

and 14412 East Valley Boulevard, La Puente, California 91746. They observed a large number of cylinders that were marked with the following two RINs:

(1)

C	2
X	Y
4	7

where

X = month of retest

Y = year of retest

On September 1, 1988, RSPA issued RIN C274 for a 5-year period to Coast Welding Supply in Oxnard, California. Coast Welding did not renew its RIN and is no longer in business. Thus, the RIN expired on September 1, 1993 and, after that date, persons are not authorized to mark any cylinders with that RIN. RSPA believes that any cylinder marked with RIN C274 between a test date of "10 93" or any later date is not in compliance with the HMR. Under the HMR, hydrostatic retesting is required to verify a cylinder's structural integrity. Thus, persons who have a cylinder marked with this RIN and a date after September 1, 1993 should not charge or fill the cylinder without first having the cylinder inspected/retested by a DOT-authorized retest facility.

(2)

A	3
X	Y
7	3

where

X = month of retest

Y = year of retest

RIN A337 was issued to Altair/Ultratest, a Torrance, California cylinder filler/shipper that also retests and stamps its own cylinders. RSPA believes that persons, who were not authorized to use this RIN, marked an unknown number of cylinders with Altair/Ultratest's RIN, in violation of 49 CFR 173.34(e)(2). RSPA believes that many of these cylinders also bear "UT", plus (+) sign and five-pointed star (☆) markings indicating that the cylinders have been tested with ultrasonic equipment, can be filled to a pressure 10 percent in excess of cylinder's marked service pressure and qualify for a ten-year hydrostatic retest, respectively. Specifically with regard to the "UT"

markings, Altair/Ultratest has indicated that it began ultrasonic testing after April 1995. Therefore, RSPA believes that any cylinder marked with RIN A337 earlier than "4 95" and bearing "UT" markings is not in compliance with the HMR and should not be charged or filled without first having the cylinder inspected/retested by a DOT-authorized retest facility. It is important to note, however, that other cylinders marked with RIN A337 and test dates after "4 95" with or without the "UT", "+" and (☆) markings may not be in compliance with the HMR.

RSPA also believes that an unknown number of cylinders bearing RINs C274 and A337 (and possibly others) had permanent markings (e.g. ICC/DOT-specifications, service pressures, original manufacturers' dates and Independent Inspection Agency (IIA) marks, and older hydrostatic test dates) ground off and were then restamped with more contemporary information before or after painting. The grinding may have included areas of corrosion or other imperfections which may have met the criteria for rejection on visual examination in accordance with 49 CFR 173.34(e)(3) and Compressed Gas Association Pamphlet C-6, Standards for Visual Inspection of Steel Compressed Gas Cylinders. Some cylinder neck collars, which generally indicate the cylinder owner, were also subjected to grinding and may be detected by a "wavy", irregular appearance. In some cases, the ground areas of cylinders may appear smoother to the touch when compared to untouched areas adjacent to them or these areas may reveal paint brush strokes which contrast to other untouched areas of the cylinder surface. This grinding may have a significant effect on the minimum wall thickness and, therefore, the overall integrity of the cylinder. In some cases, cylinders may have a "putty-like" substance applied to the area adjacent to the cylinder's valve. This substance may cover defects in the cylinder and prevent a complete visual inspection.

Should any evidence of unauthorized or improper grinding be found, the cylinder(s) may not be used until a DOT-authorized cylinder retest facility has reinspected and retested the cylinder(s) as required by 49 CFR 173.34(e). If a cylinder fails the reinspection and retest or the DOT-authorized cylinder retest facility cannot verify the markings on a cylinder, the cylinder must be condemned in accordance with 49 CFR 173.34(e)(6).

Filled cylinders (if filled with an atmospheric gas) described in this safety

notice should be vented or otherwise properly and safely evacuated and purged, and taken to a DOT-authorized cylinder retest facility for visual reinspection and retest to determine compliance with the HMR.

Under no circumstances should a cylinder described in this safety notice be filled, refilled or used for any purpose other than scrap, absent reinspection and retest by a DOT-authorized retest facility.

Persons possessing cylinders described in this safety notice, and marked with RIN A337, can contact Altair/Ultratest to verify the cylinder's retest information and markings. Altair/Ultratest will require the cylinder's serial number and dimensions/size/capacity. Altair/Ultratest requests this information by fax (Fax Number: (310) 371-2162).

It is further recommended that persons finding or possessing cylinders described in this safety notice contact Anthony Smialek for further information and instructions.

Issued in Washington, DC on April 16, 1997.

Alan I. Roberts,

Associate Administrator for Hazardous Materials Safety.

