

(Signature)

(Position Title, please print)

Effective Date:

UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
MARITIME ADMINISTRATION

(MARAD Secretary)

By:

Maritime Administrator

(SEAL)

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**Public Participation***How do I submit comments?*

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Please note that even after the comment period has closed, MARAD will continue to file relevant information in the Docket as it becomes available.

*Where do I go to read public comments, and find supporting information?*

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2019-0183 or visit us in person at the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

*Will my comments be made available to the public?*

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

*May I submit comments confidentially?*

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-302, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

**Privacy Act**

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice, DOT/ALL-14 FDMS, accessible through [www.dot.gov/privacy](http://www.dot.gov/privacy). To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

**Authority:** 50 U.S.C. 4558, 49 CFR 1.93(a) and (l), 44 CFR 332.

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Dated: October 29, 2019.

By Order of the Maritime Administrator.

**T. Mitchell Hudson, Jr.,***Secretary, Maritime Administration.*

[FR Doc. 2019-23908 Filed 10-31-19; 8:45 am]

**BILLING CODE 4910-81-P****DEPARTMENT OF TRANSPORTATION****Pipeline and Hazardous Materials Safety Administration****[Docket No. PHMSA-2019-0130; Notice No. 2019-07]****Hazardous Materials: Unapproved Foreign-Made DOT Cylinders**

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

**ACTION:** Safety advisory notice.

**SUMMARY:** PHMSA is issuing this safety advisory notice to inform the public, industrial gas stakeholders, and relevant government officials of the risks associated with requalifying, filling, and transporting cylinders bearing the DOT specification markings “DOT 4E” or “DOT 4BA” that were produced by a company located in Thailand by the name of Metal Mate. Metal Mate does not have an approval from PHMSA to manufacture cylinders to DOT specifications; therefore, cylinders marked with the Metal Mate name are not DOT specification cylinders. They must not be used to transport hazardous materials in commerce to, from, or within the United States, or on a United States-registered aircraft. These cylinders may not perform to the

marked DOT performance standard and may not be safe for commercial transportation or consumer use.

**FOR FURTHER INFORMATION CONTACT:** The Hazardous Materials Information Center, (202) 366-4488 or 1-800-467-4922; [infocntr@dot.gov](mailto:infocntr@dot.gov).

**SUPPLEMENTARY INFORMATION:** PHMSA has become aware that a company located in Thailand by the name of Metal Mate has been producing and selling propane cylinders that were marked as “DOT 4E” without an approval from PHMSA. PHMSA is aware of two cylinders found in Australia that were marked as “DOT 4E 240” with Metal Mate’s name marked as the manufacturer. Third party testing revealed that the cylinders may not meet the DOT 4E standard. Additionally, another cylinder produced by Metal Mate and marked as “DOT 4E” has been found in Colombia. Metal Mate cylinders can be identified by the name “Metal Mate” and “MM” logo stamped into the cylinder collar adjacent to other cylinder markings (water capacity, test pressure, serial number, original test date).

PHMSA has also received information that Metal Mate is producing cylinders that are being marked as “DOT 4BA 240.” Evidence indicates that Metal Mate has shipped cylinders as marked to both Bangladesh and New Zealand.

Federal hazardous materials transportation law (49 U.S.C. 5101-5128) authorizes the Secretary of Transportation (Secretary) to establish regulations to safely transport hazardous materials in intrastate, interstate, and foreign commerce. It also authorizes the Secretary to apply these regulations to persons who manufacture or maintain a packaging or a component of a packaging that is represented, marked, certified, or sold as qualified for use in the transportation of a hazardous material in commerce (see 49 CFR 171.1). The Secretary delegated this authority to PHMSA in 49 CFR 1.97(b). As stated in 49 CFR 178.2(b), marking a packaging with a DOT specification, e.g., “DOT 4E 240,” means that all requirements of the marked DOT specification have been met and each action performed by, or for, the person whose name or symbol appears on the cylinder marking meets the requirements specified in part 178. These requirements include multiple tests for DOT 4BA and DOT 4E cylinders. For DOT 4E cylinders, the specification also requires a chemical analysis (see 49 CFR 178.51 for the specification requirements for DOT 4BA cylinders, and § 178.68 for the

specification requirements for DOT 4E cylinders).

