

Administration (RSPA), have collected hazardous materials incident reports for over 40 years. The Hazardous Materials Regulations (HMR; 49 CFR Parts 171–180) establish requirements for an immediate report (see § 171.15) and a detailed incident report (Form DOT F5800.1; see § 171.16). Over 500,000 detailed incident reports have been collected over time. The incident data and information is generally used by PHMSA to:

1. Evaluate regulatory effectiveness;
2. Determine the need for regulatory changes to address changing transportation safety problems;
3. Identify major problem or risk areas that should receive priority attention;
4. Chart trends;
5. Identify problems and training inadequacies;
6. Evaluate packages and packaging;
7. Assess ways to reduce releases;
8. Aid the targeting of enforcement activities; and
9. Assist in evaluating fitness for special permits and approvals.

II. Purpose of This Notice

Section 33006(a) of MAP–21 (Pub. L. 112–141 § 33006(a), 126 Stat. 835, July 6, 2012) requires the Department to conduct an assessment to improve the collection, analysis, reporting, and use of data related to accidents and incidents involving the transportation of hazardous materials.

Section 33006(b) requires the Department to rely on the results of the assessment to develop an action plan and timeline for improving the collection, analysis, reporting, and use of data related to accidents and incidents involving the transportation of hazardous materials.

The provisions of MAP–21 set an expedited timeline, with the assessment due not later than six months after the date of enactment (§ 33006(a)) and the action plan due three months after (§ 33006(b)). Upon completion of the action plan and timeline the agency has fifteen days to submit them to Congress (§ 33006(c)).

In this notice, PHMSA is soliciting information, comments, and inputs related to the required elements of the assessment contained in MAP–21. Specifically, please provide comments on your view of the methods used by PHMSA to collect, analyze, report, and use data. Also, please provide comments on the adequacy of and suggestions for improvement to:

1. Information requested on the accident and incident reporting forms required to be submitted to PHMSA;
2. Methods used by PHMSA to verify that the information provided on such forms is accurate and complete;

3. Accident and incident reporting requirements, including whether such requirements should be expanded to include shippers and consignees of hazardous materials;

4. Resources of PHMSA related to data collection, analysis, and reporting, including staff and information technology; and

5. The database used by PHMSA for recording and reporting such accidents and incidents, including the ability of users to adequately search the database and find information.

Issued in Washington, DC, on November 15, 2012 under authority delegated in 49 CFR Part 1.

Magdy El-Sibaie,

Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2009–0126; Notice No. 12–12]

Advisory Notice: Notice of Intent To Provide Compliance Date Extension for Air-Passenger Notification of Hazardous Material Restrictions

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

ACTION: Advisory notice.

SUMMARY: PHMSA and the Federal Aviation Administration's (FAA) Office of Security and Hazardous Materials Safety hereby provide notification of our intent to extend the compliance date for certain provisions adopted in a January 19, 2011 final rule (PHMSA–2009–0126; 76 FR 3308) by no less than one year beyond the current January 1, 2013 compliance date in a future rulemaking action. This notice is intended to provide the widest dissemination of our planned future action to all potentially affected parties and to allow for development of a collaborative approach to implementing air-passenger notifications between interested government, commercial, and private entities.

FOR FURTHER INFORMATION CONTACT: Michael Stevens, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Standards and Rulemaking Division (PHH–10), (202) 366–8553, 1200 New Jersey Avenue SE., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

I. Background

Section 175.25 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171–180) prescribes the requirements for air-passenger notification of hazardous materials restrictions. One primary purpose for this regulation is to enhance public safety awareness regarding the carriage of hazardous materials onboard aircraft, either as carry-on items or in checked baggage. Improved public safety awareness facilitates passenger compliance with applicable regulatory requirements, thus enhancing overall aviation safety by reducing the likelihood of inappropriate items being transported onboard aircraft. On January 19, 2011, PHMSA amended 49 CFR 175.25 (PHMSA–2009–0126; 76 FR 3308). The amendments included requirements for passenger notification during ticket purchase and flight check-in, and are effective January 1, 2013. While PHMSA has the primary responsibility for issuing 49 CFR regulations, the FAA has primary responsibility for overseeing compliance with these regulations as they pertain to air transport. Since publication of the January 19, 2011 final rule, PHMSA and the FAA have received numerous inquiries regarding specific interpretations of the amended requirements and the acceptability of certain means of compliance with the revised regulations. This notice responds to administrative appeals that request up to a two-year extension of the compliance date of the adopted passenger notification provisions under § 175.25 of the HMR.

II. Public Meeting

Subsequent to issuance of the January 19, 2011 final rule, PHMSA and the FAA received numerous written and oral comments requesting additional time for affected entities to implement the new provisions in a more effective and cooperative manner. As a result, a public meeting was held on August 16, 2012, in Washington, DC, to discuss issues and concerns of participants and regulators alike. Consequently, PHMSA and the FAA jointly announced that we seek further collaboration with the air-passenger transportation community in defining what constitutes compliance with the new provisions, to reduce or eliminate any ambiguities, and to bring more transparency to the process.

