

the identification number of the tires sold to tire purchasers and provide the forms to the purchasers, so that the purchasers may report their names to the new tire manufacturers and new tire brand name owners, and by which other tire dealers and distributors shall record and report the names of tire purchasers to the new tire manufacturers and new tire brand name owners.

**Affected Public:** Business or other for-profit.

**Estimated Total Annual Burden:** 271,750 hours and \$954,000.00.

**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 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 20, 2003.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

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**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Docket No. RSPA-03-14793; Notice No. 03-5]

#### Safety Advisory: Unauthorized Marking of Compressed Gas Cylinders

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

**ACTION:** Safety advisory notice.

**SUMMARY:** This is to notify the public that RSPA is investigating the possible unauthorized marking of high-pressure compressed gas cylinders by ABM Fire Equipment, 73 North Main Street, Milford, NY 13807. RSPA has evidence that suggests ABM Fire Equipment marked, certified and returned to service an undetermined number of

high-pressure DOT specification and exemption cylinders as being properly requalified in accordance with the Hazardous Materials Regulations (HMR), when the cylinders may not have been hydrostatically retested and visually inspected.

A hydrostatic retest and visual inspection, conducted as prescribed in the HMR, are used to verify the structural integrity of a cylinder. If the hydrostatic retest and visual inspection are not performed in accordance with the HMR, a cylinder with compromised structural integrity may be returned to service when it should be condemned. Extensive property damage, serious personal injury, or death could result from rupture of a cylinder. Cylinders that have not been requalified in accordance with the HMR may not be charged or filled with compressed gas or other hazardous material and offered for transportation in commerce.

**FOR FURTHER INFORMATION CONTACT:**

Dave Clark, Hazardous Materials Enforcement Specialist, Eastern Region, Office of Hazardous Materials Enforcement, Research and Special Programs Administration, U.S. Department of Transportation, 820 Bear Tavern Road, Suite 306, West Trenton, NJ 08628. Telephone: (609) 989-2256, Fax: (609) 989-2277.

**SUPPLEMENTARY INFORMATION:** Through its investigation of ABM Fire Equipment, RSPA believes that ABM Fire Equipment marked, certified and returned to service an undetermined number of high-pressure cylinders as having been properly requalified in accordance with the HMR without conducting proper testing of the cylinders. Furthermore, RSPA discovered that ABM Fire Equipment did not maintain any retest or reinspection records for the high-pressure cylinders at issue. In addition, RSPA believes that ABM Fire Equipment marked an undetermined number of cylinders with the Requalification Identification Number (RIN) of another company. The HMR require that a cylinder retester obtain a RIN from RSPA. ABM Fire Equipment has never received authorization from RSPA to requalify high-pressure cylinders. On December 9, 2002, ABM Fire Equipment obtained authorization to requalify low-pressure cylinders under RIN D987.

The high-pressure cylinders in question are stamped with RIN A471 in the following pattern:

A 4  
M Y  
1 7

M is the month of retest (e.g., 10), and Y is the year of the retest (e.g., 03).

RSPA issued RIN A471 to Automatic Protection Systems Corp., 410 South Enterprise Parkway, Corpus Christi, Texas, on March 24, 1980. Automatic Protection Systems last renewed its RIN on January 25, 2001, and is the only authorized user of that RIN. Cylinders serviced and marked by Automatic Protection Systems of Corpus Christi, Texas are not covered by this safety advisory.

RSPA believes that ABM Fire Equipment routinely marked cylinders with RIN A471, as far back as June 1991. This safety advisory covers all high-pressure cylinders that have ever been marked and certified as having been requalified by ABM Fire Equipment, and all low-pressure cylinders marked as having been requalified by ABM Fire Equipment prior to December 9, 2002. These cylinders may pose a safety risk to the public and should be considered unsafe for use in hazardous materials service. Furthermore, cylinders described in this safety advisory should not be filled with a hazardous material unless the cylinders are first properly retested by a DOT-authorized retest facility.

