

Type of Request: Request for public comment on a previously approved collection of information.

Abstract: Each tire manufacturer is required to collect and maintain records of the names and addresses of the first purchasers of new tires. To carry out this mandate, 49 CFR part 574 requires tire dealers and distributors to record the names and addresses of retail purchasers of new tires and the identification number(s) of the tires sold. A specific form is provided to tire dealers and distributors by tire manufacturers for recording this information.

The completed forms are returned to the tire manufacturers where they are to remain for three years after the date received by the manufacturer. Additionally, motor vehicle manufacturers were required to record the names and addresses of the first purchasers of new motor vehicles, together with the identification numbers of the tires on the new vehicles.

Affected Public: Business or other for-profit.

Estimated Total Annual Burden: 245,000 hours.

ADDRESSES: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

Comments Are Invited on

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility.

- Whether the Department's estimate for the burden of the proposed information collection is accurate.

- Ways to minimize the burden of the collection of information or reduce the costs for collecting the required information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued on: June 27, 2003.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

[FR Doc. 03-16976 Filed 7-3-03; 8:45 am]

BILLING CODE 4910-59-P

ACTION: Notice of actions on exemption applications.

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 of the actions on exemption applications in January–March 2003. The modes of transportation involved are identified 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. Application numbers prefixed by the letters EE represent applications for Emergency Exemptions. It should be noted that some of the sections cited were those in effect at the time certain exemptions were issued.

Issued in Washington, DC, on June 26, 2003.

R. Ryan Posten,

Exemptions Program Officer, Office of Hazardous Materials Exemptions and Approvals.

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Actions on Exemption Applications

AGENCY: Research and Special Programs Administration, DOT

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
MODIFICATION EXEMPTIONS				
8760-M	DOT-E 8760	Barton Solvents, Inc., Des Moines, IA.	49 CFR 172.328, 172.334(b).	To modify the exemption to authorize the transportation of additional Class 3 materials in compartmented cargo tank motor vehicles.
9778-M	DOT-E 9778	Baker Atlas, Houston, TX	49 CFR 173.304, 173.306	To modify the exemption to authorize the transportation of an additional Class 7 material in non-DOT specification packaging.
9909-M	DOT-E 9909	Taylor-Wharton, Harrisburg, PA.	49 CFR 173.301(h), 173.302, 173.304, 173.34(a)(1), 175.3, 178.37.	To modify the exemption to authorize the elimination of the Fracture Toughness Test requirement on non-DOT specification steel cylinders transporting Division 2.1, 2.2 and 2.3 materials.
10143-M	DOT-E 10143	Eurocom, Inc., Irving, TX	49 CFR 173.306(a), 178.33a.	To modify the exemption to authorize the transportation of additional Division 2.2 materials in a non-refillable, non-DOT specification inside metal container.
10232-M	DOT-E 10232	Sexton Can Company, Inc., Cambridge, MA.	49 CFR 173.304	To modify the exemption to authorize a capacity increase to 40 cubic inches of the non-refillable, non-DOT specification container for the transportation of Division 2.2 materials.
10880-M	DOT-E 10880	American West Explosives, Inc., Springfield, MO.	49 CFR 172.101 column (8c), 173.114, 173.35(b).	To modify the exemption to authorize the transportation of Division 1.1D, 1.4D, 1.4B, 1.4S and additional 1.5D materials in reusable, flexible intermediate bulk containers.
11099-M	DOT-E 11099	AMKO A Service Company, Gnadenhutten, OH.	49 CFR 173.302(c), 173.34(e).	To modify the exemption to authorize retesting of DOT Specification 3A and 3AA cylinders by acoustic emission (AE) and ultrasonic examination (UE) method for the transportation of Division 2.1 and 2.2 materials.

