial wrongdoing.

Because records in this database are generated under 31 U.S.C. 5318(g)(4), which authorizes the Secretary of the Treasury to designate a single agency to whom suspicious activity reports shall be made, access to and use of these records will be governed by the routine uses set forth in this notice. Accordingly, the routine uses reflect sharing among Federal Supervisory Agencies and law enforcement authorities. Additionally, the safeguards provide that on—line access to the computerized database is limited to authorized individuals who have been issued a password and nontransferable identifier.

Because information in the SAR System may be retrieved by personal identifier, the Privacy Act of 1974 requires the Treasury Department to give general notice and seek public comments about creation of this new separate system of records. A new system of records report, as required by 5 U.S.C. 552a(r), has been submitted to the Committee on Government Reform and Oversight of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Office of Management and Budget ("OMB"). See Appendix I to OMB Circular A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," 61 FR 6428, 6435 (February 20, 1996). The proposed system of records, Suspicious Activity Reporting System—Treasury/

³ In accordance with 31 U.S.C. 5318(g), data from the SAR System is exchanged, retrieved, and disseminated, both manually and electronically among FinCEN, the Federal Supervisory Agencies, appropriate Federal, state, and local law enforcement agencies, and state banking supervisory agencies. Section 5318(g)(4)(B) specifically require that the agency designated as the repository for suspicious transaction reports refer those reports to any appropriate law enforcement or supervisory agency.