Cylinders described in this safety advisory that are filled with an atmospheric gas should be vented or otherwise safely discharged, and then taken to a DOT-authorized cylinder retest facility for proper requalification to determine compliance with the HMR and the cylinders' suitability for continuing service. Cylinders described in this safety advisory that are filled with a material other than an atmospheric gas should not be vented, but instead should be safely discharged, and then taken to a DOT-authorized cylinder retest facility for proper requalification to determine compliance with the HMR and the cylinders' suitability for continuing service. Mr. Clark can provide a list of authorized retest facilities in your area, or you may obtain the list at the following Web site: <http://hazmat.dot.gov>. Cylinders described in this safety advisory should not be filled, refilled or used for their intended purposes until they are reinspected and retested by a DOT-authorized retest facility.

RSPA requests that any person possessing a cylinder described in this safety advisory telephone or provide a facsimile to Mr. Clark with the following information for each cylinder: (1) The cylinder manufacturer's name, (2) the serial number of the cylinder, (3) the DOT specification or exemption information marked on the cylinder, (4) the month and year of the last marked requalification by ABM Fire Equipment, and (5) the location of the cylinder.

Issued in Washington, DC on June 19, 2003.

**Robert A. McGuire,**

*Associate Administrator for Hazardous Materials Safety.*

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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 July 25, 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 application number.

**FOR FURTHER INFORMATION:** Copies of the applications (*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 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 June 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
13234-N .....	.....	Quest Diagnostics, Inc. Collegetown, PA.	49 CFR 178.503(f) .....	To authorize the transportation in commerce of a specially designed packaging made of semi-rigid polyester fabric with polyvinyl chloride backing for use in transporting Division 6.2 hazardous materials. (modes 1, 4)
13244-N .....	.....	Kihe Industries Hous- ton, TX.	49 CFR 173.302, 173.306(b)(4), 175.3.	To authorize the manufacture, mark, sale and use of non-DOT specification containers described as hermetically-sealed electron tubes for use in transporting Division 2.2 hazardous materials. (modes 1, 2, 3, 4, 5)
13245-N .....	.....	Piper Impact New Al- bany, MS.	49 CFR 173.302(a)(1), 175.3.	To authorize the manufacture, mark, sale and use of non-DOT specification cylinders similar to DOT Specification 39 cylinders for use in transporting Division 2.2 hazardous materials. (modes 1, 2, 3, 4, 5)
13246-N .....	.....	McLane Company, Inc. Temple, TX.	49 CFR 172.102 N10, 173.22, 173.308(b), 178.3, 178.503, 178.517, 178.601.	To authorize the transportation in commerce of cigarette lighters, for which approval has been obtained by the lighter manufactures under 49 CFR 173.21(i), in reusable plastic totes. (mode 1)
13249-N .....	.....	Creative Engineers, Inc. Gisonia, PA.	49 CFR 173.211, 173.34(e).	To authorize the transportation in commerce of certain Division 4.3 hazardous materials in DOT-4BW240 cylinders. (modes 1, 2, 3, 4)
13251-N .....	.....	Department of Defense Fort Eustis, VA.	49 CFR 172.301(c), 173.302(a).	To authorize the one-time roundtrip transportation in commerce of six non-DOT specification cylinders containing a Division 2.2 compressed gas. (modes 1, 3)
13252-N .....	.....	Department of Defense Fort Eustis, VA.	49 CFR 172, subparts D&E, 172.400(a)(5), 173.25(a)(2).	To authorize the one-time transportation in commerce of specially designed non-bulk containers containing mercury, Class 8 overpacked in wooden box pallets. (mode 1)
13253-N .....	.....	H. Koch & Sons Ana- heim, CA.	49 CFR 173.62 .....	To authorize the transportation in commerce of a specially designed device for use in transporting Division 1.4S hazardous materials. (mode 5)
13257-N .....	.....	Pharmacia Corp. Kala- mazoo, MI.	49 CFR 172.301(a), (b) & (c), 173.196, sub- part C of part 172.	To authorize the transportation in commerce of certain infectious substances in specially designed packaging. (mode 1)