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
11194-M	DOT-E 11194	Carleton Technologies, Inc., Glen Burnie, MD.	49 CFR 173.302(a), 173.304(a), 175.3.	To modify the exemption to authorize the transportation of additional Division 2.2 materials in a non-DOT specification fully wrapped, carbon-fiber reinforced aluminum-lined cylinder.
11489-M	DOT-E 11489	TRW Automotive, Queen Creek, AZ.	49 CFR 172.320, 173.56(b).	To modify the exemption to authorize the use of a contract carrier for transporting certain unapproved or unidentified items as approved, air bag inflators or air bag modules or seat belt pretensioners or seat belt modules as Division 1.4C explosive articles, segregated from other hazardous materials.
11494-M	DOT-E 11494	Atlantic Research Corp. (Automotive Products Group), Knoxville, TN.	49 CFR 173.301(h), 173.302, 173.306(d)(3).	To modify the exemption to authorize the elimination of the flattening test requirement on non-DOT specification cylinders transporting Division 2.2 materials.
11650-M	DOT-E 11650	Autoliv ASP, Inc., Ogden, UT.	49 CFR 178.65-9	To modify the exemption to authorize a newly designed airbag inflator device with a maximum service pressure of 8500 PSIG for use as a component of a automobile vehicle safety system.
11691-M	DOT-E 11691	Cott Concentrates, Columbus, GA.	49 CFR 176.331, 176.800(a), 176.83(d).	To modify the exemption to authorize the transportation of an additional Class 8 material via cargo vessel.
11850-M	DOT-E 11850	Air Transport Association, Washington, DC.	49 CFR 173.34(e)	To modify the exemption to authorize the use of certain DOT and non-DOT specification cylinders fabricated from 4130 steel and titanium for the transportation of Division 2.2 materials.
11970-M	DOT-E 11970	ExxonMobil Chemical Company, Houston, TX.	49 CFR 172.101, 178.245-1(c).	To modify the exemption to authorize the transportation of a hazardous material using an alternative shipping description for Division 4.2 materials with a Division 4.3 subsidiary hazard in non-DOT specification steel portable tanks.
11993-M	DOT-E 11993	BREED Technologies, Inc., Lakeland, FL.	49 CFR 173.301(h), 173.302, 173.306(d)(3).	To modify the exemption to authorize the transportation of Division 1.4G and Class 9 materials in non-DOT specification cylinders for use as components of automobile safety restraint systems.
12056-M	DOT-E 12056	Department of Defense (MTMC), Fort Eustis, VA.	49 CFR 173.226, 173.336	To modify the exemption to authorize two additional destination facilities and authorize an increased number of round trip shipments containing Division 2.3 and 6.1 materials.
12104-M	DOT-E 12104	Mitsubishi Polyester Film, Greer, SC.	49 CFR 174.67(i)	To modify the exemption to upgrade loading procedures and drawings for the DOT Specification tank cars transporting Class 9 materials.
12782-M	DOT-E 12782	Air Liquide America L.P., Houston, TX.	49 CFR 173.301(g)(1)	To modify the exemption to authorize the transportation of certain Division 2.2 and 2.3 materials in DOT Specification cylinders equipped with plastic valve protection caps.
12866-M	DOT-E 12866	Delta Air Lines (Technical Operations Center), Atlanta, GA.	49 CFR 172.301(c), 173.219(b)(1), 173.302(a), 175.3.	To reissue the exemption originally issued on an emergency basis and to remove certain special provisions/requirements for the non-DOT specification cylinders containing Division 2.2 materials that have inadvertently been mis-marked.
12886-M	DOT-E 12886	The Society of the Plastics Industry, Inc., Washington, DC.	49 CFR 172.301(c), 172.402.	To reissue the exemption originally issued on an emergency basis for the transportation of a Division 5.2 material without subsidiary hazard labels.
12927-M	DOT-E 12927	Tri-Wall, A Weyerhaeuser Business, Butler, IN.	49 CFR 173.12(b)(2)(i)	To modify the exemption to authorize cargo vessel as an additional mode for the transportation of various waste hazardous materials.
12995-M	DOT-E 12995	The Dow Chemical Company, Midland, MI.	49 CFR 173.306(a)(3)(v)	To modify the exemption to authorize the transportation of a Division 2.2 material in DOT 2Q Specification non-refillable containers.
13032-M	DOT-E 13032	CONAX Florida Corporation, St. Petersburg, FL.	49 CFR 178.65	To reissue the exemption originally issued on an emergency basis for the use of non-DOT specification, non-refillable composite pressure vessels for the transportation of Division 2.2 materials.
13113-M	DOT-E 13113	Dow AgroSciences L.L.C., Indianapolis, IN.	49 CFR 172.302, 173.243 (b) and (c).	To reissue the exemption originally issued on an emergency basis for the transportation of Division 6.1 materials in DOT Specification cargo tank motor vehicles and portable tanks.
13163-M	DOT-E 13163	Pacific Bio-Material Management, Inc., Fresno, CA.	49 CFR 173.196(b), 173.196(e)(2)(ii).	To reissue the exemption originally issued on an emergency basis for the transportation of certain Division 6.2 materials in specially designed packaging.

