

A-99-83. Pending completion of your evaluation of the fire hazards posed by lithium batteries in an air transportation environment, notify the International Civil Aviation Organization's Dangerous Goods Panel about the circumstances of the fire in the Northwest Airlines cargo facility at Los Angeles International Airport on April 28, 1999. Also pending completion of your evaluation of the fire hazards posed by lithium batteries in an air transportation environment, initiate action through the Dangerous Goods Panel to revise the *Technical Instructions for the Safe Transportation of Dangerous Goods by Air* to prohibit the transportation of lithium batteries on passenger-carrying aircraft.

A-99-84. Initiate action through the Dangerous Goods Panel to revise the *Technical Instructions for the Safe Transportation of Dangerous Goods by Air* to require that packages containing lithium batteries be identified as hazardous materials when transported on aircraft.

Copies of the November 16, 1999, NTSB letter and our response are in the public docket. A summary of our response appears in the next section of the preamble.

#### C. DOT Actions

We responded to the NTSB in a letter dated March 29, 2000. In that response, we stated that we were re-evaluating both the hazards posed by lithium batteries in air transportation and the safety measures necessary to protect an aircraft and its occupants. Additional information is being collected from lithium battery manufacturers and Federal agencies with extensive experience with testing and the use of lithium batteries. DOT also intends to conduct experimental evaluations necessary to obtain information not available from other sources. Our investigation is studying both primary lithium batteries and rechargeable lithium batteries.

In our response to NTSB we stated that, taking into account the hazards that lithium batteries present in transportation, the unusual nature of the LAX incident, the number of lithium batteries that have been transported safely on passenger-carrying aircraft, and the potential economic consequences, we could not justify an immediate prohibition on the transportation of lithium batteries on passenger-carrying aircraft. We are, however, initiating alternative actions to address the risk lithium batteries present in air transportation. These alternative actions include developing and distributing information aimed at shippers and airline personnel on the

potential hazards of lithium batteries, such as the information contained in this notice, and based on the findings of our evaluation, initiating rulemaking action as necessary to address the classification, hazard communication, packaging, and operational controls relating to lithium batteries. We have also notified the ICAO Dangerous Goods Panel of the LAX incident and have initiated proposals to amend the United Nations Recommendations on the Transport of Dangerous Goods.

We have met with representatives of the battery industry concerning actions being taken voluntarily by them to mitigate these hazards, as set forth in the following section.

Upon completion of our evaluation of lithium batteries, we will initiate any additional actions necessary to address the hazards posed by the transportation of lithium batteries.

#### III. Actions by Members of the Battery Industry

To address the concerns described above while we are considering further regulatory action, companies from around the world involved in the manufacture and distribution of small lithium primary, and lithium ion lithium polymer rechargeable cells and batteries voluntarily are implementing a program to identify and provide information concerning these batteries. The activity is expected to result in modification of shipping practices associated with the vast majority of small lithium primary and lithium ion rechargeable cells and batteries. A summary of the program's elements, as provided to us by these companies, is provided below:

Lithium, lithium ion and lithium polymer cells and batteries exempt from regulations under 49 CFR 173.185, Special Provision A45 of the ICAO Technical Instructions, and/or Special Provision 188 of the UN Recommendations on the Transport of Dangerous Goods Model Regulations ("covered products") will be affected by this program.

Implementation will begin September 1, 2000. The full program is expected to be in place by February 1, 2001 and DOT will be provided a list of companies who are voluntarily complying.

Each shipment of covered products that is originated by a participating company and contains more than 20 new primary lithium cells or 10 new primary lithium batteries will be marked to identify its content and recommended response actions in the event of an accident or damage to packaging. The text will appear in both

English and the language of the shipment's origin, and will state "Lithium batteries inside. Do not damage or mishandle this package. If package is damaged or mishandled, batteries must be quarantined, inspected, and repacked." The label will include a toll free number to call in the event of an emergency.

Each shipment of covered products that is originated by a participating company and contains more than 40 new lithium ion or lithium polymer cells or more than 20 new lithium ion or lithium polymer multi-cell battery packs (regardless of the number of cells in each) will carry a label explicitly identifying its content and recommended response actions in the event of an accident or damage to packaging. The text will appear in both English and the language of the shipment's origin, and will state "Lithium ion rechargeable batteries inside. (No lithium metal.) In the event of fire, use Class B or C extinguisher. If package is damaged or mishandled, batteries must be quarantined, inspected, and repacked."

Packages which are marked will not exceed 30 kg and will be UN 4G fiberboard boxes, at the Packing Group II performance level, or equivalent.

Participating companies will provide to air carriers, freight forwarders and other shippers involved in the air transportation of covered products brochures or similar documents that describe the covered products and packages, the physiochemical characteristics of covered products, the communications program, and safe shipment handling procedures for covered packages.

Issued in Washington, DC, on August 30, 2000.

