

Highway Safety Act of 1966 and the National Traffic and Motor Vehicle Safety Act of 1966, NHTSA has the responsibility to collect crash data that support the establishment and enforcement of motor vehicle regulations and highway safety programs. These regulations and programs are developed to reduce the severity of injury and property damage associated with motor vehicle crashes.

**Description of the Need for the Information and Proposed Use of the Information**—FARS is the largest and most comprehensive data base of fatal crash data in the world. The total user population includes Federal and State agencies and the private sector. This information comprises a national data base that is NHTSA's and many States' principal means of tracking trends in fatalities and quantifying problems or potential problems in highway safety. FARS data is also used extensively by State legislators for determining highway safety problem areas requiring laws and programs (mandatory use of seat belts, 55- vs. 65-mile per hour speed limits); by the highway research community including the private sector (industry and associations) for trend analysis, problem identification, and program evaluation (e.g., air bag studies and drunk driving campaigns); and by the Congress for making decisions concerning safety programs. The FARS data are available upon request to anyone interested in highway safety. FARS data has been made available through the Internet and via fax-on-demand service. On the average, more than 10,000 requests for information from FARS are received every year.

**Description of the Likely Respondents (Including Estimated Number, and Proposed Frequency of Response to the Collection of Information)**—

"Respondents" are employees of state agencies (FARS Analysts). Their salaries and other direct costs are 100% reimbursed through cooperative agreements duly executed through the NHTSA Office of Contracts and Procurement. Cooperative Agreements exist with all fifty states, the District of Columbia and Puerto Rico. The number of FARS Analysts varies by state from one to six. The entire corps of more than 70 FARS Analysts acquire and code the required information as fatal crashes occur. Approximately 2.15 hours per case are required to complete the FARS forms. The number of cases varies by state from a high of 3669 in California to a low of 54 in D.C. (in 1995).

**Estimate of the Total Annual Reporting and Record keeping Burden Resulting from the Collection of Information**—The 52 jurisdictions

report on approximately 36,000 fatal cases per year. The estimated annual hour burden is 77,400 hours. This estimate is based on 20 years of FARS operation and includes the nominal time needed to access data from existing state files. These various sources reside in several places in each state. FARS does not involve the generation of new data. If the state analyst cannot get the information from existing records, it is reported to NHTSA as "unknown." The FARS Analysts retain the current year's completed FARS forms plus three prior years' forms.

Dated: October 10, 1997.

**Raymond P. Owings,**

*Associate Administrator, Research and Development.*

[FR Doc. 97-27475 Filed 10-15-97; 8:45 am]

BILLING CODE 4910-59-P

## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Notice No. 97-11]

#### Safety Advisory: Unauthorized Marking of Compressed Gas Cylinders

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Safety advisory notice.

**SUMMARY:** This is to notify the public that RSPA is investigating the unauthorized marking of high-pressure compressed gas cylinders. On August 14 and 15, 1997, RSPA inspectors conducted a compliance inspection at Columbia Fire Protection Company (CFP), 3811 Contractors Place, Memphis, Tennessee. During the inspection it was determined that CFP was not registered or approved by DOT as a cylinder retester and was incapable of performing hydrostatic tests in accordance with the requirements of the Hazardous Materials Regulations (HMR). Subsequent inspection of CFP's customers revealed numerous cylinders marked by CFP with unauthorized Retester Identification Numbers and certified by CFP as retested in accordance with the HMR.

Failure to properly conduct a hydrostatic retest can result in cylinders that should be condemned being returned to service. The HMR requires that properly tested cylinders exceeding the allowable 10 percent permanent expansion be condemned and removed from service (49 CFR 173.34(e)(6)(i)(D)). Serious personal injury, death, and property damage could result from rupture of a cylinder. Cylinders that have not been retested in accordance

with the HMR may not be charged or filled with a hazardous material.

#### FOR FURTHER INFORMATION CONTACT:

Wayne Chaney, Hazardous Materials Enforcement Specialist, Southern Region, telephone (404) 305-6126, Fax (404) 305-6125, Office of Hazardous Materials Enforcement, Research and Special Programs Administration, Department of Transportation, 1701 Columbia Ave, DHM-46, Suite 520, College Park, GA 30337.

