

This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC, on April 8, 2005.

**Anthony F. Fazio,**

*Director, Office of Rulemaking.*

#### **Petitions for Exemption**

*Docket No.:* FAA–2005–20476.

*Petitioner:* Quiet Technology Aerospace, Inc.

*Section of 14 CFR Affected:* Section 36.1581(d).

*Description of Relief Sought:* To allow Quiet Technology Aerospace, Inc. to amend certain Airplane Flight Manuals to incorporate approved operating procedures to comply with noise restrictions at European Union airports.

[FR Doc. 05–7522 Filed 4–13–05; 8:45 am]

**BILLING CODE** 4910–13–P

#### **DEPARTMENT OF TRANSPORTATION**

##### **National Highway Traffic Safety Administration**

[Docket No. NHTSA–2005–20858; Notice 1]

##### **DOT Chemical, Receipt of Petition for Decision of Inconsequential Noncompliance**

DOT Chemical has determined that certain containers of brake fluid which it manufactured in June 2004 do not comply with S5.1.7, S5.1.9, and S5.1.10 of 49 CFR 571.116, Federal Motor Vehicle Safety Standard (FMVSS) No. 116, “Motor vehicle brake fluids.” DOT Chemical has filed an appropriate report pursuant to 49 CFR part 573, “Defect and Noncompliance Reports.”

Pursuant to 49 U.S.C. 30118(d) and 30120(h), DOT Chemical has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of DOT Chemical’s petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Affected are a total of approximately 50,000 containers of DOT 4 brake fluid, lot numbers KMF02 and KMF03, manufactured in June 2004. FMVSS No. 116 requires that, when tested as referenced in S5.1.7 “Fluidity and appearance at low temperature,” S5.1.9 “Water tolerance,” and S5.1.10 “Compatibility,” the brake fluid shall show no crystallization or sedimentation. The subject brake fluid shows crystallization and sedimentation

when tested as referenced in S5.1.7 at –40° F and –58° F, sedimentation when tested as referenced in S5.1.9 at –40° F, and crystallization when tested as referenced in S5.1.10 at –40° F.

DOT Chemical believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. DOT Chemical states that there are fiber-like crystals in the fluid, which are borate salts, and

are a natural part (no contamination) of DOT 4 brake fluid production (just fallen out of solution in some packaged goods) and have not demonstrated any flow restrictions even at extended periods of low temperatures at –40° F. Furthermore, when the fluid is subjected to temperatures in a normal braking system, the crystals go back into solution in some cases not to reappear at all at ambient temperatures.

Interested persons are invited to submit written data, views, and arguments on the petition described above. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods. Mail: Docket Management Facility, U.S. Department of Transportation, Nassif Building, Room PL–401, 400 Seventh Street, SW, Washington, DC, 20590–0001. Hand Delivery: Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW, Washington, DC. It is requested, but not required, that two copies of the comments be provided. The Docket Section is open on weekdays from 10 am to 5 pm except Federal Holidays. Comments may be submitted electronically by logging onto the Docket Management System Web site at <http://dms.dot.gov>. Click on “Help” to obtain instructions for filing the document electronically. Comments may be faxed to 1–202–493–2251, or may be submitted to the Federal eRulemaking Portal: go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

The petition, supporting materials, and all comments received before the close of business on the closing date indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

*Comment closing date:* May 16, 2005.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at CFR 1.50 and 501.8)

Issued on: April 11, 2005.

**Ronald L. Medford,**

*Senior Associate Administrator for Vehicle Safety.*

[FR Doc. 05–7524 Filed 4–13–05; 8:45 am]

**BILLING CODE** 4910–59–P

#### **DEPARTMENT OF TRANSPORTATION**

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

[Docket No. RSPA–2005–20036 (Notice No. 05–1)]

##### **Information Collection Activities**

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

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, PHMSA invites comments on certain information collections pertaining to hazardous materials transportation for which PHMSA intends to request renewal from the Office of Management and Budget (OMB).

**DATES:** Interested persons are invited to submit comments on or before June 13, 2005.

**ADDRESSES:** You may submit comments to Docket Number RSPA–2005–20036 (Notice No. 05–1) by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Web site:* <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.

- *Fax:* 202–493–2251.

