

Frequency: On occasion

Respondents: Applicants for parachute loft certification

Need/Use: The FA Act of 1958, section 607 (49 U.S.C. 1427), authorizes examination, rating and certificate issuances. 14 CFR Part 149 prescribes requirements for operation of parachute lofts. Information collected is used to determine compliance and applicant eligibility in order to ensure the safe operation of parachutes.

Issued in Washington, D.C. on October 26, 1984.

Jon H. Seymour,

Deputy Assistant Secretary for Administration.

[FR Doc. 84-28803 Filed 10-31-84; 8:45 am]

BILLING CODE 4910-02-M

Coast Guard

(CGD 84-083)

Houston/Galveston Navigation Safety Advisory Committee Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of the eighth meeting of the Houston/Galveston Navigation Safety Advisory Committee. The meeting will be held on Thursday, November 29, 1984 at the offices of the West Gulf Maritime Association located at 2616 South Loop West, Suite 600, Houston, Texas. The meeting is scheduled to begin at 9:00 a.m. and end at 5:00 p.m. The agenda for the meeting consists of the following items:

1. Call to Order
2. Discussion of previous recommendations made by the Committee
3. Reports of Subcommittees
 - A. Inshore Waterway Management
 - B. Offshore Waterway Management
4. Discussion of Subcommittee Reports
5. Presentation of any additional new items for consideration to the Committee
6. Adjournment

The purpose of this Advisory Committee is to provide recommendations and guidance to the Commander, Eighth Coast Guard District on navigation safety matters affecting the Houston/Galveston area.

Attendance at all subcommittee and full committee meetings is open to the public. With advance notice, members of the public may present oral statements at the meeting. Prior to presentation of their oral statements, but no later than the day before the meeting, members of the public shall submit, in writing, to the Executive Secretary of

the Houston/Galveston Navigation Safety Advisory Committee, the subject of their comments, a general outline signed by the presenter, and the estimated time required for presentation. The individual making the presentation shall also provide their name, address, and, if applicable, the organization they are representing. Any member of the public may present a written statement to the Advisory Committee at any time.

Additional information may be obtained from Commander, R. A. BRUNELL, Executive Secretary, Houston/Galveston Navigation Safety Advisory Committee, c/o Commander, Eighth Coast Guard District (mps), Room 1341, Hale Boggs Federal Building, 500 Camp Street, New Orleans, LA 70130, Telephone number (504) 589-6901.

Dated: October 23, 1984.

W.H. Stewart,

Rear Admiral, U.S. Coast Guard.

[FR Doc. 84-28804 Filed 10-31-84; 8:45 am]

BILLING CODE 4910-14-M

Federal Highway Administration

Environmental Impact Statement; Spencer County, KY

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement is being prepared for a proposed highway project in Spencer County, Kentucky.

FOR FURTHER INFORMATION CONTACT: Robert E. Johnson, Division Administrator, Federal Highway Administration, 330 West Broadway, P.O. Box 536, Frankfort, Kentucky 40602 or Donald L. Ecton, Director, Division of Planning, Kentucky Transportation Cabinet, 419 Ann Street, Frankfort, Kentucky 40622.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Kentucky Transportation Cabinet, is preparing an environmental impact statement for a highway project located in Spencer County, Kentucky. The proposed improvement involves the new construction of KY 44 from KY 55 in Taylorsville, eastward to connect with a new section of KY 44 presently under construction by the Corps of Engineers, a distance of approximately 3.6 miles. Improvements to the corridor are considered necessary to provide for future traffic demand generated by Taylorsville Lake and its recreational facilities.

Possible alternatives under consideration include the (1) do-nothing alternative, (2) alternative transportation modes, (3) project postponement, and (4) design alternatives within the corridor with various options.

This project has been under development for several years and public meetings and Interdisciplinary Team Meetings have been held. The project has been coordinated with various federal, state, and local agencies and officials and other private organizations and parties identified as being impacted by this project or having an interest in its development. No formal scoping meeting is planned. A combination corridor/design public hearing will be held.

It is estimated that the draft EIS will be ready for public review and comment in February, 1985.

Issued on: October 24, 1984.

Robert E. Johnson,

Division Administrator, Frankfort, Kentucky.

[FR Doc. 84-28871 Filed 10-31-84; 8:45 am]

BILLING CODE 4910-22-M

Research and Special Programs Administration

(DOT-E-7235)

High Pressure Composite, Hoop Wrapped Cylinders 4500 PSIG Marked Service Pressure

On February 27, 1984, the Materials Transportation Bureau (MTB) published a notice (49 FR 7182) specifying a reduction in filling pressure from 4500 psi to 4000 psi for all cylinders manufactured under DOT-E 7235 and marked DOT-E 7235-4500. This action was taken following the catastrophic failure of one of these cylinders while it was being charged. On the basis of tests and engineering analysis, it was determined that the reduced cylinder stress resulting from the reduced filling pressure would substantially decrease the likelihood of a catastrophic failure and increase the likelihood that any failure would be in a "leak without fracture mode".

The manufacturer of these cylinders, Luxfer USA Limited (Luxfer), recently applied to MTB for authorization to install a steel ring to the outside diameter of the cylinder neck, and to permit the filling of the modified cylinders to 4500 psi. To demonstrate the effectiveness of the neck ring in preventing cylinder ruptures, Luxfer performed a series of hydrostatic and hydro-pneumatic burst tests on

preflawed cylinders with and without neckrings. Luxfer's test results on the preflawed cylinders show that all cylinders with neckrings failed by leakage only. A considerable number of cylinders without neckrings failed by rupturing.