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
NEW EXEMPTIONS				
12718-N	DOT-E 12718	Weldship Corporation, Bethlehem, PA.	49 CFR 172.301, 173.34(e), 173.34(e)(3), 173.34(e)(4), 173.34(e)(5), 173.34(e)(6), 173.34(e)(7), 173.34(e)(8).	To authorize the transportation in commerce of certain DOT-3AL seamless aluminum cylinders constructed of alloy 6061 that have been alternatively ultrasonically retested for use in transporting Division 2.1, 2.2, 2.3, materials. (modes 1, 2, 3, 4,)
12879-N	DOT-E 12879	Millennium Speciality Chemicals, Jacksonville, FL.	49 CFR 172.514	To authorize the transportation in commerce of portable tanks and IBCs containing combustible liquids without required placards when placed in closed sealed freight containers that are properly placarded. (modes 1, 3)
12990-N	DOT-E 12990	Technifab Products, Inc., Brazil, IN.	49 CFR 178.57(1)	To authorize the manufacture, mark, sale and use of cryogenic tanks equipped with alternative openings and testing criteria for use in transporting hazardous materials. (mode 1)
12998-N	DOT-E 12998	Safety-Kleen Services, Inc., Columbia, SC.	49 CFR 173.12(b)(1)	To authorize the transportation in commerce of non-waste material from one location to another location for various customers in lab packs. (mode 1)
13046-N	DOT-E 13046	Consani Engineering, Elsies River, South Africa.	49 CFR 178.245-1(a)	To authorize the manufacture, marking, sale and use of certain DOT Specification 51 steel portable tanks permanently fixed within ISO frames designed in accordance with Section VIII, Division II of the ASME code instead of Section VIII, Division 1 for use in transporting Division 2.1, 2.2 and 2.3 hazardous materials. (modes 1, 2, 3)
13084-N	DOT-E 13084	Schering-Plough Veterinary Operations, Inc., Baton Rouge, LA.	49 CFR 173.150(f)	To authorize the transportation in commerce of flammable liquids, n.o.s. in 75-gallon stainless steel tanks between two facilities with minimal regulation. (mode 1)
13088-N	DOT-E 13088	Electron Transfer Technologies, Inc., Edison, NJ.	49 CFR 173.192, 173.40, 178.604.	To authorize the transportation in commerce of Division 2.3, 6.1 & Class 8 hazardous material in specially designed stainless steel containers overpacked in reusable 30-gallon steel containers. (modes 1, 3, 4)
13110-N	DOT-E 13110	Praxair, Inc., Danbury, CT	49 CFR 173.242	To authorize the transportation in commerce of a non-DOT specification bulk packaging for use in transporting metal catalyst, dry, Division 4.2. (modes 1, 3)
13112-N	DOT-E 13112	Conax Florida Corporation, St. Petersburg, FL.	49 CFR 173.302, 175.3 ...	To authorize the manufacture, mark, sale and use of non-DOT specification non-reusable cylinders conforming with all regulations similar to DOT specification 39 cylinder for use in transporting Division 2.2 material. (modes 1, 2, 3, 4, 5)
13116-N	DOT-E 13116	Chromatography Research Supplies, Inc., Louisville, KY.	49 CFR 173.151(b)	To authorize the transportation in commerce of gas filters containing limited quantities of hazardous materials classed as self-heating solid, inorganic, n.o.s. to be transported under the limited quantity provisions as Division 4.1 without required labeling or placarding. (modes 1, 4, 5)
13117-N	DOT-E 13117	TEN-E Packaging Services, Newport, MN.	49 CFR 173.21(i)	To authorize an alternative examiner other than the Bureau of Explosives for cigarette lighter and inner packaging approval requests. (mode 1)
13164-N	DOT-E 13164	United States Enrichment Corporation (USEC), Bethesda, MD.	49 CFR 173.420	To authorize the one-time transportation in commerce of 480M type cylinders for use in transporting Class 7 hazardous materials. (modes 1, 2)
13165-N	DOT-E 13165	Harris Corporation, Melbourne, FL.	49 CFR 172.200	To authorize the transportation in commerce of non-bulk hazardous materials within the same facility along public roads with alternative shipping papers. (mode 1)
13172-N	DOT-E 13172	Raytheon Co., Tewksbury, MA.	49 CFR 173.302(a), 175.3	To authorize the transportation in commerce of helium, Division 2.2, in fully wrapped carbon-fiber reinforced aluminum lined non-DOT cylinders with a maximum service pressure of 3240 psi and a water capacity of 260 liters. (modes 1, 2, 3, 4, 5)
13180-N	DOT-E 13180	The Association of HazMat Shippers, Washington, DC.	49 CFR 123, 172.203(a), 172.301(c), 173.22, 173.306, 173.306(a)(1).	To authorize the transportation in commerce of aerosols with a capacity of 50 ml or less containing Division 2.2 gas and no other hazardous materials be transported without certain hazard communication requirements. (modes 1, 2, 3)