- *Mail:* Docket Management System; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001.

- *Hand Delivery:* Docket Management System; Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

*Instructions:* All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking. Comments should identify the docket number [(RSPA–2005–20036) (Notice No.05–1)]. If sent by mail, comments are to be submitted in duplicate. Persons wishing to receive confirmation of receipt of their comments should include a self-addressed stamped

postcard. Internet users may access all comments received by the Department of Transportation at <http://dms.dot.gov>. Requests for a copy of an information collection should be directed to Deborah Boothe or T. Glenn Foster, Office of Hazardous Materials Standards (DHM-11), Pipeline and Hazardous Materials Safety Administration, Room 8430, 400 Seventh Street, SW., Washington, DC 20590-0001, Telephone (202) 366-8553.

**FOR FURTHER INFORMATION CONTACT:** Deborah Boothe or T. Glenn Foster, Office of Hazardous Materials Standards (DHM-11), Pipeline and Hazardous Materials Safety Administration, Room 8430, 400 Seventh Street, SW., Washington, DC 20590-0001, Telephone (202) 366-8553.

**SUPPLEMENTARY INFORMATION:** Section 1320.8 (d), Title 5, Code of Federal Regulations requires that PHMSA provide interested members of the public and affected agencies an opportunity to comment on information collection and recordkeeping requests. This notice identifies an information collection PHMSA is submitting to OMB for renewal and extension. This information collection is contained in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). PHMSA has revised burden estimates, where appropriate, to reflect current reporting levels or adjustments based on changes in proposed or final rules published since the information collection was last approved. The following information is provided for each information collection: (1) Title of the information collection, including former title if a change is being made; (2) OMB control number; (3) summary of the information collection activity; (4) description of affected public; (5) estimate of total annual reporting and recordkeeping burden; and (6) frequency of collection. PHMSA will request a three-year term of approval for each information collection activity and, when approved by OMB, publish notice of the approval in the **Federal Register**.

PHMSA requests comments on the following information collection:

*Title:* Testing, Inspection, and Marking Requirements for Cylinders.  
*OMB Control Number:* 2137-0022.

**Summary:** Requirements in § 180.201 of the HMR for qualification, maintenance and use of cylinders require cylinders to be periodically requalified to ensure continuing compliance with packaging standards. Information collection requirements address approval and registration of cylinder requalifiers, and marking and certification of cylinders in accordance with the requirements in Part 180 of the HMR. Records showing the results of inspections and retests must be retained by the person who performs the requalification until expiration of the retest period, or until the cylinder is reinspected or retested, whichever occurs first. These requirements are intended to ensure that requalifiers possess the qualifications necessary to perform tests, and to identify to cylinder fillers and users that these cylinders are qualified for continuing use. Information collection requirements in § 173.303 require that for acetylene cylinders, each day, the pressure in a cylinder representative of that day's compression must be checked by the charging plant after the cylinder has cooled to a settled temperature and a record of this test kept for at least 30 days.

**Affected Public:** Fillers, owners, users and requalifiers of reusable cylinders.

**Recordkeeping:**

**Number of Respondents:** 139,352.

**Total Annual Responses:** 153,287.

**Total Annual Burden Hours:** 168,431.

**Frequency of Collection:** On occasion.

Issued in Washington, DC, on April 8, 2005.

**Susan Gorsky,**

*Acting Director, Office of Hazardous Materials Standards.*

[FR Doc. 05-7530 Filed 4-13-05; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Office of Hazardous Materials Safety; Notice of Application for Exemptions

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

**ACTION:** List of applications for exemption.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Material Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

**DATES:** Comments must be received on or before May 16, 2005.

**Address comments To:** Record Center, Pipeline and Hazardous Materials Safety 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 exemption 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 April 11, 2005.

**R. Ryan Posten,**

*Exemptions Program Officer, Office of Hazardous Materials Safety Exemptions & Approvals.*

## NEW EXEMPTION

Application number	Docket number	Applicant	Regulation(s) affected	Nature of Exemption Thereof
14172-N .....	PHMSA-20906	Pacific Bio-Material Management, Inc. Fresno, CA.	49 CFR 173.196 and 173.199	To authorize the transportation in commerce of infectious substances in a large capacity liquid nitrogen freezer. (mode 1)