III. Conclusion

PHMSA and FAA agree that delaying the full compliance date of revised § 175.25 is warranted, particularly if a

delay supports the implementation of more effective methods for increasing passenger awareness of, and compliance with, the HMR. Additionally, we acknowledge that better notification of industry stakeholders is necessary if we wish to gain widespread support of the collaborative approach to implementing effective and value-added solutions as discussed during the August 16, 2012 public meeting.

Therefore, PHMSA and FAA are providing this notification of our intent to extend in a future rulemaking action, the compliance date by no less than one year, beyond the current January 1, 2013 compliance date. We look forward to collaborating with all interested parties as we move forward to address this issue and enhance aviation safety.

Issued in Washington, DC on November 15, 2012 under authority delegated in 49 CFR Part 106.

Magdy El-Sibaie,

Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2012-0247; Notice No. 12-09]

International Standards on the Transport of Dangerous Goods; Public Meeting

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation.

ACTION: Notice of public meeting.

SUMMARY: This notice is to advise interested persons that PHMSA will conduct a public meeting in preparation for the 42nd session of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (UNSCOE TDG) to be held December 3 to 11, 2012, in Geneva, Switzerland. During this meeting, PHMSA is also soliciting comments relative to potential new work items which may be considered for inclusion in its international agenda.

Information Regarding The UNSCOE TDG Public Meeting:

DATES: Wednesday, November 28, 2012; 9:00 a.m.–12:00 noon.

ADDRESSES: The meeting will be held at the DOT Headquarters, West Building, Conference Rooms 8–10, 1200 New

Jersey Avenue SE., Washington, DC 20590.

Registration: It is requested that attendees pre-register for this meeting by completing the form at <http://www.phmsa.dot.gov/hazmat/regs/international>. Failure to pre-register may delay your access to the building. Participants attending in person are encouraged to arrive early to allow time for security checks necessary to obtain access to the building.

Conference Call Capability/Live Meeting Information: Conference call-in and “live meeting” capability will be provided for this meeting. Specific information on call-in and live meeting access will be posted when available at <http://www.phmsa.dot.gov/hazmat/regs/international>.

FOR FURTHER INFORMATION CONTACT:

Vincent Babich or Kevin Leary, Office of Hazardous Materials Safety, International Standards, Department of Transportation, Washington, DC 20590; (202) 366-8553.

SUPPLEMENTARY INFORMATION: The primary purpose of this meeting will be to prepare for the 42nd session of the UNSCOE TDG. The 42nd session of the UNSCOE TDG is the final meeting scheduled for the 2011–2012 biennium. The UNSCOE will consider proposals for the 18th Revised Edition of the United Nations Recommendations on the Transport of Dangerous Goods Model Regulations which will be implemented within relevant domestic, regional, and international regulations from January 1, 2015. Copies of working documents, informal documents, and the meeting agenda may be obtained from the United Nations Transport Division's Web site at <http://www.unece.org/trans/main/dgdb/dgsubc3/c3age.html>.

General topics on the agenda for the UNSCOE TDG meeting include:

- Explosives and related matters
- Listing, classification and packing
- Electric storage systems
- Miscellaneous proposals of amendments to the Model Regulations
- Cooperation with the International Atomic Energy Agency (IAEA)
- Global harmonization of transport of dangerous goods regulations
- New proposals for amendments to the Model Regulations
- Globally Harmonized System of Classification and Labeling of Chemicals (GHS)

Since this is the final session of the UNSCOE TDG for the current biennium, the Sub-Committee will establish its work plan for the 2013–2014 biennium during this meeting. PHMSA is soliciting comments and input for the 2013–2014 biennium work plan.

Following the 42nd session of the UNSCOE TDG, a copy of the Sub-Committee's report will be available at the United Nations Transport Division's web site at <http://www.unece.org/trans/main/dgdb/dgsubc3/c3rep.html>. PHMSA's site at <http://www.phmsa.dot.gov/hazmat/regs/international> provides additional information regarding the UNSCOE TDG and related matters.

Issued in Washington, DC, on November 15, 2012 under authority delegated in 49 CFR part 106.

Magdy El-Sibaie,

Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2012-0280; Notice No. 12-11]

Safety Advisory Notice: Safety Advisory for Shippers and Carriers of Air Bags

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

ACTION: Safety Advisory Notice.

SUMMARY: PHMSA has been alerted by the National Highway Traffic Safety Administration (NHTSA) that counterfeit air bags have been sold as replacement parts to consumers and repair professionals. These counterfeit products may contain unapproved explosives and thus pose additional transportation risks when compared to air bags manufactured through legitimate means. Therefore, PHMSA is issuing this Safety Advisory Notice to (1) notify shippers and carriers of problems involving counterfeit air bags; (2) provide guidance on the proper classification of air bags; (3) specify provisions applicable to devices containing unapproved explosives; and (4) provide the next steps that PHMSA will take to address this problem. Consumers or repair professionals who suspect they have a counterfeit air bag should contact a call center established by their auto manufacturer. A list of these call centers and other additional information, including the list of vehicles that may contain counterfeit air bags, can be found at www.SaferCar.gov.

FOR FURTHER INFORMATION CONTACT: Field Operations Division, Office of Hazardous Materials Safety, (202) 366-