

turn, jeopardizes their relationship with existing and potential customers. In addition, many state permit requirements include a company's compliance record; thus, an untenable position on compliance may prevent a company from conducting business.

#### E. Conclusion

Congress passed a law to avoid the precise problems created by the CMR. For purposes of intra and interstate transportation, Congress mandated a national system whereby generators, shippers, transporters, emergency responders, enforcement officers, and the public would all follow the same protective rules.

The Commonwealth of Massachusetts has the same opportunity as the Institute and all other living in the United States to file a petition for rulemaking with the DOT to make changes to the HMR. In fact, Massachusetts could have filed comments on the advanced notice of proposed rulemaking and notice of proposed rulemaking that led to the revised infectious substance rule published on August 14, 2002.

The Institute continues to offer its services to states to ensure appropriate rules for the management of medical waste. We make the same offer to Massachusetts in revising the CMR to reflect federal requirements.

#### Appendix A

#### The Commonwealth of Massachusetts

February 28, 2000

Paul Hartman,  
Stericycle, Inc., 369 Park East Drive,  
Woonsocket, RI 02895

Dear Mr. Hartman: It has come to my attention that my letter to you relative to acceptable equivalency to the required 3.0 mil red plastic bags did not contain sufficient information. The following equivalency statement should eliminate any questions.

The equivalency to the 3.0 mil is a bag meeting ASTM D 1709-85 and ASTM D 959-80 standards. 1709-85 is the Dart Impact Resistance—165 grams and the 959-80 is the load drop test, requiring a 125 pound load to be dropped from a four foot height, five times without rupturing.

Sincerely,

Howard S. Wensley, M.S., C.H.O.,  
Director.

[FR Doc. 02-31339 Filed 12-11-02; 8:45 am]

BILLING CODE 4910-60-M

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 558 (Sub-No. 6)]

#### Railroad Cost of Capital—2002

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of decision instituting a proceeding to determine the railroads' 2002 cost of capital.

**SUMMARY:** The Board is instituting a proceeding to determine the railroad

industry's cost of capital for 2002. The decision solicits comments on: (1) The railroads' 2002 current cost of debt capital; (2) the railroads' 2002 current cost of preferred stock equity capital; (3) the railroads' 2002 cost of common stock equity capital; and (4) the 2002 capital structure mix of the railroad industry on a market value basis.

**DATES:** Notices of intent to participate are due no later than January 13, 2003. Statements of the railroads are due by March 28, 2003. Statements of other interested persons are due by April 21, 2003. Rebuttal statements by the railroads are due by May 12, 2003.

**ADDRESSES:** Send an original and 10 copies of statements and a copy of the statement on a 3.5 inch disk in WordPerfect 9.0, and an original and 1 copy of the notice of intent to participate to: Surface Transportation Board, Case Control Branch, 1925 K Street, NW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION CONTACT:** Leonard J. Blistein, (202) 565-1529. (Federal Information Relay Service (FIRS) for the hearing impaired: 1 (800) 877-8339.)

**SUPPLEMENTARY INFORMATION:** The Board's decision is posted on the Board's Web site, [www.stb.dot.gov](http://www.stb.dot.gov). In addition, copies of the decision may be purchased from Da-2-Da Legal Copy Service by calling 202-293-7776 (assistance for the hearing impaired is available through FIRS at 1-800-877-8339) or visiting Suite 405, 1925 K Street, NW., Washington, DC 20006.

We preliminarily conclude that the proposed action will not significantly affect either the quality of the human environment or the conservation of energy resources.

**Authority:** 49 U.S.C. 10704(a).

Decided: December 6, 2002.

By the Board, Chairman Nober, Vice Chairman Burkes, and Commissioner Morgan.

**Vernon A. Williams,**

Secretary.

[FR Doc. 02-31337 Filed 12-11-02; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF THE TREASURY

### Fiscal Service

**Financial Management Service;  
Proposed Collection of Information:  
Electronic Transfer Account (ETA)  
Financial Agency Agreement**

**AGENCY:** Financial Management Service, Fiscal Service, Treasury.

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

**SUMMARY:** The Financial Management Service, 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 a continuing information collection. By this notice, the Financial Management Service solicits comments concerning form FMS 111, "Electronic Transfer Account (ETA) Financial Agency Agreement."

