

**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. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier Federal Register publications, they are not repeated here. Requests for modifications of exemptions (*e.g.* to provide for additional hazardous materials, packaging design changes, additional mode of transportation, *etc.*)

are described in footnotes to the application number. Application numbers with the suffix "M" denote a modification request. These applications have been separated from the new applications for exemptions to facilitate processing.

**DATES:** Comments must be received on or before March 13, 2003.

**ADDRESS COMMENTS TO:** Records Center, 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 number.

**FOR FURTHER INFORMATION CONTACT:** Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 7th Street SW., Washington, DC or at <http://dms.dot.gov>.

This notice of receipt of applications for modification of exemptions is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on February 20, 2003.

**R. Ryan Posten,**  
*Exemptions Program Officer, Office of Hazardous Materials, Exemptions and Approvals.*

Application No.	Docket No.	Applicant	Modification of exemption
10232-M .....	.....	Sexton Can Company, Inc., Cambridge, MA <sup>1</sup> .....	10232
11670-M .....	.....	Schlumberger-Oilphase, Dyce, Aberdeen Scotland, UK <sup>2</sup> .....	11670
11691-M .....	.....	Cott Concentrates, Columbus, GA <sup>3</sup> .....	11691
11970-M .....	RSPA-97-2993	ExxonMobil Chemical Company, Houston, TX <sup>4</sup> .....	11970
13143-M .....	RSPA-02-13568.	GS Battery USA, Inc., City of Industry, CA <sup>5</sup> .....	13143
13187-M .....	.....	Syncor Radiation Mgmt, Cleveland, OH <sup>6</sup> .....	13187

<sup>1</sup> 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.

<sup>2</sup> To modify the exemption to authorize the use of two newly designed non-DOT specification oil well sampling cylinders with an increased service pressure to 25,000 psig for the transportation of Division 2.1 materials.

<sup>3</sup> To modify the exemption to authorize the transportation of an additional Class 8 material via cargo vessel.

<sup>4</sup> To modify the exemption to authorize the transportation of a hazardous material using an alternative shipping description of Division 4.2, 4.3 transported in non-DOT specification steel portable tanks.

<sup>5</sup> To reissue the exemption originally issued on an emergency basis for the transportation of a Class 8 material in non-DOT specification packaging.

<sup>6</sup> To reissue the exemption originally issued on an emergency basis for the use of non-DOT specification packaging for the transportation of Division 2.2 materials.

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**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs Administration**

**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 March 28, 2003.

**ADDRESS COMMENTS TO:** Records Center, 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 receipts of comments is desired, include a self-

addressed stamped postcard showing the exemption application number.

**FOR FURTHER INFORMATION:** Copies of the application (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 or at <http://dms.dot.gov>.

This notice of receipt of applications for new exemption is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on February 20, 2003.

**R. Ryan Posten,**  
*Exemptions Program Officer, Office of Hazardous Materials, Exemptions and Approvals.*

NEW EXEMPTIONS

Application No.	Docket No.	Applicant	Regulation(s) Affected	Nature of Exemption Thereof
13167-N .....	.....	Eastman Kodak Company, Rochester, NY.	49 CFR 173.301(f), 173.304 .....	To authorize the transportation in commerce of anhydrous ammonia in a DOT-E 11725 cylinder which is removed from its original outer packaging and installed in a device as part of an environmental conditioning system. (Mode 1.)
13199-N .....	.....	HVAC Portable Systems, Inc., Houston, TX.	49 CFR 173.302(c), 173.306(e)(1).	To authorize the transportation in commerce of reconditioned refrigeration units containing Division 2.2 hazardous materials. (Mode 1.)
13200-N .....	.....	Southern Air Inc., Columbus, OH.	49 CFR 172.101 Col. 9B, 172.204(c)(3), 173.27(b)(2)(3), 175.30(a)(1).	To authorize the transportation in commerce of Class 1 explosives which are forbidden or exceed quantities as presently authorized. (Mode 4.)
13201-N .....	.....	Powsus Inc., Fort Pierce, FL.	49 CFR 173.309 .....	To authorize the transportation in commerce of fire extinguishers of plastic construction equipped with steel or aluminum fittings. (Modes 1, 2, 3, 4, 5.)
13202-N .....	.....	CyPlus Corporation, Parsippany, NJ.	49 CFR 173.242 .....	To authorize the transportation in commerce of dry sodium cyanide, Division 6.1 in alternative bulk packaging inside trailers or freight containers. (Modes 1, 3.)

