

[FR Doc. 02-23838 Filed 9-18-02; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF TRANSPORTATION**Research and Special Programs Administration****Office of Hazardous Materials Safety; Notice of Applications for Exemptions****AGENCY:** Research and Special Programs Administration, DOT.**ACTION:** List of applicants for exemptions.**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR part 107, subpart B), notice is

hereby given that the Office of Hazardous Materials Safety has received the applications described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

DATES: Comments must be received on or before October 21, 2002.**ADDRESSES:** Records Center, Research and Special Programs, Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-

addressed stamped postcard showing the exemption application number.

FOR FURTHER INFORMATION CONTACT:

Copies of the applications (*See* Docket Number) are available for inspection at the New Docket Management Facility, Pub. L. 401, at the U.S. Department of Transportation, Nassif Building, 400 7th Street, SW., Washington, DC 20590 or at <http://dms.dot.gov>.

This notice of receipt of applications for new exemptions is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on September 13, 2002.

R. Ryan Posten,

Exemptions Program Officer, Office of Hazardous Materials Exemptions and Approvals.

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
13104-N	RSPA-02-13279	Consumers Energy Corporation, Charlevoix, MI.	49 CFR 173.403, 173.427.	To authorize the transportation in commerce of a large component of an unpackaged surface contaminated object (SCO) used for transporting Class 7 radioactive materials. (Modes 1, 2)
13105-N	RSPA-02-13278	T.L.C.C.I., Inc., Nashville, TN.	49 CFR 173.22a, 173.304.	To authorize the manufacture, mark, sale, and use of non-DOT specification cylinders for use in transporting Division 2.1 materials. (modes 1, 2, 3, 4)
13106-N	RSPA-02-13280	Air Products & Chemicals, Inc., Allentown, PA.	49 CFR 173.301(d)(a)&(2).	To authorize the transportation in commerce of hydrogen and nitrogen gas mixtures in manifolded DOT-Specification cylinders. (modes 1, 3)
13107-N	RSPA-02-13276	Sensors, Inc., Saline, MI	49 CFR 172 Subparts C&G.	To authorize the transportation in commerce of specially devices containing a DOT Specification 3AL1800 cylinder containing flammable compressed gas utilizing a small hydrogen/helium flame without required shipping papers. (mode 1)
13109-N	RSPA-02-13281	Canberra Industries, Inc., Meriden, CN.	49 CFR 173.302, 175.3	To authorize the manufacture, marking, sale and use of non-DOT specification containers described as hermetically-sealed electron tube devices for use in transporting Division 2.2 hazardous materials. (modes 1, 4, 5)
13110-N	RSPA-02-13282	Praxair, Inc., Danbury, CT.	49 CFR 173.242	To authorize the transportation in commerce of non-DOT specification bulk packaging for use in transporting metal, catalyst, dry, Division 4.2. (modes 1, 3)
13111-N	RSPA-02-13284	Fisher Scientific Chemical Division, Fair Lawn, NJ.	49 CFR 173.158(f)(7)(h) ...	To authorize the transportation in commerce of 70% nitric acid, Class 8, in certain single and combination packagings which is currently forbidden. (modes 1, 2, 3, 4)
13112-N	RSPA-02-13286	Conax Florida Corporation St. Petersburg, FL.	49 CFR 173.302, 175.3	To authorize the manufacture, mark, sale and use of non-DOT specification non-reusable cylinders conforming with all regulations similar to DOT specification 39 cylinder for use in transporting Division 2.2 material. (modes 1, 2, 3, 4, 5)
13114-N	RSPA-02-13303	Eagle Window & Door, Inc. Dubuque, IA.	49 CFR 172.202-204	To authorize the transportation in commerce of non-bulk containers of paint to be transported within the facility without required shipping papers. (mode 1)
13116-N	RSPA-02-13306	Chromatography Research Supplies, Inc., Louisville, KY.	49 CFR 173.151(b)	To authorize the transportation in commerce of gas filters containing limited quantities of hazardous materials classed as self-heating solid, inorganic, n.o.s. to be transported under the limited quantity provisions as Division 4.1 without required labelling or placarding. (modes 1, 4, 5)
13117-N	RSPA-02-13307	TEN-Packaging Services, Newport, MN.	49 CFR 173.21(i)	To authorize the examination of cigarette lighters and their inner packagings. (mode 1)

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
13118-N	RSPA-02-13305	Greif Bros. Corporation, Delaware, OH.	49 CFR 178.503(a)(10) ..	To authorize the one-time transportation in commerce of UN1A2 drums with alternative markings for use in transporting Division 4.2 hazardous materials. (mode 1)

