

## National Highway Traffic Safety Administration

*Title:* Brake Hose Manufacturing Identification, Federal Motor Vehicle Safety Standard (FMVSS) No. 106.

*OMB Control Number:* 2127-0052

*Type of Request:* Request for public comment on a previously approved collection of information.

*Abstract:* Each manufacturer of brake hoses is required to register their manufacturing identification marks with NHTSA, in accordance with requirements in FMVSS No. 106, Brake Hoses. Manufacturer markings are typically put on motor vehicle brake hoses so that the manufacturer can be identified if a safety problem occurs with brake hoses installed on vehicles. Brake hose manufacturers register approximately 20 new identification marks each year, by submitting a request letter sent via U.S. mail, facsimile, or e-mail.

*Affected Public:* Business or other for-profit.

*Estimated Total Annual Burden:* 30 hours and \$3,000.

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

### *Comments Are Invited On:*

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility.
- Whether the Department's estimate for the burden of the proposed information collection is accurate.
- Ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued on: April 8, 2004.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 04-9258 Filed 4-22-04; 8:45 am]

BILLING CODE 4910-59-P

## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Docket RSPA-98-4957]

### Renewal of Existing Information Collection

**AGENCY:** Office of Pipeline Safety, Research and Special Programs Administration, DOT.

**ACTION:** Request for public comments and OMB approval.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995, the Research and Special Programs Administration's (RSPA) Office of Pipeline Safety (OPS) published a notice on January 22, 2004 (69 FR 3194) requesting public comments on a request for renewal of an information collection, *Drug and Alcohol Testing of Pipeline Operators*. This information collection requires that pipeline operators submit drug and alcohol test results for their employees. RSPA/OPS believes that alcohol and drug testing requirements are an important tool for operators to monitor drug and alcohol usage in the industry. RSPA/OPS has found that the drug and alcohol usage rate among employees in the pipeline industry is less than 1%. This notice requests approval of the renewal from the Office of Management and Budget (OMB) and additional comments from the public.

**DATES:** Comments on this notice must be received by May 24, 2004, to be assured of consideration.

**ADDRESSES:** Comments should identify the docket number of this notice, RSPA-98-4957, and be mailed directly to OMB, Office of Information and Regulatory Affairs (OIRA), 726 Jackson Place, NW., Washington, DC 20503, ATTN: Desk Officer for the Department of Transportation (DOT).

### FOR FURTHER INFORMATION CONTACT:

Marvin Fell, OPS, RSPA, DOT, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-6205 or by electronic mail at [marvin.fell@rspa.dot.gov](mailto:marvin.fell@rspa.dot.gov).

### SUPPLEMENTARY INFORMATION:

#### Discussion of Comment

A comment was received from a drug and alcohol testing company that provides services to pipeline operators. This commenter raised the issue of the reporting of test results from contractors. This commenter has raised this issue with DOT and RSPA/OPS on other occasions. However, this issue is a matter of policy and is outside the scope of the renewal of this information collection. The purpose of this notice is

to allow the public an additional 30 days to comment on the information collection renewal and to request approval of the renewal from OMB.

*Abstract:* Drug and alcohol abuse is a major societal problem and it is reasonable to assume the problem exists in the pipeline industry as it does in society as a whole. The potential harmful effect of drug and alcohol abuse on safe pipeline operations warrants imposing comprehensive testing regulations on the pipeline industry. These rules are found in 49 CFR part 199.

*Title:* Drug and Alcohol Testing of Pipeline Operators.

*OMB Number:* 2137-0579.

*Type of Request:* Renewal of an existing information collection.

*Estimate of Burden:* 1.22 hour per operator.

*Respondents:* Gas and hazardous liquid pipeline operators.

*Estimated Number of Respondents:* 2,419.

*Estimated Total Annual Burden on Respondents:* 2,963 hours.

Comments are invited on: (a) The need for the proposed collection of information for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques.

Issued in Washington, DC, on April 16, 2004.

