

| Application No. | Docket No.    | Applicant  | Regulation(s) affected | Nature of exemption thereof   |
|-----------------|---------------|--|------------------------|---|
| 13164-N .....   | RSPA-02-13802 | United States Enrichment Corporation (USEC), Bethesda, MD. | 49 CFR 173.420 .....   | To authorize the one-time transportation in commerce of 480M type cylinders for use in transporting Class 7 hazardous materials. (Modes 1, 2.)                      |
| 13165-N .....   | RSPA-02-13803 | Harris Corporation, Melbourne, FL.                         | 49 CFR 172.200 .....   | To authorize the transportation in commerce of non-bulk hazardous materials within the same facility along public roads with alternative shipping papers. (Mode 1.) |

[FR Doc. 02-29657 Filed 11-20-02; 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 Modification of Exemption**

**AGENCY:** Research and Special Programs Administration, DOT.

**ACTION:** List of applications for modification of 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. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Requests for modifications of exemptions (*e.g.* to provide for additional hazardous materials, packaging design changes, additional mode of transportation, *etc.*) are described in footnotes to the application number. Application numbers with the suffix "M" denote a modification request. These applications have been separated from the new applications for exemptions to facilitate processing.

**DATES:** Comments must be received on or before December 6, 2002.

**ADDRESS COMMENTS TO:** 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 number

**FOR FURTHER INFORMATION CONTACT:** Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 7th Street SW., Washington, DC or at <http://dms.dot.gov>.

This notice of receipt of applications for modification of 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 November 18, 2002.

**R. Ryan Posten,**  
*Exemptions Program Officer, Office of Hazardous Materials Exemptions and Approvals.*

| Application No. | Docket No.    | Applicant  | Modification of exemption |
|-----------------|---------------|--|---------------------------|
| 11650-M .....   |               | Autoliv ASP, Inc. Ogden, UT (See Footnote 1) .....                   | 11650                     |
| 12104-M .....   |               | Mitsubishi Polyester Film, Greer, SC (See Footnote 2) .....          | 12104                     |
| 12782-M .....   | RSPA-01-10318 | Air Liquide America L.P., Houston, TX (See Footnote 3) .....         | 12782                     |
| 12927-M .....   | RSPA-02-11628 | Tri-Wall, A Weyerhaeuser Business, Butler, IN (See Footnote 4) ..... | 12927                     |
| 12995-M .....   | RSPA-02-12220 | The Dow Chemical Company, Midland, MI (See Footnote 5) .....         | 12995                     |
| 13032-M .....   | RSPA-02-12442 | CONAX Florida Corporation, St. Petersburg, FL (See Footnote 6) ..... | 13032                     |
| 13100-M .....   | RSPA-02-13244 | Aztec Peroxides, Elyria, OH (See Footnote 7) .....                   | 13100                     |
| 131214-M .....  | RSPA-02-13421 | Brenntag Mid-South, Inc., Henderson, KY (See Footnote 8) .....       | 13124                     |

<sup>1</sup> To modify the exemption to authorize a newly designed airbag inflator device with a maximum service pressure of 8500 PSIG for use as a component of a automobile vehicle safety system.

<sup>2</sup> To modify the exemption to upgrade loading procedures and drawings for the DOT Specification tank cars transporting Class 9 materials.

<sup>3</sup> To modify the exemption to authorize the transportation of certain Division 2.2 and 2.3 materials in DOT Specification cylinders equipped with plastic valve protection caps.

<sup>4</sup> To modify the exemption to authorize cargo vessel as an additional mode for the transportation of various waste hazardous materials.

<sup>5</sup> To modify the exemption to authorize the transportation of a Division 2.2 material in DOT 2Q Specification on-refillable containers.

<sup>6</sup> To reissue the exemption originally issued on an emergency basis for the use of non-DOT specification, non-refillable composite pressure vessels for the transportation of Division 2.2 materials.

<sup>7</sup> To reissue the exemption originally issued on an emergency basis for the transportation of a Division 5.2 material in a UN31HAI intermediate bulk container (IBC).

<sup>8</sup> To reissue the exemption originally issued on an emergency basis for the transportation of certain Class 8 materials in UN31H1 or UN31H2 intermediate bulk containers (IBC).

[FR Doc. 02-29658 Filed 11-20-02; 8:45 am]

BILLING CODE 4910-60-M

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[STB Finance Docket No. 34273]****Indiana Northeastern Railroad Company—Change in Operators Exemption—Branch and St. Joseph Counties Rail Users Association, Inc.**

Indiana Northeastern Railroad Company (INR), a Class III rail carrier, and the Branch and St. Joseph Counties Rail Users Association, Inc. (RUA) have jointly filed a notice of exemption under 49 CFR 1150.41 for INR to operate over approximately 24.34 miles of rail line owned by the RUA, from milepost 382.5 near Coldwater, MI, to milepost 406.84 near Sturgis, MI, in Branch and St. Joseph Counties, MI.<sup>1</sup>

The transaction was expected to be consummated on or shortly after November 1, 2002, the effective date of the exemption (7 days after the notice was filed).<sup>2</sup>