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
0113215-N ..	DOT-E 13215	Cryogenic Manufacturing and Repair, Inc., Eagle Lake, TX.	49 CFR 174.85	To authorize the manufacture, mark, sale and use of non-DOT specification insulated portable tanks for use in transporting Division 2.2 hazardous materials. (mode 2)

EMERGENCY EXEMPTIONS

EE 10996-M	DOT-E 10996	AeroTech, Inc., Las Vegas, NV.	49 CFR 173 Subpart C	Emergency modification request to add cargo aircraft as a mode of transportation. (modes 1, 2)
EE 11536-M	DOT-E 11536	The Boeing Company, Los Angeles, CA.	49 CFR 173.159, 173.302, 173.304, 173.62.	Request for emergency modification to the exemption to authorize two containers with different dimensions and add Hydrogen, compressed for spacecraft batteries. (mode 4)
EE 12961-N	DOT-E 12961	Kuehne Chemical Co., South Kearny, NJ.	49 CFR 172.302(c), 173.24(b), 179.300-12(b), 179.300-13, 173.24.	Request for an emergency exemption to transport a leaking ton cylinder that has been fitted with a B kit to prevent leaking during transportation. (mode 1)
EE 13042-M	DOT-E 13042	U.S. Department of State, Sterling, VA.	49 CFR 172.101 Table Column 8C.	Emergency request to modify the exemption to authorize larger size solid materials that are contaminated with or suspected of being contaminated with anthrax bacteria or spores. (mode 1)
EE 13127-M	DOT-E 13127	American Pacific Corporation, Cedar City, UT.	49 CFR 172.102(c) SP IB6.	Emergency request for modification to authorize the transportation in commerce of potassium perchlorate in UN Specification flexible IBCs. (mode 1)
EE 13141-N	DOT-E 13141	Airgas Specialty Gases, Cheshire, CT.	49 CFR 172.301(c), 173.301(f).	Emergency request to transport a DOT specification 4BW240 cylinder containing sulfur dioxide which developed a leak and has a Chlorine Institute A kit applied. (mode 1)
EE 13156-M	DOT-E 13156	Phelps Sungas, Geneva, NY.	49 CFR 178.337-14	Emergency request for modification to authorize continued use of MC 331 cargo tank motor vehicles with specification plates that are missing certain required markings. (mode 1)
EE 13185-M	DOT-E 13185	TRW, Washington, MI	49 CFR 172.101	Extension of the effective date signed today and given to Michelle Ford for scanning. (mode 1)
EE 13187-M	DOT-E 13187	Radiation Management Services, Cardinal Health, Cleveland, OH.	49 CFR 173.302	Emergency request to modify the exemption to authorize the transportation in commerce of a mixture of Division 2.2 gases in non-specification packaging. (modes 1, 2, 3)
EE 13193-N	DOT-E 13193	Delta Airlines	49 CFR 172.101 HMT Column 9A.	Emergency request to authorize the transportation of more than 3200 pounds of Division 1.4S ammunition on passenger carrying aircraft. (mode 5)
