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**FOR FURTHER INFORMATION CONTACT:** Jan Thor, ANM-113, (425) 227-2127, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98057-3356 (for STRONG Aero Engineering), or Frances Shaver, (202-267-9681), Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591. This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC, on March 19, 2007.

**Pamela Hamilton-Powell,**  
*Director, Office of Rulemaking.*

#### **Petitions for Exemption**

*Docket No.:* FAA-2007-27452.

*Petitioner:* STRONG Aero Engineering.

*Section of 14 CFR Affected:* 14 CFR 25.853(d).

*Description of Relief Sought:* STRONG Aero Engineering is seeking an exemption from § 25.853(d) to permit use of interior materials that do not comply with the head release and smoke emissions requirements, on McDonnell Douglas DC-9-87 (MD-87) airplanes, with certain limitations.

[FR Doc. E7-5495 Filed 3-23-07; 8:45 am]

**BILLING CODE 4910-13-P**

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Transit Administration**

[Docket No. FTA-2007-27663]

#### **Notice of Request for the Extension of a Currently Approved Information Collection**

**AGENCY:** Federal Transit Administration, DOT.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Federal Transit Administration (FTA) to request the Office of Management and Budget (OMB) to extend the following currently approved information collection:

49 U.S.C. 5310 and 5311—Capital Assistance Program for Elderly Persons and Persons with Disabilities and Nonurbanized Area Formula Program

**DATES:** Comments must be submitted before May 25, 2007.

**ADDRESSES:** All written comments must refer to the docket number that appears at the top of this document and be submitted to the United States Department of Transportation, Central Dockets Office, PL-401, 400 Seventh Street, SW., Washington, DC 20590. All comments received will be available for examination at the above address from 10 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard/envelope.

**FOR FURTHER INFORMATION CONTACT:** Ms. Cheryl Oliver, Office of Program Management, (202) 366-2053.

**SUPPLEMENTARY INFORMATION:** Interested parties are invited to send comments regarding any aspect of this information collection, including: (1) The necessity and utility of the information collection for the proper performance of the functions of the FTA; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection.

*Title:* 49 U.S.C. 5310 and 5311—Capital Assistance Program for Elderly Persons and Persons with Disabilities and Nonurbanized Area Formula Program (*OMB Number: 2132-0500*)

*Background:* The Capital Assistance Program for Elderly Persons and Persons with Disabilities provides financial assistance for the specialized transportation service needs of elderly persons and persons with disabilities. The program is administered by the States and may be used in all areas, urbanized, small urban, and rural. The Nonurbanized Area Formula Program provides financial assistance for the provision of public transportation services in nonurbanized areas and this program is also administered by the States. 49 U.S.C. 5310 and 5311 authorize FTA to review applications for federal financial assistance to determine eligibility and compliance with statutory and administrative requirements. Information collected during the application stage includes the project budget, which identifies funds requested for project implementation; a program of projects, which identifies subrecipients to be funded, the amount of funding that each will receive, and a description of the

projects to be funded; the project implementation plan; the State management plan; a list of annual certifications and assurances; and public hearings notice, certification and transcript. The applications must contain sufficient information to enable FTA to make the findings required by law to enforce the program requirements. Information collected during the project management stage includes an annual financial report, an annual program status report, and pre-award and post-delivery audits. The annual financial report and program status report provide a basis for monitoring approved projects to ensure timely and appropriate expenditure of federal funds by grant recipients.

*Respondents:* State and local government, business or other for-profit institutions, non-profit institutions, and small business organizations.

*Estimated Annual Burden on Respondents:* 102.44 hours for each of the respondents.

*Estimated Total Annual Burden:* 11,370 hours.

*Frequency:* Annual.

Issued: March 20, 2007.

**Ann M. Linnertz,**

*Associate Administrator for Administration.*

[FR Doc. E7-5416 Filed 3-23-07; 8:45 am]

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## **DEPARTMENT OF TRANSPORTATION**

### **Pipeline and Hazardous Materials Safety Administration**

[Docket No. PHMSA-2007-27493; Notice No. 07-02]

#### **Advisory Guidance; Transportation of Batteries and Battery-Powered Devices by Airline Passengers and Crew Members**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Safety advisory.

**SUMMARY:** The Pipeline and Hazardous Materials Safety Administration is issuing this advisory to inform the traveling public and airline employees about the importance of properly packing and handling batteries and battery-powered devices when they are carried aboard aircraft. Thousands of batteries and battery-powered devices are safely carried aboard passenger aircraft each day, but several recent incidents involving batteries in checked or carry-on baggage illustrate the risks of overheating and fire that can occur when the regulations are not followed. Federal regulations require that

electrical storage batteries or battery-powered devices carried aboard passenger aircraft be properly packaged or protected to avoid short-circuiting or overheating. In this safety advisory, we suggest various practical measures for complying with the regulations and minimizing transportation risks. Recommended practices include keeping batteries installed in electronic devices; packing spare batteries in carry-on baggage; keeping spare batteries in their original retail packaging; separating batteries from other metallic objects such as keys, coins and jewelry by packing individual batteries in a sturdy plastic bag; securely packing battery-powered equipment in a manner to prevent accidental activation; and ensuring batteries are undamaged and purchased from reputable sources.