Pursuant to 49 CFR 107.807(a), a foreign manufacturer who seeks to manufacture DOT specification cylinders must obtain an approval from PHMSA that permits that manufacturer to perform the required chemical analyses and tests outside the United States. Metal Mate does not possess any such approval from PHMSA, and is therefore not authorized to mark cylinders that it manufactures as complying with DOT specifications. Any cylinder produced by Metal Mate marked as meeting a DOT specification is not approved, is not a DOT specification cylinder, and may not meet DOT performance standards.

The PHMSA approval process<sup>1</sup> involves the careful review and onsite inspection of the applicant company's product documentation, cylinder manufacturing process, employee training records, and the presence and effectiveness of quality control measures at various stages during the cylinders' production. Since this review and inspection was not performed, DOT has no evidence that these cylinders are designed to withstand pressurization during filling and use and to safely contain hazardous materials transported in commerce. Improper design and manufacturing could potentially lead to a release of hazardous materials or failure of the cylinder.

Consequently, as a safety measure, PHMSA wants to inform consumers that cylinders manufactured by Metal Mate, even if bearing a DOT specification marking, must not be used to transport hazardous materials in commerce to, from, or within the United States, or on a United States-registered aircraft. These cylinders may not perform to DOT performance standards, and may not be safe to use as one would use a DOT specification cylinder.

Issued in Washington, DC, on October 28, 2019.

**William S. Schoonover,**

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

[FR Doc. 2019-23878 Filed 10-31-19; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. DOT-OST-2015-0076]

#### Agency Information Collection Activities: Request for Comments; Clearance of a New Information Collection(s): U.S. Department of Transportation, Individual Complaint of Employment Discrimination Form

**AGENCY:** Office of the Secretary, U.S. Department of Transportation.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces that the U.S. Department of Transportation (DOT) will forward the Information Collection Request (ICR) abstracted below to the Office of Management and Budget (OMB) for renewal of a previously approved collection. The ICR describes the nature of the information collection and its expected cost and burden hours. The OMB approved the form in 2017 with its renewal required by January 31, 2020.

**DATES:** Comments on this notice must be received by December 31, 2019.

**ADDRESSES:** You may submit comments [identified by Docket No. DOT-OST-2015-0076] by any of the following methods:

*Fax:* 202-493-2064.

*Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590.

*Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Instructions:* All submissions must include the Agency name (Office of the Secretary, DOT) and docket number for this rulemaking. You should provide two copies of your comments if you submit them by mail or hand delivery. Note that all comments received will be posted without change to [www.regulations.gov](http://www.regulations.gov), including any personal information provided, and will be available to internet users. You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or you may visit <http://DocketsInfo.dot.gov>.

*Docket:* For internet access to the docket to read background documents and comments received, go to [www.regulations.gov](http://www.regulations.gov). Background documents and comments received may also be viewed at DOT, 1200 New Jersey Avenue SE, Docket Operations, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Beverly Onwubere, Associate Director, EEO Complaints and Investigations Division (S-34), U.S. Department of Transportation, Departmental Office of Civil Rights, W78-316, 1200 New Jersey Avenue SE, Washington, DC 20590, 202-366-5988 (office), [beverly.onwubere@dot.gov](mailto:beverly.onwubere@dot.gov).

#### SUPPLEMENTARY INFORMATION:

*OMB Control Number:* 2105-0556.

*Title:* Individual Complaint of Employment Discrimination Form.

*Form Numbers:* DOT-F 1050-8.

*Type of Review:* Extension of a Previously Approved Collection.

*Abstract:* The DOT will utilize the form to collect information necessary to process EEO discrimination complaints filed by individuals who are Federal employees, former employees or applicants for employment with the Department. These complaints are processed in accordance with the U.S. Equal Employment Opportunity Commission's regulations, Title 29, Code of Federal Regulations, Part 1614, as amended. The DOT will use the form to: (a) Request requisite information from the applicant for processing his/her EEO discrimination complaint; and (b) obtain information to identify an individual or his or her attorney or other representative, if appropriate. An applicant's filing of an EEO discrimination complaint is solely voluntary. The DOT estimates that it takes an applicant approximately one hour to complete the form.

*Respondents:* Federal employees, former employees or applicants for employment with the Department.

*Estimated Number of Respondents:* 100 per year.

*Estimated Total Burden on Respondents:* 100 hours per year.

*Comments Are Invited on:* (a) Whether the proposed collection of information is reasonable for the proper performance of the EEO functions of the Department, and (b) the accuracy of the Department's estimate of the burden of the proposed information collection. All responses to the notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

<sup>1</sup> <https://www.phmsa.dot.gov/hazmat/pressure-vessels-approvals/pressure-vessels-overview>.