**Richard D. Huriaux,**

*Regulations Manager, Office of Pipeline Safety.*

[FR Doc. 04-9197 Filed 4-22-04; 8:45 am]

BILLING CODE 4910-60-P

## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Docket No. RSPA-04-17401; Notice 1]

### Pipeline Safety: Development of Class Location Change Waiver Guidelines

**AGENCY:** Office of Pipeline Safety, Research and Special Programs Administration, DOT.

**ACTION:** Notice; information on class location waiver guideline development.

**SUMMARY:** On December 15, 2003, the Research and Special Programs Administration's (RSPA) Office of Pipeline Safety (OPS) issued a final rule on gas pipeline integrity management that established a policy to grant waivers of the pipe replacement or pressure reduction requirements after a change in Class Location if an operator can demonstrate an alternative integrity management program for the waiver segment. A pipeline Class Location increase results from an increase in population adjacent to a pipeline segment. RSPA/OPS held a meeting on April 14–15, 2004, in Washington, DC, to discuss the criteria for gas pipeline Class Location change waivers. Waivers will only be granted when pipe condition and active integrity management provides a level of safety greater than or equal to a pipe replacement or pressure reduction.

**FOR FURTHER INFORMATION CONTACT:** Joy Kadnar, (tel: 202–366–0568); e-mail [joy.kadnar@tsi.jccbi.gov](mailto:joy.kadnar@tsi.jccbi.gov) regarding the subject matter of this notice. Additional information about RSPA/OPS' Class Location waiver guidelines development can be found at <http://primis.rspa.dot.gov/gasimp>. You can read comments and other material in the docket on the Internet at: <http://dms.dot.gov>.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket Number RSPA–04–17401] by any of the following methods:

- Web Site: <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.
- Fax: 1–202–493–2251.
- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–001.
- Hand Delivery: Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.
- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

**Instructions:** All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the

Public Participation heading of the Supplementary Information section of this document. Note that all comments received will be posted without change to <http://dms.dot.gov>, including any personal information provided. Please see the Privacy Act heading under Regulatory Notices.

**Docket:** For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL–40 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or you may visit <http://dms.dot.gov>.

**SUPPLEMENTARY INFORMATION:** The Pipeline Safety Improvement Act of 2002 (codified at 49 U.S.C. 60101) required RSPA/OPS to issue regulations to require pipeline operators to conduct risk analyses and to adopt and implement integrity management programs. On December 15, 2003, RSPA/OPS issued a final rule on gas transmission pipeline integrity management in high consequence areas (68 FR 69778). The cost-benefit analysis included in this final rule noted that another benefit to be realized from implementing integrity management is reduced cost to the pipeline industry for ensuring safety in populated areas along pipelines. The improved knowledge of pipeline integrity that will result from implementing this rule will provide a technical basis for providing relief to operators from current requirements to replace pipe or to reduce operating stresses in pipelines when population near them increases, *i.e.* when the Class Location increases from Class 2 to Class 3.

The pipeline safety regulations require that pipelines routed through areas with higher local population density operate at lower pressures. This is intended to provide an extra safety margin in those areas. Operators typically replace pipeline when population increases, because reducing pressure to reduce stresses reduces the ability of the pipeline to carry gas. Areas with population growth typically require more, not less, gas.

However, replacing pipelines can be very costly. Providing safety in another manner, such as by implementing the integrity management rule principles, could allow RSPA/OPS to waive some pipe replacement or pressure reductions for pipelines in areas of population growth that are changing from Class 2 to Class 3. RSPA/OPS estimated that such waivers could result in a reduction in costs to industry of \$1 billion over the next 20 years, with no adverse effects on public safety.

Although guidelines for granting such waivers in high consequence and other areas have not yet been completed, RSPA/OPS has granted a limited number of waivers of the Class Location change rules in our approval of certain risk management demonstration programs. There also have been recent waiver requests to allow pipe to remain at existing hoop stresses although the maximum allowable operating pressure (MAOP) is no longer commensurate with the requirement for the new Class Location.

The Interstate Natural Gas Association of America (INGAA) submitted a proposal to RSPA/OPS in January for development of guidelines for the granting of Class Location waivers based on integrity management principles. INGAA also discussed a proposal for a pilot program that would designate ten "waiver sites" that would be considered by RSPA/OPS after the establishment of criteria for a waiver in the guidelines.

The INGAA proposal was discussed in February, 2004, at the Technical Pipeline Safety Standards Committee (TPSSC), the statutorily mandated gas pipeline advisory committee. The proposal was also discussed with state and federal regulators at the Interstate Summit meeting on February 26, 2004.