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. 34273, 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 Carl M. Miller, 618 Professional Park Drive, PO

<sup>1</sup> INR currently operates over that portion of RUA's rail line that runs from milepost 376.56, east of Quincy, MI, to milepost 386.96, west of Coldwater, in Branch County, MI. Michigan Southern Railroad Company, Inc., Michigan Southern Railroad Company f/k/a The Wabash & Western Railroad Company (collectively, Michigan Southern), currently operates over RUA's line from Coldwater to Sturgis, which is the portion of the line involved in the instant transaction. Michigan Southern and INR currently jointly operate that portion of RUA's line between milepost 382.5 (Coldwater) and milepost 386.96. See *The Indiana Northeastern Railroad Company—Operation Exemption—Branch and St. Joseph Counties Rail Users Association, Inc.*, in Branch County, MI, STB Finance Docket No. 33760 (STB served June 30, 1999).

<sup>2</sup> The notice indicates that an agreement has been reached between INR, RUA and Michigan Southern, for Michigan Southern's operating rights to be transferred to INR upon the effective date of this notice. Thus, after this transaction, INR will be the sole operator over RUA's line from milepost 376.56 (Quincy) to milepost 406.84 (Sturgis). INR and RUA state that all shippers on the line have been notified of the change in operators, and that a copy of this verified notice of exemption was sent to Michigan Southern.

Box 332, New Haven, IN 46774 [Attorney for INR], and Charles R. Bappert, Biringier, Hutchinson, Lillis & Bappert, P.C., 100 West Chicago Street, Coldwater, MI 49036-1897 [Attorney for RUA].

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

Decided: November 12, 2002.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 02-29328 Filed 11-20-02; 8:45 am]

BILLING CODE 4915-00-P

**DEPARTMENT OF THE TREASURY****Customs Service****Notice of Issuance of Final Determination Concerning Laser Printer Engines**

**AGENCY:** U.S. Customs Service, Department of the Treasury.

**ACTION:** Notice of final determination.

**SUMMARY:** This document provides notice that Customs has issued a final determination concerning the country of origin of certain laser printer engines which are sold to OEM's to be incorporated into laser printers which will be offered to the United States Government. The final determination found that, based upon the facts presented, the country of origin of laser printer engines is Japan.

**DATES:** The final determination was issued on November 8, 2002. A copy of the final determination is attached. Any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of this final determination within 30 days of November 21, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Karen S. Greene, Special Classification and Marking Branch, Office of Regulations and Rulings (202-572-8838).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that on November 8, 2002, pursuant to subpart B of part 177, Customs Regulations (19 CFR part 177, subpart B), Customs issued a final determination concerning the country of origin of certain laser printer engines which are sold to OEM's to be incorporated into printers offered to the United States Government. The U.S. Customs ruling number is HQ 562502. This final determination was issued at the request of Canon, Inc., under procedures set forth at 19 CFR part 177, subpart B, which implements Title III of

the Trade Agreements Act of 1979, as amended (19 U.S.C. 2511-18). The final determination concluded that, based upon the facts presented, the assembly of the laser scanner unit subassembly in Japan and the final assembly in Japan of the laser scanner unit with other components to create certain laser printer engines results in a substantial transformation of the components imported into Japan. Accordingly, the country of origin of the printer engines is Japan.

Section 177.29, Customs Regulations (19 CFR 177.29), provides that notice of final determinations shall be published in the **Federal Register** within 60 days of the date the final determination is issued. Section 177.30, Customs Regulations (19 CFR 177.30), states that any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of a final determination within 30 days of publication of such determination in the **Federal Register**.

Any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of this final determination within 30 days of November 21, 2002.

Dated: November 8, 2002.

**Glen E. Vereb,**

*Acting Assistant Commissioner, Office of Regulations and Rulings.*

Attachment

HQ 562502

MAR-05 RR:CR:SM 562502 KSG

CATEGORY: Marking

Harvey M. Applebaum, Esq.,

*Covington & Burling, 1201 Pennsylvania Avenue NW., Washington, DC 20004-2401.*

Re: Country of origin of computer laser printer engines; substantial transformation; 19 CFR 177.22; procurement

Dear Mr. Applebaum: This is in response to your letter dated June 4, 2002, on behalf of Canon, Inc., requesting a final determination of origin pursuant to 19 CFR 177.22(c) regarding U.S. Government procurement of certain laser printer engines assembled in Japan.

**Facts**

Canon, Inc., is the foreign manufacturer and exporter of the printer engine and therefore, a party-in-interest as defined in 19 CFR 177.22(d).

This case involves the Canon P1070 printer engine that is the principal part of laser beam printers. Canon will sell the printer engines exclusively to OEM's. The printer engine carries out most of the electrophotographic process, including the exposure function.

The printer engine is composed of three subassemblies; the laser scanner unit, the transfer feeder unit and outer covers. The laser scanner unit is assembled in Japan using components manufactured in Japan and other countries. The laser scanner unit performs the exposure function. The transfer