In light of the above, MTB has amended exemption DOT-E 7235, with an effective date of October 24, 1984. This exemption authorizes filling to 4500 psi of each acceptable cylinder manufactured, marked, and sold under this exemption when marked with a 4500 psi service pressure (DOT-E 7235-4500) and equipped with a steel neckring. As modified, the exemption requires that the following actions be taken prior to filling any cylinder to 4500 psi:

1. Each cylinder must be visually inspected.
2. Each cylinder failing to pass the visual inspection must be removed from service and must be reported to Luxfer.
3. Cylinders that satisfactorily pass visual inspection may be fitted with a steel ring installed to the outside diameter of the cylinder neck.
4. Only steel rings supplied by Luxfer may be used.
5. Visual inspection and installation of the neck ring must be performed in accordance with Luxfer instructions and specifications contained in "Retrofit and Shop Procedures R2050" dated October 10, 1984.
6. The visual inspection, the machining of the outside diameter of the cylinder neck, and the installation of the steel neck ring must be performed by a facility that has been identified to MTB and is qualified to perform all operations prescribed in R2050, as determined by an independent inspection agency approved under 49 CFR 173.300a.
7. Each inspection and retrofit facility must be reinspected by the independent inspector at least once every 3 months.

For further information contact: Arthur J. Mellen, Office of Hazardous Materials Regulation, Materials Transportation Bureau, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590. (202) 755-4906. Office hours are: 8:30 a.m. to 5:00 p.m., Monday through Friday.

Issued in Washington, D.C. on October 26, 1984.

Alan I. Roberts,

Associate Director for Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 84-28804 Filed 10-31-84; 8:45 am]

BILLING CODE 4910-60-M

[Docket No. IRA-32]

Cascade Fireworks, Inc., Application for Inconsistency Ruling; Public Notice and Invitation To Comment

AGENCY: Materials Transportation Bureau (MTB), Research and Special Programs Administration (RSPA), Department of Transportation (DOT).

ACTION: Public Notice and Invitation to Comment.

SUMMARY: Cascade Fireworks, Inc., an Oregon Corporation (Cascade), has applied for an administrative ruling as to whether Oregon Revised Statute (ORS) 480.120 (1)(a) dated October, 1983, governing the shipment and transportation of fireworks within the State of Oregon is inconsistent with the Hazardous Materials Transportation Act (HMTA) and the Hazardous Materials Regulations (HMR) issued thereunder and, therefore, preempted under section 112(a) of the HMTA.

DATES: Comments received on or before December 14, 1984, will be considered before an administrative ruling is issued by the Associate Director for Hazardous Materials Regulation.

ADDRESSES: The application and any comment received may be reviewed in the Dockets Branch, Office of Information Services, Room 8426, Nassif Building, 400 7th Street SW., Washington, D.C. 20590. Comments on the application may be submitted to the Dockets Branch at the above address. Indicate Docket Number IRA-32 on your submission. Three copies are requested. A copy of each comment must also be sent to Mr. Joseph E. Penna, P.C., Attorney at Law, 207 West Main Street, Monmouth, Oregon 97361 and that fact certified to at the time the comment is submitted to the Dockets Branch. [The following format is suggested: "I hereby certify that copies of this comment have been sent to Mr. Joseph E. Penna at the address noted in the Federal Register."]

FOR FURTHER INFORMATION CONTACT: Kathy M. Sachen, Office of the Chief Counsel, Research and Special Programs Administration, 400 7th Street, S.W., Washington, D.C. 20590, telephone 202-755-4972.

SUPPLEMENTARY INFORMATION:

I. Background

The HMTA (49 U.S.C. 1801 *et seq.*) at section 112(a) [49 U.S.C. 1811(a)] expressly preempts "any requirement of a State or political subdivision thereof, which is inconsistent with any requirement," of the HMTA or the HMR issued thereunder. Section 112(b) [49 U.S.C. 1811(b)] provides that an inconsistent State or political

subdivision requirement ceases to be preempted, however, if upon application the Secretary of Transportation determines that the requirement in question: (1) Provides an equal or greater level of protection to the public than the HMTA or the HMR; and (2) does not unreasonably burden commerce.

Procedural regulations implementing section 112 of the HMTA are codified at 49 CFR 107.201-107.225. These regulations provide for the issuance of inconsistency rulings and nonpreemption determinations. Briefly, an inconsistency ruling is an administrative opinion as to the relationship between a State or political subdivision requirement and a requirement of the HMTA or the HMR. Section 107.209(c) sets forth the following factors which are considered in determining whether a State or political subdivision requirement is inconsistent:

(1) Whether compliance with both the State or political subdivision requirement and the Act or the regulations issued under the Act is possible; and

(2) The extent to which the State or political subdivision requirement is an obstacle to the accomplishment and execution of the Act and the regulation issued under the Act.

If the State or local requirement is found to be inconsistent with the HMTA or the HMR, the State or locality, upon the application of an appropriate State agency, may seek a nonpreemption determination, i.e., waiver of preemption. Pursuant to section 112(b) of the HMTA [49 U.S.C. 1811(b)], the Secretary may waive preemption upon a showing that such requirement "(1) affords an equal or greater level of protection to the public than is afforded by the requirements of [the HMTA] or of regulations issued under [the HMTA]; and does (2) not unreasonably burden commerce." However, since this proceeding is for an inconsistency ruling, comments relating to the criteria for waiver of preemption are premature and will not be considered.

2. The Application for Inconsistency Ruling

On June 21, 1984, Cascade Fireworks, Inc., an Oregon Corporation (Cascade) through counsel, filed an application for an administrative ruling seeking a determination whether Oregon Revised Statute (ORS) 480.120(1)(a) restricting the transportation and shipment of fireworks within the State of Oregon is inconsistent with the HMTA or the hazardous materials regulations issued