

and authorizes it to submit guideline amendments to the Congress not later than the first day of May each year. See 18 U.S.C. 994(o), (p).

The Commission hereby gives notice that, during the amendment cycle ending May 1, 2001, it may consider possible amendments to guidelines, policy statements, and commentary, relating to the following: (1) Certain economic crimes, particularly fraud, theft, and tax offenses; (2) money laundering; (3) counterfeiting of bearer obligations of the United States; (4) further response to the Protection of Children from Sexual Predators Act of 1998; (5) firearms; (6) nuclear, chemical, and biological weapons, and related national security issues; (7) the payment to, or receipt by, federal employees of unauthorized compensation, and related offenses; (8) offenses implicating the privacy interests of taxpayers; (9) the resolution of a number of conflicts among the circuit courts on sentencing guideline issues; (10) the implementation of any crime legislation enacted during the second session of the 106th Congress requiring a Commission response; and (11) any minor technical or conforming amendments necessary for proper operation of the sentencing guideline system.

In addition to inviting comment on any of the preliminary priority issues proposed in this notice, the Commission welcomes comment on any other issue that interested persons believe the Commission should address during the amendment cycle ending May 1, 2001, including short-and long-term research issues. To the extent practicable, comments submitted on additional issues should include the following: (1) A statement of the issue, including the scope and manner of study, particular problem areas and possible solutions, and any other matters relevant to a proposed priority; (2) citations to applicable sentencing guidelines, statutes, case law, and constitutional provisions; and (3) a direct and concise statement of why the Commission should make the issue a priority.

Authority: 28 U.S.C. § 994(a), (o), (p); USSC Rules of Practice and Procedure 5.2.

Diana E. Murphy,
Chair.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration, DOT.

ACTION: Notice and Request for Comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requirement (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collections of information was published on February 9, 2000 (65 FR 6438).

DATES: Comments must be submitted on or before July 12, 2000.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., N.W., Mail Stop 17, Washington, D.C. 20590 (telephone: (202) 493-6292), or Dian Deal, Office of Information Technology and Productivity Improvement, RAD-20, Federal Railroad Administration, 1120 Vermont Ave., N.W., Mail Stop 35, Washington, D.C. 20590 (telephone: (202) 493-6133). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, Section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On February 9, 2000, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 65 FR 6438. FRA received no comments in response to this notice.

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60

days after the 30 day notice is published. 44 U.S.C. 3507(b)-(c); 5 CFR 1320.12(d); see also 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30 day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); see also 60 FR 44983, Aug. 29, 1995.

The summaries below describe the nature of the information collection requirements (ICRs) and the expected burden. The revised requirements are being submitted for clearance by OMB as required by the PRA.

Title: Bridge Worker Safety Rules.

OMB Control Number: 2130-0535.

Type of Request: Extension of a currently approved collection.

Affected Public: Businesses.

Form(s): N/A.

Abstract: Section 20139 of Title 49 of the United States Code required FRA to issue rules, regulations, orders, and standards for the safety of maintenance-of-way employees on railroad bridges, including for "bridge safety equipment" such as nets, walkways, handrails, and safety lines, and requirements for the use of vessels when work is performed on bridges located over bodies of water. FRA has added 49 CFR Part 214 to establish minimum workplace safety standards for railroad employees as they apply to railroad bridges. Specifically, section 214.15(c) establishes standards and practices for safety net systems. Safety nets and net installations are to be drop-tested at the job site after initial installation and before being used as a fall-protection system, after major repairs, and at six-month intervals if left at one site. If a drop-test is not feasible and is not performed, then a written certification must be made by the railroad or railroad contractor, or a designated certified person, that the net does comply with the safety standards of this section. FRA and State inspectors use the information to enforce Federal regulations. The information that is maintained at the job site promotes safe bridge worker practices.

Annual Estimated Burden Hours: .2 hour.

Title: Two-way End-of-Train Devices.

OMB Control Number: 2130-0540.

Type of Request: Extension of a currently approved collection.

Affected Public: Businesses.

Form(s): N/A.

Abstract: Section 20141 of the United States Code amended the Federal

railroad safety laws by adding certain statutory mandates related to power brake safety, specifically regarding two-way end-of-train telemetry devices (two-way EOTs). This section required two-way end-of-train devices (or devices able to perform the same function) on road trains other than locals, road switchers, or work trains to enable the initiation of emergency braking from the rear of the train. The information collected enhances rail safety by ensuring that the locomotive engineer is notified if someone other than a train crew member tests the two-way end-of-train devices at the initial terminal or other point of installation to confirm that the device is capable of initiating an emergency power brake application from the rear of the train. The information collected is also used to by FRA to verify that the end-of-train telemetry equipment is properly calibrated for accuracy according to the manufacturer's specifications at least every 365 days. Additionally, the information collected verifies that two-way end-of-train standards, such as the front unit having a manually operated switch that is labeled "emergency" which can initiate an emergency brake transmission command to the rear unit (when activated), are met.

