

**FOR FURTHER INFORMATION CONTACT:** Douglas S. Smith, telephone, (202) 366-4700, Office of Hazardous Materials Enforcement, or Charles Hochman, telephone (202) 366-4545, Office of Hazardous Materials Technology, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001.

**SUPPLEMENTARY INFORMATION:** During compliance inspections in Southern Louisiana, inspectors from the RSPA's Office of Hazardous Materials Enforcement have observed portable tanks marked and certified as meeting DOT specifications IM 101 and IM 102 that had bottom outlets, but no internal discharge valves or shear sections. Until January 1, 1997, the Hazardous Materials Regulations (HMR, 49 CFR Parts 171-180) did not specifically require internal discharge valves or shear sections for IM 101 or IM 102 portable tanks with bottom outlets. See RSPA's final rule under Docket No. HM-181H, 61 FR 50628 (September 26, 1996), amending 49 CFR 178.270-12(a) effective January 1, 1997, and the discussion in the preamble to the final rule, 61 FR 50621, and the notice of proposed rulemaking, 61 FR 33223 (June 26, 1996).

The HMR provide that a hazardous material may *not* be loaded in an IM portable tank with filling or discharge connections located below the normal liquid level of the tank unless:

(1) Each filling or discharge connection located below the normal liquid level of the tank has at least two serially-mounted closures consisting of an internal discharge valve and a bolted blank flange or other suitable, liquid-tight closure on each filling or discharge connection; or

(2) When this paragraph [173.32c(g)(2)] is specified for a hazardous material through [a special provision in] § 171.102(c)(7) of [the HMR], each filling or discharge connection located below the normal liquid level of the tank, or compartment thereof, has three serially-mounted closures consisting of an internal discharge valve capable of being closed from a location remote from the valve itself, an external valve, and a bolted blank flange or other suitable liquid-tight closure on the outlet side of the external valve.

49 CFR 173.32c(g).

Accordingly, an IM 101 or IM 102 portable tank with a bottom outlet may *not* be filled with any hazardous material if it does not have an internal discharge valve and shear section. Because the primary purpose of certifying any packaging to a DOT specification or performance standard is to authorize that packaging to be used for transporting a hazardous material, RSPA believes it is appropriate to fully

inform all owners and users of IM portable tanks that certain of these tanks exist that may not be filled with hazardous materials.

**Alan I. Roberts,**

*Associate Administrator for Hazardous Materials Safety.*

[FR Doc. 97-20223 Filed 7-31-97; 8:45 am]

BILLING CODE 4910-60-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Finance Docket No. 32759]

#### **Genesee & Wyoming, Inc.— Continuance in Control Exemption— Portland & Western Railroad, Inc.**

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

**ACTION:** Notice of exemption.

**SUMMARY:** Genesee & Wyoming, Inc., formerly Genesee & Wyoming Industries, Inc., is exempted, under 49 U.S.C. 10505 (now 49 U.S.C. 10502), from the prior approval requirements of 49 U.S.C. 11343-45 (now 49 U.S.C. 11323-25) to control Portland & Western Railroad, Inc., a Class III rail carrier.

**DATES:** This exemption will be effective on August 31, 1997. Petitions to stay must be filed by August 11, 1997. Petitions to reopen must be filed by August 21, 1997.

**ADDRESSES:** Send pleadings referring to Finance Docket No. 32759 to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001; and (2) Eric M. Hocky, Gollatz, Griffin & Ewing, P.C., 213 West Miner Street, P.O. Box 796, West Chester, PA 19381-0796.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 565-1600. (TDD for the hearing impaired: (202) 565-1695.)

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1925 K Street, NW., Suite 210, Washington, DC 20006. Telephone: (202) 289-4357. (Assistance for the hearing impaired is available through TDD services (202) 565-1695.)

Decided: July 22, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

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

[FR Doc. 97-20229 Filed 7-31-97; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF THE TREASURY

### Customs Service

#### **Quarterly IRS Interest Rates Used in Calculating Interest on Overdue Accounts and Refunds on Customs Duties**

**AGENCY:** Customs Service, Treasury.

**ACTION:** General notice.

**SUMMARY:** This notice advises the public of the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts and refunds of Customs duties. For the quarter beginning July 1, 1997, the rates will be 8 percent for overpayments and 9 percent for underpayments. This notice is published for the convenience of the importing public and Customs personnel.

**EFFECTIVE DATE:** July 1, 1997.

#### **FOR FURTHER INFORMATION CONTACT:**

Ronald Wyman, Accounting Services Division, Accounts Receivable Group, 6026 Lakeside Boulevard, Indianapolis, Indiana 46278, (317) 298-1200, extension 1349.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Pursuant to 19 U.S.C. 1505 and Treasury Decision 85-93, published in the **Federal Register** on May 29, 1985 (50 FR 21832), the interest rate paid on applicable overpayments or underpayments of Customs duties shall be in accordance with the Internal Revenue Code rate established under 26 U.S.C. 6621 and 6622. Interest rates are determined based on the short-term Federal rate. The interest rate that Treasury pays on overpayments will be the short-term Federal rate plus two percentage points. The interest rate paid to the Treasury for underpayments will be the short-term Federal rate plus three percentage points. The rates will be rounded to the nearest full percentage.

The interest rates are determined by the Internal Revenue Service on behalf of the Secretary of the Treasury based on the average market yield on outstanding marketable obligations of the U.S. with remaining periods to maturity of 3 years or less, and fluctuate quarterly. The rates effective for a quarter are determined during the first-month period of the previous quarter. The rates of interest for the fourth quarter of fiscal year (FY) 1997 (the period of July 1—September 30, 1997) will be 8 percent for overpayments and 9 percent for underpayments. These rates will remain in effect through September 30, 1997, and are subject to change for the first quarter of FY-1998