**Robert A. McGuire,**

*Associate Administrator for Hazardous Materials Safety.*

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#### DEPARTMENT OF TRANSPORTATION

##### Research and Special Programs Administration

[RSPA-00-7795]

##### Pipeline Safety: Meeting of the Integrity Management Communication Team

**AGENCY:** Research and Special Programs Administration, DOT.

**ACTION:** Notice of Integrity Management Communication Team Meeting.

**SUMMARY:** The Research and Special Programs Administration's (RSPA) Office of Pipeline Safety (OPS) hereby gives notice that the Integrity Management Communication Team will meet to discuss the content and delivery of pipeline information to be conveyed to local officials and members of the public in or near high consequence areas.

**DATES:** The meeting will be held on September 12, 2000.

**ADDRESSES:** Members of the public may attend the meeting at the Department of Transportation, Nassif Building, 400 Seventh Street, SW, Room 6200 Washington, DC 20590. An opportunity will be provided for the public to make short statements on the topics under discussion. Anyone wishing to make an oral statement or to participate by conference call should notify Mary Jo Cooney, (202) 366-4774, or Christina Sames, (202) 366-4561, no later than September 7, 2000. Those wishing to make an oral statement must notify OPS of the topic of the statement and the time requested for the presentation. Those wishing to participate by conference call will be notified of the call-in number prior to the meeting.

*Information on Services for Individuals With Disabilities:* For information on facilities or services for individuals with disabilities or to request special assistance during the telephone conference calls, contact Mary-Jo Cooney at (202) 366-4774.

**FOR FURTHER INFORMATION CONTACT:** Mary Jo Cooney, OPS, (202) 366-4774, or Christina Sames, OPS, (202) 366-4561.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background Information**

In connection with the proposed rule on Pipeline Integrity Management in High Consequence Areas, OPS plans to propose related rules governing operator communications with local public officials and agencies. To assist in this effort, the OPS Technical Advisory Committees created an Integrity Management Communications Subcommittee to focus on communications issues and to report back to the full Advisory Committee. OPS expanded this Subcommittee to form a team with equal representation from the public, government agencies, and the pipeline industry, and to consolidate several related efforts.

The Team will provide feedback, insight, and information to the Advisory Committee on the content and delivery of information conveyed to local officials and the public about pipeline operations, systems, and the risks they

pose in or near high consequence areas. The Advisory Committee will provide pipeline communication recommendations to OPS for consideration in drafting the Integrity Management Communications rulemaking. The Team will also assist OPS in finalizing a primer to educate local officials on pipelines and their operations.

The topics for discussion for this meeting include discussions of the following: Information that is needed by various groups: landowners/tenants along pipeline rights-of-way; local and regional emergency response officials; excavators and the general public; review of existing materials used by pipeline operators for public education; results from a public awareness survey conducted by the American Petroleum Institute and focus groups sponsored by the Interstate Natural Gas Association of America; Office of Pipeline Safety website materials; information currently available under the Freedom of Information Act; and pending pipeline legislative proposals for community right-to-know.

Issued in Washington, DC on August 31, 2000.

**Jeffrey D. Wiese,**

*Manager, Program Development, Office of Pipeline Safety.*

[FR Doc. 00-22985 Filed 9-6-00; 8:45 am]

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#### **DEPARTMENT OF TRANSPORTATION**

##### **Surface Transportation Board**

**[STB Finance Docket No. 33917]**

##### **Canton Railroad Company—Trackage Rights Exemption—Norfolk Southern Railway Company**

Norfolk Southern Railway Company (NS) has agreed to grant overhead trackage rights to Canton Railroad Company (CTN) over approximately 150 feet of NS' track within its existing right-of-way, being four crossover tracks located between Stations 74+40 and 178+73, on the Southern Bear Creek Branch, and connecting CTN's East Main and West Main, in Baltimore City, MD.<sup>1</sup>

CTN reported that it intends to consummate the transaction on September 1, 2000, or as soon thereafter

<sup>1</sup> A redacted version of the trackage rights agreement between NS and CTN was filed with the notice of exemption. The full version of the agreement, as required by 49 CFR 1180.6(a)(7)(iii), was concurrently filed under seal along with a motion for a protective order. A protective order was served on August 30, 2000.

as the parties may agree or notices to labor may be effective.

The purpose of the trackage rights is to permit CTN to facilitate a more efficient operation of a coal exporting facility served by NS in Baltimore. CTN states that it currently operates over NS' right-of-way at this location pursuant to local operating agreements relating to the yard operations of both railroads. The trackage rights will also allow rail traffic to move more expeditiously in the eastern Maryland region.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33917, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Weston A. Park, P.O. Box 28364, 8424 Old Harford Road, Baltimore, MD 21234.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: August 31, 2000.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 00-22981 Filed 9-6-00; 8:45 am]

**BILLING CODE 4915-00-P**

#### **DEPARTMENT OF TRANSPORTATION**

##### **Bureau of Transportation Statistics**

**[Docket No. BTS-99-5889]**

##### **Motor Carrier Financial and Operating Information; Requests for Exemptions From Public Release of Reports**

**AGENCY:** Bureau of Transportation Statistics, DOT.

**ACTION:** Notice.

**SUMMARY:** Class I and Class II motor carriers of property and household goods are required to file annual and quarterly reports with the Bureau of