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**DEPARTMENT OF TRANSPORTATION**

**Bureau of Transportation Statistics**

**Agency Information Collection; Activity Under OMB Review; Part 249 Preservation of Records**

**AGENCY:** Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13, the Bureau of Transportation Statistics invites the general public, industry and other governmental parties to comment on the continuing need for and usefulness of BTS requiring certificated air carriers to preserve accounting, records, consumer complaint letters, reservation reports and records, system reports of aircraft movements, etc.

**DATES:** Written comments should be submitted by April 28, 2003.

**ADDRESSES:** Comments should be directed to: Office of Airline Information, K-14, Room 4125, Bureau of Transportation Statistics, 400 Seventh Street, SW., Washington, DC 20590-0001, FAX NO. 366-3383 or e-mail [bernard.stankus@bts.gov](mailto:bernard.stankus@bts.gov).

*Comments:* Comments should identify the associated OMB approval # 2138-0006. Persons wishing the Department to acknowledge receipt of their comments must submit with those comments a self-addressed stamped postcard on which the following statement is made: Comments on OMB

# 2138-0006. The postcard will be date/time stamped and returned.

**FOR FURTHER INFORMATION CONTACT:** Bernie Stankus, Office of Airline Information, K-14, Room 4125, Bureau of Transportation Statistics, 400 Seventh Street, SW., Washington, DC 20590-0001, (202) 366-4387.

**SUPPLEMENTARY INFORMATION:**

**OMB Approval No. 2138-0006.**

*Title:* Preservation of Air Carrier Records—14 CFR part 249.

*Form No.:* None.

*Type Of Review:* Extension of a currently approved recordkeeping requirement.

*Respondents:* Certificated air carriers and public charter operators.

*Number of Respondents:* 120 certificated air carriers. 300 public charter operators.

*Estimated Time per Response:* 3 hours per certificated air carrier. 1 hour per public charter operator.

*Total Annual Burden:* 660 hours.

*Needs and Uses:* Part 249 requires the retention of records such as: general and subsidiary ledgers, journals and journal vouchers, voucher distribution registers, accounts receivable and payable journals and ledgers, subsidy records documenting underlying financial and statistical reports to DOT, funds reports, consumer records, sales reports, auditors' and flight coupons, air waybills, etc. Depending on the nature of the document, the carrier may be required to retain the document for a period of 30 days to 3 years. Public charter operators and overseas military personnel charter operators must retain documents which evidence or reflect deposits made by each charter participant and commissions received

by, paid to, or deducted by travel agents, and all statements, invoices, bills and receipts from suppliers or furnishers of goods and services in connection with the tour or charter. These records are retained for 6 months after completion of the charter program.

Not only is it imperative that carriers and charter operators retain source documentation, but it is critical that we ensure that DOT has access to these records. Given DOT's established information needs for such reports, the underlying support documentation must be retained for a reasonable period of time. Absent the retention requirements, the support for such reports may or may not exist for audit/validation purposes and the relevance and usefulness of the carrier submissions would be impaired, since the data could not be verified to the source on a test basis.

Under the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), a statistical agency must clearly distinguish any information it collects for non-statistical purposes. Respondents and the public are hereby notified that BTS uses the information it collects under this OMB approval for non-statistical purposes including, but not limited to, publication of both Respondent's identity and its data, submission of the information to agencies outside BTS for review, analysis and possible use in regulatory and other administrative matters.

Issued in Washington, DC, on February 14, 2003.

**Donald W. Bright,**

*Assistant Director, Airline Information, Bureau of Transportation Statistics.*

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