

## MODIFICATION EXEMPTIONS

Application No.	Docket No.	Applicant	Regulation(s) affected	Modification of exemption	Nature of exemption thereof
8178-M .....	.....	National Aeronautics and Space Administration, Houston, TX.	49 CFR 173.302(a); 173.301(f); 175.3.	8178	To modify the exemption to authorize the use of alternative CRES 301 stainless steel cylinders and extending the service life of the steel cylinders to 32 years from date of manufacture for the transportation of Division 2.2 materials.
10751-M .....	.....	Dyno Nobel, Inc., Salt Lake City, UT.	49 CFR 177.848; 177.823; 177.835(c)(3).	.....	To modify the exemption to authorize in increased capacity of the aluminum chassis-mounted saddle fuel tank from 150 to 300 gallons.
1149-M .....	.....	ARC Automotive, Inc., (formerly Atlantic Research Corporation), Knoxville, TN.	49 CFR 173.301(h); 173.302; 173.306(d)(3).	11494	To modify the exemption to authorize an increase in maximum service pressure from 4,000 psig to 8,000 psig of the non-DOT specification cylinders.
12065-M .....	RSPA-98-3831	International Flavors and Fragrances, Inc., Shrewsbury, NJ.	49 CFR 173.120(c)(ii)	12065	To modify the exemption to authorize the transportation of additional Class 3 materials with flash points determined by the Grabner MiniFlash Flashpoint Analyzer.
12561-M .....	RSPA-00-8305	Rhodia Inc., Cranbury, NJ.	49 CFR 172.203(a); 173.24b; 179.13.	12561	To modify the exemption to authorize the use of 100 additional the use of 100 additional DOT Specification tank cars having a maximum gross weight on rail of 286,000
13310-M .....	.....	Amvac Chemical Corporation, Los Angeles, CA.	49 CFR 178.3; 178.503.	13310	To reissue the exemption originally issued on an emergency basis for the transportation of certain UN standard bags that were incorrectly printed with a specification marking that does not include the "UN" symbol.
13350-M .....	.....	The Boeing Company, Cape Canaveral, FL.	49 CFR 173.201 .....	13350	To reissue the exemption originally issued on an emergency basis for the transportation of four Space Shuttle Orbiter Auxiliary Power Units containing the residue of a Class 8 material.
13355-M .....	RSPA-04-17039.	C L Smith Co., Saint Louis, MO.	49 CFR 173.13(a); 173.13(b); 173.13(c)(1)(ii); 173.13(c)(1)(iv); 173.13(c)(2)(iii);.	13355	To reissue the exemption originally issued on an emergency basis for the use of specially designed combination packagings for the transportation of various hazardous materials without hazard labels or placards.

[FR Doc. 04-9557 Filed 4-28-04; 8:45 am]

BILLING CODE 4909-60-M

## DEPARTMENT OF TRANSPORTATION

## Surface Transportation Board

[STB Finance Docket No. 34462]

## MVC Transportation, LLC—Acquisition Exemption—P&amp;LE Properties, Inc.

MVC Transportation, LLC (MVC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire approximately 15 miles of rail lines located in Allegheny County, PA, from P&LE Properties, Inc. (P&LE). These rail lines, which consist of the track facilities of the former Pittsburgh and Lake Erie Railroad Company's McKees Rocks Yard, do not have assigned mile posts and extend along and adjacent to the CSX Transportation, Inc. (CSXT) main line in McKees Rocks,

PA.<sup>1</sup> The portions of the lines that receive service are currently served by CSXT.

MVC certifies that its projected annual revenues will not exceed those that would qualify it as a Class III rail carrier and that its annual revenues are not projected to exceed \$5 million.

<sup>1</sup> On April 22, 1997, pursuant to a Bankruptcy Court order in *In Re: Pittsburgh & Lake Erie Properties, Inc.*, Case No. 96-406 (MFW) Chapter 11, P&LE sold the McKees Rocks Yard property to Allegheny Railroad Properties, Inc. (ARC) and accepted a cognovit judgment note and mortgage on the McKees Rocks Yard property from ARC. P&LE's Vice President and Treasurer, John D. Hartman, claims that P&LE retained ownership of the property because ARC did not fully pay for the property pursuant to the parties' agreement. MVC also believes P&LE retained its right, title, and property interest in the McKees Rocks Yard. After ARC defaulted on its payment obligations to P&LE, the ARC note and mortgage was acquired and satisfied by Mariah Venture Capital & Consulting, Co. (Mariah) with approval of the Bankruptcy Court by order dated June 18, 1999. With the consent of P&LE, Mariah will assign the ARC note and mortgage to MVC, which, in lieu of execution and foreclosure, will by deed and bill of sale from P&LE take title to the rail yard facilities subsequent to the effective date of this acquisition exemption.

MVC states that the parties intended to consummate the transaction on or after April 15, 2004, the effective date of the exemption (7 days after the exemption was filed).

If the notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34462, must be filed with the Surface Transportation Board, 1925 K Street NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Laurence A. Neish, 651 Holiday Drive, Pittsburgh, PA 15220.

Board decisions and notices are available on the Board's Web site at <http://www.stb.dot.gov>.

Decided: April 21, 2004.