EE 13195-N	DOT-E 13195	Micro Parts Inc., Easgan, MN.	49 CFR 173.240	Emergency request for the transportation in commerce of a DOT Specification IBC containing hazard waste solid. The IBC has a small crack and is transported on a base support pallet and enclosed in a double bag of 4 mil polyethylene plastic. (mode 1)
EE 13196-N	DOT-E 13196	McLane Company Inc., Temple, TX.	49 CFR 172.102 special provision N10.	Emergency request to authorize the transportation in commerce of lighters in a plastic tote that meets packing group II performance level but is not marked. (mode 1)
EE 13197-N	DOT-E 13197	Chevron Texaco	49 CFR 173.212	Emergency request to authorize the transportation in commerce of hydrogen in metal hydride in alternative packaging. (mode 1)
EE 13198-N	DOT-E 13198	MI L.L.C., Anchorage, AK	49 CFR 172.101 HMT Column 9B, 173.203.	Emergency request to authorize the transportation in commerce of a Class 8 material in alternative packaging and exceeding the quantity limits by cargo aircraft only where no other means of transportation is available. (modes 1, 4)
EE 13204-N	DOT-E 13204	Esoterix, Inc., Austin, TX	49 CFR 173.197	Emergency request to authorize the transportation in commerce of regulated medical waste in alternative packaging. (modes 1, 4, 5)
EE 13205-N	DOT-E 13205	Western Propane Gas Association, Sacramento, CA.	49 CFR 173.315(j)(4)	Emergency request to authorize the transportation in commerce of non-specification portable tanks that are built to ASME standards that are 40-70% full of propane. (mode 1)
EE 13207-N	DOT-E 13207	BEI Hawaii, Honolulu, HI	49 CFR 173.32(f)(5)	Emergency request to authorize the transportation in commerce of certain hazardous materials in portable tanks that are loaded between 70 and 76 percent filling density by volume. (mode 1)

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
EE 13214-N	DOT-E 13214	Union Pacific Railroad Company, Omaha, NE.	49 CFR 172.203(a), 173.242(c)(1).	Emergency request to authorize the transportation in commerce of certain Division 1.1, 1.2 and 1.3 explosives by rail without conforming to the positioning requirements of 49 CFR 174.85 for purposes of national security. (mode 1)
EE 13216-N	DOT-E 13216	Autoliv/General Motors, Corporation, Ogden, UT.	49 CFR 172.704(a)(1)	Application for an emergency exemption to authorize the shipments of airbags and seatbelt pretensioners being recalled. The applicant requests relief from section 172.704 which addresses the general awareness / familiarization training. (modes 1, 3)
EE 13217-N	DOT-E 13217	Belshire Environmental Services, Inc., Lake Forest, CA.	49 CFR 173.202	Emergency request to authorize the transportation in commerce of gasoline in equipment (gasoline dispensers) by highway. (mode 1)