Most recently, RSPA/OPS held a meeting on April 14–15, 2004, in Washington, DC to discuss the criteria for consideration of gas pipeline Class Location change waiver requests. Because a pipeline Class Location increase results from an increase in population adjacent to a pipeline segment, waivers will only be granted when pipe condition and active integrity management provides a level of safety greater than or equal to a pipe replacement or pressure reduction. The April meetings focused on RSPA/OPS' criteria for pipeline characteristics and integrity management processes to identify projects that would have a high probability of waiver approval. Representatives from RSPA/OPS headquarters and regions, industry, and State pipeline safety agencies with proposed waiver sites in their States attended the meeting.

Information on the INGAA proposal, development of Class Location waiver guidance, and the pilot program is available in the docket referenced above.

**Authority:** 49 U.S.C. 60102, 60109, 60117.

Issued in Washington, DC, on April 16, 2004.

**Richard D. Huriaux,**

*Regulations Manager, Office of Pipeline Safety.*

[FR Doc. 04-9202 Filed 4-22-04; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34488]

#### Union Pacific Railroad Company— Trackage Rights Exemption—Soo Line Railroad Company d/b/a Canadian Pacific Railway

The Soo Line Railroad Company d/b/a Canadian Pacific Railway (CPR) has agreed to renew local trackage rights to Union Pacific Railroad Company (UP). The trackage rights extend from UP milepost 306.5 near Comus, MN, and UP milepost 333.5, near Rosemount, MN, a distance of approximately 27 miles.

These trackage rights represent a renewal of trackage rights originally granted to UP by a CPR predecessor in an agreement dated November 23, 1901. The original term of the 1901 Agreement has expired, but UP and CPR have agreed to an extension of the 1901 Agreement until June 30, 2004.

The transaction is scheduled to be consummated on May 1, 2004.

The purpose of the trackage rights is to renew UP's local trackage rights over the joint line by replacing the 1901 Agreement with a trackage rights agreement dated April 7, 2004.

Any employees affected by the subject transaction will be protected by the labor conditions prescribed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it 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 will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34488, 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 Robert T. Opal, 1416 Dodge Street, Room 830, Omaha, NE 68179.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: April 19, 2004.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 04-9250 Filed 4-22-04; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

[PS-73-89]

#### Proposed Collection; Comment Request for Regulation Project

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning an existing final regulation, PS-73-89 (T.D. 8370), Excise Tax on Chemicals That Deplete the Ozone Layer and on Products Containing Such Chemicals (§§ 52.4682-1(b), 52.4682-2(b), 52.4682-2(d), 52.4682-3(c), 52.4682-3(g), and 52.4682-4(f)).

**DATES:** Written comments should be received on or before June 22, 2004, to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn Kirkland, Internal Revenue Service, room 6411, 1111 Constitution Avenue, NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the regulations should be directed to Larnice Mack at Internal Revenue Service, room 6407, 1111 Constitution Avenue, NW., Washington, DC 20224, or at (202) 622-3179, or through the Internet at [Larnice.Mack@irs.gov](mailto:Larnice.Mack@irs.gov).

#### SUPPLEMENTARY INFORMATION:

**Title:** Excise Tax on Chemicals That Deplete the Ozone Layer and on Products Containing Such Chemicals.

**OMB Number:** 1545-1153.

**Regulation Project Number:** PS-73-89.

**Abstract:** This regulation imposes reporting and recordkeeping requirements necessary to implement Internal Revenue Code sections 4681 and 4682 relating to the tax on chemicals that deplete the ozone layer and on products containing such chemicals. The regulation affects manufacturers and importers of ozone-depleting chemicals, manufacturers of rigid foam insulation, and importers of products containing or manufactured with ozone-depleting chemicals. In addition, the regulation affects persons, other than manufacturers and importers of ozone-depleting chemicals, holding such chemicals for sale or for use in further manufacture on January 1, 1990, and on subsequent tax-increase dates.

**Current Actions:** There is no change to this existing regulation.

**Type of Review:** Extension a currently approved collection.

**Affected Public:** Business or other for-profit organizations.

**Estimated Number of Respondents/Recordkeepers:** 150,316.

**Estimated Time Per Respondent/Recordkeeper:** 30 minutes.

**Estimated Total Annual Burden Hours:** 75,142.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

**Request for Comments:** Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of