**FOR FURTHER INFORMATION CONTACT:** Hazardous Materials Information Center, Office of Hazardous Materials Standards, PHMSA, Department of Transportation, 400 Seventh Street, SW., Washington, DC, 20590-0001. Telephone: (800) 467-4922 or (202) 366-4488.

## I. Introduction

Technological advances and the demands of a mobile society have made the use of portable electronic equipment and other battery-powered devices an established part of the modern American lifestyle. Americans increasingly own—and travel with—portable telephones, computers, cameras, camcorders, entertainment devices, and medical equipment—even cordless power tools. The batteries that power these devices are increasingly as varied as the products themselves: they are manufactured by many different companies, foreign and domestic, rely on a variety of power-generating technologies, established and newer; and come in all manner of shapes and sizes.

Portable battery-powered devices and batteries are safe for transportation when packed properly. But like many other materials that are part of daily consumer use, they must be handled and packaged appropriately to prevent unsafe conditions. A power tool that can be safely used for its intended purpose can cause damage if it is unintentionally activated inside a closed suitcase. Similarly, a battery can cause damage if it is improperly charged, abused, or short-circuited.

## II. Safe Transportation of Electronic Devices and Spare Batteries

As the Federal regulatory agency with responsibility for the safe movement of hazardous materials by all modes of

transportation, it is PHMSA's job to establish safety standards for the safe transportation of batteries and battery-powered devices. Our goal is to minimize risks to persons, property, and the environment, while keeping these materials moving in commerce. We apply the highest standards to transportation by air, recognizing that any fire aboard a passenger flight is unacceptable.

### A. Passenger Regulations

PHMSA's regulations (Hazardous Materials Regulations (HMR; Title 49, Code of Federal Regulations, parts 171-180)) prohibit the transportation of electrical devices, unless the devices are packed in a manner to prevent sparks or overheating (see § 173.21(c)). Airline passengers who carry batteries or electrical devices in carry-on or checked baggage are responsible for ensuring appropriate steps are taken to protect against dangerous levels of heat that can be generated by inadvertent activation or short-circuiting of these devices while in transportation.

### B. Recent Transportation Incidents

Over the past several years, we have received a number of reports of transportation incidents involving various kinds of batteries and battery-powered devices, including incidents involving passenger airline operations. The most recent incident occurred on February 10, 2007, aboard a flight originating at JFK International Airport. Shortly after takeoff, a fire ignited in a passenger bag stowed in an overhead bin. Fast and appropriate action by the crew brought the fire under control and prevented injury to passengers and crew. The flight crew promptly extinguished the fire and the flight returned to JFK for an emergency landing. Although the fire is still under investigation by PHMSA, the Federal Aviation Administration (FAA), and the National Transportation Safety Board (NTSB), preliminary reports indicate batteries were involved in the incident.

Other incidents have occurred on the ground. Last May, we received a report of a fire involving a spare lithium ion battery that had been stowed in a passenger's notebook computer carrying case. A flight attendant removed the burning case from the passenger cabin, and tossed it onto the ramp, where the fire was extinguished by ground personnel.

On April 18, 2004, at Chicago's Midway Airport, a power drill with an installed nickel cadmium battery activated while in checked luggage. This caused a fire that spread to other bags

on a luggage cart waiting to be loaded onto a passenger aircraft.

In June 2003, we received reports that an overheated battery had been discovered in a routine baggage inspection of a flight departing from Logan Airport in Boston. The battery had been loosely packed in a toolbox, along with various metal tools. We believe the heat build-up was caused by short-circuiting when the battery's exposed terminals came in contact with metal objects in the toolbox.

### C. Battery Operation and Risks

By design, all batteries operate through a controlled chemical reaction, which generates electrical energy and, in the process, some degree of heat. Batteries are designed to generate an electrical current and transmit power through terminals made of a conductive metal. It is their capacity to perform that basic function that makes them useful but, if not properly handled, designed or manufactured, poses a risk of overheating and fire.

External short-circuiting of a battery can occur from contact or close proximity of metal objects or other batteries near exposed terminals. The newest generation of batteries using lithium metal or lithium ion technology pose particular risks, based on their energy density and chemistry, and because fires involving these batteries are more difficult to extinguish or suppress. Even nickel cadmium and nickel metal-hydride batteries can generate large amounts of current and heat when short-circuited.

As with any product, manufacturing defects also can cause safety problems. Last summer, several major notebook computer manufacturers initiated recalls of their lithium ion batteries after learning of overheating and fires caused by a production defect in the batteries installed in the notebooks. According to the Consumer Product Safety Commission, manufacturers have voluntarily recalled over 10 million lithium-ion batteries in the last few years. We are also aware of risks associated with overcharging and internal short circuits that have led to battery recalls.