[FR Doc. 97-10397 Filed 4-21-97; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Ex Parte No. 334 (Sub-No. 8) ¹]

Joint Petition for Rulemaking on Railroad Car Hire Compensation (Clarification of Association of American Railroad's Code of Car Hire Rules)

AGENCY: Surface Transportation Board.

ACTION: Notice of clarification.

SUMMARY: The Board clarifies that Rule 25, Car Hire Arbitration of the Association of American Railroads' Code of Car Hire Rules and Interpretations—Freight, may be amended as provided in part D of the rule, without prior Board approval, but subject to subsequent Board review on petition or on the Board's own initiative.

DATES: The decision is effective on April 22, 1997.

ADDRESSES: Send an original and 10 copies of pleadings referring to Ex Parte

¹ This notice also embraces Joint Petition for Exemption of Arbitration Rule from Application of 49 U.S.C. 10706 and Motion to Dismiss, Ex Parte No. 334 (Sub-No. 8A).

No. 334 (Sub-No. 8) to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, send one copy of all documents to: (1) Petitioners' representatives, Daniel Saphire, Association of American Railroads, 50 F Street, N.W., Washington, DC 20001 and Alice Saylor, American Short Line Railroad Association, 1120 G Street, N.W., Washington, DC 20005; and (2) Representative for The Greenbrier Companies, Karl Morell, Ball, Janik LLP, 1455 F Street, N.W., Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 565-1600. [TDD for the hearing impaired: (202) 565-1695].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC NEWS & DATA, INC., 1925 K Street, N.W., Suite 210, Washington, DC 20006. Telephone: (202) 289-4357. [TDD for the hearing impaired: (202) 565-1695.]

Decided: April 9, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 97-10236 Filed 4-21-97; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 546X)]

CSX Transportation, Inc.— Discontinuance of Trackage Rights Exemption—in Marion County, IN

CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments and Discontinuances of Trackage Rights to discontinue trackage rights over approximately 13.50 miles of Consolidated Rail Corporation's (Conrail) Indianapolis Belt Running Track, between milepost 0.0 at North Indianapolis and milepost 13.5 at Conrail's Indianapolis Belt Running Track's connection with the former Norfolk and Western Railway Company, in Marion County, IN.

CSXT 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; (3) no formal 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; and (4) the requirements at 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under Oregon Short Line R. Co.—Abandonment—Coshen, 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) has been received, this exemption will be effective on May 22, 1997,¹ unless stayed pending reconsideration. Petitions to stay and formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² must be filed by May 2, 1997. Petitions to reopen must be filed by May 12, 1997, with: Office of the Secretary, Case Control Unit, Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Charles M. Rosenberger, Senior Counsel, CSX Transportation, Inc., 500 Water Street J150, Jacksonville, FL 32202.

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

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of consummation with the Board to signify that it has exercised the authority granted and discontinued service over the line. If consummation has not been effected by CSXT's filing of a notice of consummation by April 22, 1998, and there are no legal or regulatory barriers to consummation, the authority to discontinue will automatically expire.

Decided: April 15, 1997.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 97-10234 Filed 4-21-97; 8:45 am]

BILLING CODE 4910-00-P-M

¹ Because this is a discontinuance proceeding and not an abandonment, trail use/railbanking and public use conditions are not appropriate. Likewise, no environmental or historical documentation is required here under 49 CFR 1105.6(c)(6).

² Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$900. See 49 CFR 1002.2(f)(25).

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 537X)]

CSX Transportation, Inc.— Abandonment Exemption—in Alachua County, FL

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: The Board, under 49 U.S.C. 10502, exempts from the prior approval requirements of 49 U.S.C. 10903 the abandonment by CSX Transportation, Inc., of a 2.87-mile portion of its Jacksonville Service Lane, Deerhaven Subdivision, extending between milepost 738.65 at 23rd Avenue, NW., in Gainesville and milepost 741.52 at the end of the track, in Alachua County, FL, subject to labor protective conditions, a trail use condition, and a public use condition.

DATES: Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 22, 1997. Formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2) and additional requests for interim trail use/rail banking under 49 CFR 1152.29 must be filed by May 2, 1997; petitions to stay must be filed by May 7, 1997; and petitions to reopen must be filed by May 19, 1997.

ADDRESSES: Send pleadings referring to STB Docket No. AB-55 (Sub-No. 537X) to: (1) Office of the Secretary, Case Control Unit, Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001; and (2) Charles M. Rosenberger, CSX Transportation, Inc., 500 Water Street, Jacksonville, FL 32202.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 565-1600. [TDD for the hearing impaired: (202) 565-1695.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1925 K Street, NW., Suite 210, Washington, DC 20006. Telephone: (202) 289-4357. [Assistance for the hearing impaired is available through TDD services (202) 565-1695.]

Decided: April 15, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 97-10396 Filed 4-21-97; 8:45 am]

BILLING CODE 4910-00-M