**DATES:** Written comments should be received on or before February 10, 2003.

**ADDRESSES:** Direct all written comments to Financial Management Service, 3700 East West Highway, Records and Information Management Staff, Room 135, Hyattsville, Maryland 20782.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form(s) and instructions should be directed to Birdie M. McKay, Director, Program Compliance Division, 401 14th Street, SW., Washington, DC 20227, (202) 874-6630.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Paperwork Reduction Act of 1995, (44 U.S.C. 3506(c)(2)(A)), the Financial Management Service solicits comments on the collection of information described below.

*Title:* Electronic Transfer Account (ETA) Financial Agency Agreement.

*OMB Number:* 1510-0073.

*Form Number:* FMS 111.

*Abstract:* Any financial institution that offers the ETA must do so subject to the terms and conditions of the agreement. The agreement incorporates the final features of the account and other account criteria, such as standards for opening and closing accounts.

*Current Actions:* Extension of currently approved collection.

*Type of Review:* Regular.

*Affected Public:* Federally insured financial institutions.

*Estimated Number of Respondents:* 20.

*Estimated Time Per Respondent:* 2 hours.

*Estimated Total Annual Burden Hours:* 40.

*Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget 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 information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance and purchase of services to provide information.

Dated: December 6, 2002.

**Betsy H. Lane,**

*Assistant Commissioner, Federal Finance.*

[FR Doc. 02-31249 Filed 12-11-02; 8:45 am]

BILLING CODE 4810-35-M

## DEPARTMENT OF THE TREASURY

### Fiscal Service

#### **Surety Companies Acceptable on Federal Bonds: Citizens Insurance Company of America**

**AGENCY:** Financial Management Service, Fiscal Service, Department of the Treasury.

**ACTION:** Notice.

**SUMMARY:** This is Supplement No. 3 to the Treasury Department Circular 570; 2002 Revision, published July 1, 2002, at 67 FR 44294.

**FOR FURTHER INFORMATION CONTACT:**

Surety Bond Branch at (202) 874-6765.

**SUPPLEMENTARY INFORMATION:**

A Certificate of Authority as an acceptable surety on Federal bonds is hereby issued to the following Company under 31 U.S.C. 9304 to 9308. Federal bond-approving officers should annotate their reference copies of the Treasury Circular 570, 2002 Revision, on page 44303 to reflect this addition:

#### **Citizens Insurance Company of America**

*Business Address:* 645 West Grand River Avenue, Howell, MI 48843.

*Phone:* (517) 546-2160. Underwriting Limitation b/: \$48,293,000.

*Surety Licenses c/:* AL, IL, IN, KS, MA, MI, MO, NH, NJ, NY, NC, OH, PA, RI, SC, VT, VA. Incorporated in: Michigan.

Certificates of Authority expire on June 30 each year, unless revoked prior to that date. The Certificates are subject to subsequent annual renewal as long as

the companies remain qualified (31 CFR part 223). A list of qualified companies is published annually as of July 1 in Treasury Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact surety business and other information.

The Circular may be viewed and downloaded through the Internet at <http://www.fms.treas.gov/c570/index.html>. A hard copy may be purchased from the Government Printing Office (GPO) Subscription Service, Washington, DC, Telephone (202) 512-1800. When ordering the Circular from GPO, use the following stock number: 769-004-04067-1.

Questions concerning this Notice may be directed to the U.S. Department of the Treasury, Financial Management Service, Financial Accounting and Services Division, Surety Bond Branch, 3700 East-West Highway, Room 6F07, Hyattsville, MD 20782.

Dated: December 2, 2002.

**Wanda Rogers,**

*Director, Financial Accounting and Services Division, Financial Management Service.*

[FR Doc. 02-31248 Filed 12-11-02; 8:45 am]

BILLING CODE 4810-35-M