Correction Notice: The new exemption notice published in the Federal Register/Vol. 67, No. 166, Tuesday, August 27, 2002; page 55061 should have appeared as Docket No. 13088-N; RSPA-2003-13402 applicant Electron Transfer Technologies instead of Air Products.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34110]

Montreal, Maine & Atlantic Railway LLC—Acquisition and Operation Exemption—Bangor & Aroostook Railroad Company, Canadian American Railroad Company, The Northern Vermont Railroad Company Incorporated, Newport & Richford Railroad Company and Van Buren Bridge Company

Montreal, Maine & Atlantic Railway LLC (MMA), a noncarrier, has filed a notice of exemption under 49 CFR 1150.31 to acquire and operate, certain rail lines and other assets of Bangor & Aroostook Railroad Company (BAR), Canadian American Railroad Company (CDAC), The Northern Vermont Railroad Company Incorporated (NVT), Newport & Richford Railroad Company (N&R), and Van Buren Bridge Company (VBB), (collectively, the BAR system assets), totaling approximately 518.48 miles of rail lines located in Maine and Vermont.¹

MMA will acquire and operate the following rail lines:

BAR's (a) Searsport, Millinocket, and Madawaska Subdivisions between milepost 0.0 at Searsport, ME, and milepost 264.1 at Madawaska, ME; (b) Van Buren Subdivision between milepost 0.0 at Madawaska, and milepost 24.74 at Van Buren, ME; (c) Presque Isle Subdivision between milepost 0.0 at Squa Pan, ME, and

milepost 25.30 at Presque Isle, ME; (d) Limestone Subdivision between milepost 0.0 at Presque Isle, and milepost 30.36 at Limestone, ME; (e) Fort Fairfield Subdivision between milepost 0.0 at Presque Isle, and milepost 18.64 at Fort Fairfield, ME; (f) Houlton Subdivision between milepost 0.0 at Oakfield, ME, and milepost 18.40 at Houlton, ME; (g) East Millinocket Subdivision between milepost 0.0 at Millinocket, ME, and milepost 7.55 at E. Millinocket, ME; and (h) K.I. Subdivision between milepost 0.0 at Brownville, ME, and milepost 4.0 at Brownville Jct. ME;

CDAC's Moosehead Subdivision between milepost 0.0 at Brownville Jct., and milepost 101.90 at the United States-Canadian border crossing;

NVT and N&R's rail lines: (a) Between the United States-Canadian border crossing at milepost 26.25 and milepost 32.63 of the Newport Subdivision near Richford, VT; (b) between milepost 43.32 at the United States-Canadian border crossing and milepost 58.4 at the end of the Newport Subdivision, in Newport, VT; and (c) between milepost 0.0 at Newport, and milepost 2.0 of the Lyndonville Subdivision, near Newport; and

VBB's rail line between the connection with BAR and the International Boundary Line in the center of the Van Buren Bridge at the United States-Canadian border.²

MMA indicates that it intends to consummate the transaction as soon as possible following the Court's approval of its agreement with the Trustee.³ The earliest the transaction could have been consummated was September 3, 2002, the effective date of the exemption (7 days after the exemption was filed).

Because the projected revenues of the rail lines to be operated will exceed \$5 million, MMA certified to the Board on June 12, 2002, that the required notice of its rail line acquisition and operation was posted at the workplace of the employees of affected lines and was

served on the national offices of all labor unions with employees on the affected lines. See 49 CFR 1150.35(a), referring to 49 CFR 1150.32(e).⁴

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 does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34110, 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 Michael L. Rosenthal, Covington & Burling, 1201 Pennsylvania Avenue, NW., Washington, DC 20006-2401.⁵

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

Decided: September 11, 2002.

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

Vernon A. Williams,
Secretary.

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DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

September 12, 2002.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed

⁴ MMT had originally served and posted notice of its intent on November 5, 2001. However, in light of the subsequent bankruptcy of the carriers to be acquired, MMT served and posted a revised notice of intent.

⁵ The State of Vermont's Agency of Transportation has entered an appearance, and E.I. Dupont De Nemours and Company (Dupont) has filed a petition for leave to intervene, expressing concerns about MMA's financial viability. Dupont's petition to intervene will be granted.

¹ On August 15, 2001, an involuntary petition for bankruptcy under Chapter 11 of the Bankruptcy Act was filed against BAR before the United States Bankruptcy Court for the District of Maine (Court). Subsequently, CDAC, NVT, N&R and VBB filed voluntary petitions for bankruptcy under Chapter 11 before the Court.

² MMA states that it also intends to acquire lines and assets of CDAC, VBB and the Canadian Trustee for the Quebec Southern Railway Company, Ltd. that are part of the BAR system but are located in Canada and are not subject to Board jurisdiction.

³ MMT indicates that it expected to submit the agreement to the Court for approval on or about August 31, 2002.