**SUPPLEMENTARY INFORMATION:** On Thursday, August 14, and Friday, August 15, 1997, RSPA inspectors conducted a compliance inspection at Columbia Fire Protection Company (CFP) in Memphis, Tennessee. Through follow-up inspections of CFP's customers, the inspectors observed a large number of cylinders marked with the following two Retester Identification Numbers (RINs):

(1) B 4

X Y

3 2

where

X = month of retest

Y = year of retest

(2) O 9

X Y

7 8

where

X = month of retest

Y = year of retest

On October 10, 1982, RSPA issued RIN B423 for a 5-year period to Walker Fire Protection Service, Inc. (Walker). Walker has renewed this RIN and is the current holder. Therefore, Walker is the only authorized user. Any cylinders marked and serviced by Walker are not a part of this safety advisory.

The RIN 0987 has never been issued by RSPA and is not an authorized RIN.

RSPA believes that any cylinder marked with RIN B423 or RIN 0987 and was last serviced by CFP is not in compliance with the Hazardous Materials Regulations (HMR) (49 CFR Parts 171-180). Under the HMR, hydrostatic retesting is required to verify a cylinder's structural integrity. Thus, any person who has a cylinder marked with RIN B423 or RIN 0987 and was last serviced by CFP may not charge or fill the cylinder with a hazardous

material without first having it inspected/retested by a DOT-authorized retest facility. Filled cylinders (if filled with an atmospheric gas) described in this safety advisory 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 advisory be filled, refilled or used for any purpose other than scrap, until it is reinspected and retested by DOT-authorized retest facility.

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

Issued in Washington, D.C. on October 9, 1997.

**Alan I. Roberts,**

*Associate Administrator for Hazardous Materials Safety.*

[FR Doc. 97-27476 Filed 10-15-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33481]

#### **Marksman Corporation; Lease and Operation Exemption; J.K. Line, Inc.**

Marksman Corporation (Marksman), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from J.K. Line, Inc., and to operate 17 miles of rail line in the State of Indiana from milepost 183, near Monterey, to milepost 199, near North Judson.

This transaction is related to the notice of exemption filed in STB Finance Docket No. 33483, *The Toledo, Peoria and Western Railroad Corporation-Continuance in Control Exemption-Marksman Corporation*, for The Toledo, Peoria and Western Railroad Corporation to continue in control of Marksman (once it becomes a carrier through consummation of the transaction in STB Finance Docket No. 33481), in addition to its indirect control of Toledo, Peoria & Western Railway Corporation (TPW Railway).<sup>1</sup> Because the exemption in STB Finance Docket No. 33483 is not scheduled to become effective until October 14, 1997, the earliest the transaction in STB

Finance Docket No. 33481 can be consummated is October 14, 1997.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding 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. 33481, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Esq., Gollatz, Griffin & Ewing, P.C., 213 West Miner Street, P.O. Box 796, West Chester, PA 19381-0796.

Decided: October 8, 1997.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 97-27485 Filed 10-15-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33482]

#### **Toledo, Peoria & Western Railway Corporation; Lease and Operation Exemption; A & R Line, Inc.**

Toledo, Peoria & Western Railway Corporation, a Class III rail common carrier, has filed a notice of exemption under 49 CFR 1150.41 to lease from A & R Line, Inc. and operate 27 miles of rail line in the State of Indiana from milepost 0.0, near Winimac, to milepost 74.5, near Logansport.

The earliest the transaction could be consummated was October 7, 1997, the effective date of the exemption (7 days after the exemption was filed).

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. 33482, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Esq., Gollatz, Griffin & Ewing, P.C., 213 West Miner Street, P.O. Box 796, West Chester, PA 19381-0796.

Decided: October 8, 1997.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 97-27483 Filed 10-15-97; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33483]

#### **The Toledo, Peoria and Western Railroad Corporation; Continuance in Control Exemption; Marksman Corporation**

The Toledo, Peoria and Western Railroad Corporation (TPW Railroad) has filed a notice of exemption to continue in control of the Marksman Corporation (Marksman), upon Marksman's becoming a Class III railroad.

The earliest the transaction can be consummated is October 14, 1997, the effective date of the exemption (7 days after the exemption was filed).

This transaction is related to STB Finance Docket No. 33481, *Marksman Corporation—Lease and Operation Exemption—J.K. Line, Inc.*, wherein Marksman seeks to lease and operate a rail line from J.K. Line, Inc.

Applicant indirectly controls one existing Class III railroad subsidiary: Toledo, Peoria & Western Railway Corporation (TPW Railway),<sup>1</sup> operating in the States of Indiana, Illinois and Iowa.

Applicant states that: (i) The rail lines to be operated by Marksman do not connect with any railroad in the corporate family; (ii) the transaction is not part of a series of anticipated transactions that would connect Marksman's lines with any railroad in the corporate family; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not

<sup>1</sup> Marksman owns 100% of the stock of TPW Railway.

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