Annual Estimated Burden Hours: 5,797 hours.

Addressee: Send comments regarding these information collections to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, N.W., Washington, D.C., 20503; Attention: FRA Desk Officer.

Comments are invited on the following: Whether the proposed collections of information are necessary for the proper performance of the functions of FRA, including whether the information will have practical utility; the accuracy of FRA's estimates of the burden of the proposed information collections; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collections of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the **Federal Register**.

Authority: 44 U.S.C. 3501-3520.

Margaret B. Reid,

Acting Director, Office of Information Technology and Support Systems, Federal Railroad Administration.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. RSPA-2000-6827 (12412-N)]

Hazardous Materials: Proposed DOT Exemption for Discharging Intermediate Bulk Containers on Motor Vehicles

AGENCY: Research and Special Programs Administration (RSPA) DOT.

ACTION: Notice of proposed exemption.

SUMMARY: RSPA proposes to consolidate and standardize all existing DOT Exemptions that authorize the discharge of intermediate bulk containers (IBC) from a motor vehicle without removing the IBC from the vehicle. These are DOT Exemptions 12245, 12013, 11911, 11769, 11646, 11537, and 10429.

DATES: *Comment Date:* Comments must be received on or before August 11, 2000.

ADDRESSES: *Written Comments:* Address comments to the Dockets Management System, U.S. Department of Transportation, PL 401, 400 Seventh St., SW, Washington, DC 20590-0001. Comments should identify the docket number, RSPA-2000-6827 (12412-N), and should be submitted in two copies. Persons wishing to receive confirmation of receipt of their comments should include a self-addressed stamped postcard. The Dockets Management System is located on the Plaza Level of the Nassif Building, at the above address. Public dockets may be reviewed between the hours of 10:00 a.m. to 5:00 p.m., Monday thru Friday, excluding Federal holidays. In addition, comments can be reviewed by accessing the DMS Website (<http://dms.dot.gov>). Comments may also be submitted by E-mail to "ibc@rspa.dot.gov". In every case, the comment should refer to the Docket number set forth above.

FOR FURTHER INFORMATION CONTACT: Mr. Donald Burger, telephone number (202) 366-4545, Office of Hazardous Materials Technology, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION:

I. Background

The rationale and justification presented to RSPA with the original exemption applications to authorize the unloading of IBCs while onboard a motor vehicle were:

- A demonstrated need to deliver hazardous materials to sites which did not have the capability to safely unload

an IBC from a motor vehicle prior to discharging the contents;

- The delivery and transfer of small quantities of hazardous materials into storage tanks was safer from IBCs than from several drums and not feasible from a cargo tank motor vehicle; and
- Carriers would have sufficient operational controls in place to ensure safety during the transfer operation.

Based on numerous requests for modification of the subject exemptions, particularly with regard to IBC capacity limitations and authorized materials, RSPA sent a May 27, 1999 letter to each holder and person having party status to DOT Exemptions 11911, 11769, 11646, 11537, 10429, 12013 and 12245. The letter contained 14 procedural and shipment questions regarding the operations of the respective holders. RSPA received numerous responses to the letter. The information gathered from each response was compiled and evaluated. In the replies to the letter, more than one third of the respondents indicated they unload in excess of 1,200 gallons of one hazardous material during a single delivery. Under this scenario, RSPA believes that the IBCs are being used as cargo tanks.

On October 27, 1999 RSPA sent a letter and a draft exemption (draft) to the individuals who received the May 27, 1999 letter. The draft contained many provisions similar to the existing IBC exemptions. In addition, the draft proposed that the maximum quantity of hazardous material discharged from an IBC was not to exceed 300 gallons per shipment per day. RSPA received numerous comments on this draft. The majority of the comments addressed the restriction placed upon the maximum quantity of hazardous material that could be discharged at one location. These comments were an additional indication to RSPA that the IBCs are being used as cargo tanks. Instead of imposing a quantity limitation, RSPA is considering a requirement that the discharge system provide the same level of safety during discharge as is required for use of a cargo tank. On July 10, 1998, RSPA issued a Final Rule under Docket RSPA-1997-2905 (HM-166Y) (63 FR 37454), addressing this issue for IM Portable Tanks where RSPA permitted an IM portable tank to be unloaded while remaining on a vehicle with the power unit attached, provided the tank meets the outlet requirements of § 178.345-11. Section 178.345-11(b)(1)(iii) provides that the remote means of closure for the stop valve on a cargo tank must be capable of thermal activation when required by Part 173 for materials which are flammable, pyrophoric, oxidizing, or poisonous