By the Board, David M. Konschnik,  
Director, Office of Proceedings.  
**Vernon A. Williams,**  
Secretary.  
[FR Doc. 04-9607 Filed 4-28-04; 8:45 am]  
BILLING CODE 4915-01-P

## DEPARTMENT OF THE TREASURY

### Alcohol and Tobacco Tax and Trade Bureau

#### Proposed Information Collection; Comment Request

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau (TTB), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury and its Alcohol and Tobacco Tax and Trade Bureau, as part of their continuing effort to reduce paperwork and respondent burden, invite the public and other Federal agencies to comment on proposed and continuing information collections, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Currently, we are seeking comments on TTB Form 5100.1, titled "Signing Authority for Corporate Officials."

**DATES:** We must receive your written comments on or before June 28, 2004.

**ADDRESSES:** You may send comments to Sandra Turner, Alcohol and Tobacco Tax and Trade Bureau, at any of these addresses:

- P.O. Box 14412, Washington, DC 20044-4412;
- 202-927-8525 (facsimile); or
- [formcomments@ttb.gov](mailto:formcomments@ttb.gov) (e-mail).

Please reference the information collection's title, form or recordkeeping requirement number, and OMB number (if any) in your comment. If you submit your comment via facsimile, send no more than five 8.5 x 11 inch pages in order to ensure electronic access to our equipment.

**FOR FURTHER INFORMATION CONTACT:** To obtain additional information, copies of the information collection and its instructions, or copies of any comments received, contact Sandra Turner, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 14412, Washington, DC 20044-4412; or telephone 202-927-8210.

#### SUPPLEMENTARY INFORMATION:

**Title:** Signing Authority for Corporate Officials.

**OMB Number:** 1513-0036.

**TTB Form Number:** 5100.1.

**Abstract:** TTB F 5100.1 is substituted instead of a regulatory requirement to

submit corporate documents or minutes of a meeting of the Board of Directors to authorize an individual or office to sign for the corporation in TTB matters. The form identifies the corporation, the individual or office authorized to sign, and documents the authorization.

**Current Actions:** There are no changes to this information collection and it is being submitted for extension purposes only.

**Type of Review:** Extension.

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

**Estimated Number of Respondents:** 1,000.

**Estimated Total Annual Burden Hours:** 250.

#### Request for Comments

Comments submitted in response to this notice will be included or summarized in our request for Office of Management and Budget (OMB) approval of this information collection. All comments are part of the public record and subject to disclosure. Please not do include any confidential or inappropriate material in your comments.

We invite comments on: (a) Whether this information collection is necessary for the proper performance of the agency's functions, including whether the information has practical utility; (b) the accuracy of the agency's estimate of the information collection's burden; (c) ways to enhance the quality, utility, and clarity of the information collected; (d) ways to minimize the information collection's burden on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide the requested information.

Dated: April 19, 2004.

**William H. Foster,**

Chief, Regulations and Procedures Division.

[FR Doc. 04-9707 Filed 4-28-04; 8:45 am]

BILLING CODE 4810-31-P

## DEPARTMENT OF THE TREASURY

### Alcohol and Tobacco Tax and Trade Bureau

#### Proposed Information Collection; Comment Request

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau (TTB), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury and its Alcohol and Tobacco

Tax and Trade Bureau, as part of their continuing effort to reduce paperwork and respondent burden, invite the public and other Federal agencies to comment on proposed and continuing information collections, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Currently, we are seeking comments on TTB Form 5110.28 and Recordkeeping Requirement 5110/03, titled "Distilled Spirits Plant Monthly Report of Processing Operations."

**DATES:** We must receive your written comments on or before June 28, 2004.

**ADDRESSES:** You may send comments to Sandra Turner, Alcohol and Tobacco Tax and Trade Bureau, at any of these addresses:

- P.O. Box 14412, Washington, DC 20044-4412;
- 202-927-8525 (facsimile); or
- [formcomments@ttb.gov](mailto:formcomments@ttb.gov) (e-mail).

Please reference the information collection's title, form or recordkeeping requirement number, and OMB number (if any) in your comment. If you submit your comment via facsimile, send no more than five 8.5 x 11 inch pages in order to ensure electronic access to our equipment.

**FOR FURTHER INFORMATION CONTACT:** To obtain additional information, copies of the information collection and its instructions, or copies of any comments received, contact Sandra Turner, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 14412, Washington, DC 20044-4412; or telephone 202-927-8210.

#### SUPPLEMENTARY INFORMATION:

**Title:** Distilled Spirits Plant Monthly Report of Processing Operations.

**OMB Number:** 1513-0041.

**TTB Form and Recordkeeping Requirement Numbers:** TTB F 5110.28 and TTB REC 5110/03.

**Abstract:** The information collected is necessary to account for and verify the processing of distilled spirits in bond. It is used to audit plant operations, monitor industry activities for efficient allocation of personnel resources, and the compilation of statistics.

**Current Actions:** There are no changes to the information collection and it is being submitted for extension purposes only.

**Type of Review:** Extension.

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

**Estimated Number of Respondents:** 134.

**Estimated Total Annual Burden Hours:** 3,886.

#### Request for Comments

Comments submitted in response to this notice will be included or