### D. Measures for Safe Transportation of Batteries

We are aware that travelers want to take appropriate measures to ensure their safety and that of their fellow passengers and may need reminders or assistance to know how to travel safely with batteries. We recommend the following measures to ensure battery terminals are effectively insulated and

batteries and equipment are protected from damage and accidental initiation:

(1) *Keep batteries installed in portable electronic devices.* Passengers can safely carry electronic devices with installed batteries, such as, cellular phones, notebook computers, cameras, camcorders, entertainment devices, and medical equipment, in the passenger cabin of an airplane. When replacing with a spare battery during flight, handle batteries with care and pack spare batteries safely.

(2) *Pack spare batteries in carry-on baggage.* Conditions that could lead to an incident are easier to detect in the passenger compartment of an aircraft. Flight crews have access to fire extinguishers in the event of an in-flight incident involving batteries.

(3) *Keep spare batteries in the original retail packaging.* Batteries purchased from retail stores are packaged in plastic and cardboard packages intended for the transport of those batteries. This packaging prevents unintentional activation and short-circuiting by effectively isolating the batteries from contact with each other and other objects.

(4) *If original packaging is not available, effectively insulate battery terminals.* Effective insulation of battery terminals will ensure batteries do not short circuit from an external source. Travelers can effectively insulate battery terminals by isolating spare batteries from contact with other batteries and metal objects. If the original packaging is unavailable or damaged, place each battery individually in its own protective case, plastic bag or package. A sturdy, resealable plastic bag (e.g., a freezer bag or sturdy resealable sandwich bag) is suitable for this purpose. Covering the battery terminals with insulating tape, such as electrical tape, is another effective method. We recommend using both measures in combination for batteries that have protruding or sharp terminals (e.g., standard 9-volt batteries).

(5) *Do not carry recalled, damaged, or counterfeit batteries.*

Do not carry aboard a plane recalled, damaged or counterfeit batteries. Information about recalled batteries can be found at the manufacturer's Web site or from the Consumer Product Safety Commission (<http://www.cpsc.gov>.) Passengers should only use batteries purchased from reputable sources.

(6) *Prevent inadvertent activation of battery-powered devices.*

Leaving batteries in battery-powered devices is an effective means of insulating the terminals and protecting against internal short-circuiting. However, battery-powered devices with

installed batteries must be packaged to prevent inadvertent activation. Cordless power tools, for instance, should be packed in a protective case, with a trigger lock engaged.

#### *E. Next Steps*

The publication of this safety advisory is one of several measures PHMSA is taking, in consultation with FAA, the NTSB, manufacturers of batteries and consumer products, airlines, testing laboratories, the emergency response and law enforcement community and other stakeholders, to respond to the battery-related incidents.

The Air Line Pilots Association, in conjunction with the International Federation of Air Line Pilots Associations, plans to simultaneously publish to their members a Safety Alert and Safety Bulletin respectively, concerning the hazards associated with in-flight passenger electronic equipment fires, and steps crewmembers should take in the event of a fire.

Over the next few months, PHMSA, FAA, and other interested public and private sector organizations will move ahead with actions to enhance battery transportation safety through development and revision of safety standards and public education and outreach.

In the meantime, airline passengers and crew members are reminded of their existing obligations under PHMSA's regulations. As noted above, airline passengers are prohibited from carrying batteries and battery-powered equipment aboard an aircraft unless the device and batteries have been packaged or protected against short-circuiting and overheating.

Issued in Washington, DC, on March 22, 2007.

**Theodore L. Willke,**

*Acting Associate Administrator for Hazardous Materials Safety.*

[FR Doc. E7-5562 Filed 3-23-07; 8:45 am]

**BILLING CODE 4910-60-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Surface Transportation Board**

**[STB Docket No. AB-254 (Sub-No. 9X)]**

#### **Providence and Worcester Railroad Company—Abandonment Exemption—Slatersville Secondary Track (Woonsocket, RI and Blackstone, MA)**

Providence and Worcester Railroad Company (P&W) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a portion of the Slatersville Secondary Track located in Woonsocket,

Providence County, RI, extending from milepost 0.85 +/- at the north side of Boyden Street and continuing to a point that is 1,480 +/- feet northerly of the end of the track at milepost 0.0 in Blackstone, Worcester County, MA, a total distance of approximately 1.1 miles. The line traverses United States Postal Service Zip Codes 02895 and 01504.

P&W has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements of 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(l) (notice to governmental agencies) have been met.

As a condition to this exemption, any employees adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on April 25, 2007, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by April 5, 2007. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by April 16, 2007, with: Surface Transportation Board, 395

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee which is currently set at \$1,300. See 49 CFR 1002.2(f)(25).