DENIALS

12701-N	Request by Fuel Cell Components & Integrators, Inc. Hauppauge, NY to authorize the transportation in commerce of non-DOT specification cylinders comparable to Specification 4E for use in transporting compressed gas denied March 27, 2003.
13111-N	Request by Fisher Scientific Chemical Division Fair Lawn, NJ to authorize the transportation in commerce of 70% nitric acid, Class 8, in certain single and combination packagings which is currently forbidden denied March 18, 2003.
13162-N	Request by Exact Sciences Corporation Maynard, MA to authorize the transportation in commerce of diagnostic specimens, Division 6.2, in quantities greater than presently authorized, to be transported as unregulated denied February 13, 2003.

[FR Doc. 03-16978 Filed 7-3-03; 8:45 am]

BILLING CODE 4909-60-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 30186 (Sub-No. 3)]

Tongue River Railroad Co.—
Construction and Operation—Western
Alignment**AGENCY:** Surface Transportation Board, DOT.**ACTION:** Notice of adoption of procedural schedule.

SUMMARY: The Board is giving notice of the procedural schedule it adopted in a decision served July 7, 2003. The schedule is a result of the supplemental evidence the Tongue River Railroad Company (TRRC) filed to update the transportation aspects of its Western Alignment construction application in this sub-numbered proceeding (*Tongue River III*).

DATES: The Board's decision is effective on July 7, 2003. Pleadings and notices of intent to participate must be filed in accordance with the schedule set forth in the Appendix to this notice.

ADDRESSES: Send an original and 10 copies of the notice of intent to participate in STB Finance Docket No. 30186 (Sub-No. 3) to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. All

subsequent filings must be concurrently served on the Board and all parties of record as listed in the forthcoming updated service list.

FOR FURTHER INFORMATION CONTACT:

Joseph H. Dettmar, (202) 565-1600 [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

SUPPLEMENTARY INFORMATION: Under the Board's procedural schedule, each party of record (POR) will be allowed 40 days from the issuance date of the updated service list, discussed below, to file evidence or comments responsive to TRRC's supplemental evidence. A 40-day comment period provides ample time to analyze and comment on the updated evidence, which consists of two updated pro forma charts, four verified statements, and two letters supporting the proposal. This length of time balances the PORs' need to examine the updated evidence with the need to move forward on this matter. After the 40-day comment period has ended, TRRC will have 20 days to reply to the comments and responsive evidence.

In addition, prior to the beginning of the 40-day comment period, an opportunity will be given for new participants to become PORs. It has been almost 5 years since notice of this alternative construction proposal was originally published, and there may now be additional members of the public with an interest in this matter.

Anyone interested in becoming a POR and being added to the service list must file a notice of intent to participate with the Board within 10 days of the service date of this decision (by July 17, 2003).¹ Send an original and 10 copies of the notice of intent to the address listed above. The new PORs must comply with the 40-day comment period, discussed above, for filing comments or evidence responsive to TRRC's updated evidence with the Board and serving copies on all other PORs.

After expiration of the 10-day period for filing notices of intent to participate, the Board will issue an updated service list, which will include persons who have given notice of their intent to participate pursuant to this decision, as well as those currently on the list. Within 5 days of the issuance of the updated service list, current PORs must serve the new PORs with copies of all filings submitted by that party since May 1, 2003. The current PORs will also be required to file with the Board, within 10 days of the service date of the updated list, an original plus 10 copies of a certificate of service indicating that the service required by this decision has been accomplished. The 40-day period for comments, described above, will begin running on the date the updated service list is issued.

Copies of TRRC's supplemental evidence and its original *Tongue River*

¹ Current PORs may update their addresses during this 10-day period by sending any new information to the Board.