DEPARTMENT OF TRANSPORTATION
Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2011–0328; Notice No. 11–15]

Safety Advisory: Unauthorized Marking of Compressed Gas Cylinders

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Safety Advisory Notice.

SUMMARY: This is to notify the public that PHMSA has confirmed that Spears Fire & Safety, 287 Jackson Plaza, Ann Arbor, MI improperly requalified and marked high pressure compressed gas cylinders. During a recent investigation, PHMSA determined that between November 2008 and October 2011, Spears Fire & Safety requalified and marked with a Requalifier Identification Number (RIN) “B037” approximately 7,740 DOT specification cylinders after its authority to requalify high pressure cylinders expired on October 31, 2008. Additionally the investigation revealed that during this period, Spears Fire & Safety (1) failed to condemn cylinders with a permanent expansion greater than 10% of total expansion, (2) on multiple occasions did not maintain the minimum test pressure for the required time and (3) improperly repeated pressure tests on cylinders required to be condemned. Cylinders that have not been properly requalified and marked and in accordance with the HMR may not be filled with compressed gas or other hazardous material.

FOR FURTHER INFORMATION CONTACT: Spears Fire & Safety, Mr. Robert Pate, Manager, 287 Jackson Plaza, Ann Arbor, MI, Telephone (734) 633–4133.

SUPPLEMENTARY INFORMATION: PHMSA has recently confirmed that Spears Fire & Safety continued to requalify and mark high pressure cylinders after their authority to requalify cylinders had expired. Spears Fire & Safety’s authority to requalify cylinders expired on October 31, 2008 and failed to seek renewal of its authority from the Associate Administrator. However, Spears Fire & Safety continued to requalify cylinders for a period of time up to and including October 14, 2011. The investigation also revealed that Spears Fire & Safety (1) failed to condemn cylinders with a permanent expansion greater than 10% of total expansion (2) on multiple occasions, did not maintain test pressure for the required time period, and (3) performed multiple repeat pressure tests on a cylinder with a permanent expansion greater than 10% of total expansion. Because Spears Fire & Safety improperly pressure tested and marked high pressure cylinders that were required to be condemned, PHMSA questions the condition of all of the cylinders requalified, marked and returned to service by Spears Fire & Safety between November 2008 and October 2011 (approximately 7,740 cylinders). The cylinders in question were marked with Spears Fire & Safety’s RIN “B037”. The markings appear in the following pattern:

B0
M
Y
73

Where B037 is Spears Fire & Safety’s RIN, M is the month of the retest (e.g. 10) and Y is the year of the retest (e.g. 11). Anyone who identifies a cylinder marked with the RIN “B037” and a test date after October 2008, are advised to remove these cylinders from service and contact Spears Fire & Safety, Ann Arbor, MI for further instructions.

Issued in Washington, DC, on December 29, 2011.

Magdy El-Sibaie,
Associate Administrator for Hazardous Materials Safety.

[FR Doc. 2012–394 Filed 1–11–12; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION
Surface Transportation Board

[Docket No. AB 33 (Sub-No. 299X)]

Union Pacific Railroad Company—Discontinuance of Service Exemption—in Pittsburg, Hughes, and Seminole Counties, OK

Union Pacific Railroad Company (UP) has filed a verified notice of exemption under 49 CFR pt. 1152 subpart F—Exempt Abandonments and Discontinuances of Service to discontinue service over a portion of a line of railroad known as the Shawnee Branch Line, between milepost 428.00, near Seminole, and milepost 370.5, near McAlester, a distance of 57.69 miles, in Pittsburg, Hughes, and Seminole Counties, Okla. (the line). The line traverses United States Postal Service Zip Codes 74501, 74570, 74531, 74848, 74864, and 74868. UP has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; and (3) no formal

1 UP notes a milepost equation of 402.78 = 402.59 in Hughes County, which makes the line 0.19 miles longer than the terminal mileposts would otherwise indicate.
complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period. UP has further certified that the requirements at 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met. 2

As a condition to this exemption, any employee adversely affected by the discontinuance shall be protected under Oregen Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) to subsidize continued rail service has been received, this exemption will become effective on February 11, 2012, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA to subsidize continued rail service under 49 CFR 1152.27(c)(2) must be filed by January 23, 2012. 4 Petitions to reopen must be filed by February 1, 2012, with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001.

A copy of any petition filed with the Board should be sent to UP’s representative: Mack H. Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Board decisions and notices are available on our Web site at “WWW.STB.DOT.GOV.”

Decided: January 9, 2012.

2 Because this is a discontinuance proceeding and not an abandonment, the proceeding is exempt from the requirements of 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), and 49 CFR 1105.11 (transmittal letter).

3 Each OFA must be accompanied by the filing fee, which is currently set at $1,500. See 49 CFR 1002.20(f)(25).

4 Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate.