

Hazardous Materials Enforcement, (202) 834-3568, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington DC 20590; or by e-mail to *HM-Enforcement@dot.gov* and referring to the Docket and Notice numbers set forth above.

SUPPLEMENTARY INFORMATION: PHMSA has been notified of the rupture of five (5) 33-pound liner-less, fully wrapped fiberglass composite cylinders. The cylinders are of two-part construction, which are adhesively joined to form the completed cylinder. The cylinders have a permanently attached thermoplastic outer casing which provides protection from impact damage and serves as a carry handle. The ruptured cylinders were manufactured by The Lite Cylinder Company Incorporated (TLCCI) in Franklin, Tennessee, under DOT-SP 13957, in January 2007. The cylinders are marked DOT-SP 13957 followed by the service pressure, 294 psig. All of the failed cylinders were 33-pound cylinders, which were typically horizontally mounted to fuel forklift trucks. The cylinders were in liquefied petroleum gas (propane) service.

The ruptures occurred during storage at the Heritage Propane facility in Miami, Florida. All cylinders involved were in storage on an outside platform and had been filled with propane. The first cylinder ruptured on April 4, 2007. The second cylinder ruptured on April 10, 2007. The third incident involved the rupture of three cylinders on April 13, 2007. The serial numbers were 14674, 14750, 14757, 14866, and 14881. The dates of manufacture were from January 16 to January 18, 2007. There were no injuries or property damage associated with any of the failures. PHMSA is currently conducting an investigation to determine the cause of the failures and the full scope of problems in the manufacturing process.

In order to avoid any potential injury or damage, PHMSA is removing from service all cylinders of the same design as those involved in the incidents. Any person who owns, uses, fills, or retests a 33-pound propane cylinder marked DOT-SP 13957 should take the following actions:

1. Do not vent the cylinder. Have only qualified persons safely discharge and purge the cylinder.
2. Send the empty cylinders to the manufacturer at the following address: T.L.C.C.I., Incorporated, 112 Alpha Drive, Franklin, TN 37064.
3. Provide the serial number of each returned cylinder to PHMSA at the contact address. Please note any

problems that may have been witnessed with the cylinder (e.g. leaking, damage, etc.).

4. Under no circumstances should a cylinder described in this safety advisory be filled, refilled, or used for the transportation of hazardous materials.

Any person who is aware of the rupture of any cylinder, 10-pound, 20-pound, or 33-pound, marked DOT-SP 13957, is requested to contact PHMSA, through one of the individuals or e-mail address listed under the **FOR FURTHER INFORMATION CONTACT** section above, as soon as possible.

This safety advisory is available for review on the Internet by accessing the HazMat Safety Homepage at <http://hazmat.dot.gov>.

Issued in Washington, DC, on May 18, 2007.

Theodore L. Willke,

Acting Associate Administrator for Hazardous Materials Safety.

[FR Doc. E7-10081 Filed 5-23-07; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-1005X]

Finger Lakes Railway Corp.— Abandonment Exemption—in Yates County, NY

Finger Lakes Railway Corp. (FGLK) has filed a notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments* to abandon a 4.95-mile line of railroad between milepost 41.35, in the Village of Penn Yan, Township of Benton, and milepost 46.3, outside the Township of Benton, located in Yates County, NY. The line traverses United States Postal Service Zip Code 14527. The line for which the abandonment exemption request was filed includes one station, Bellona, located at milepost 46.3—SPLC 183992.

FGLK certifies that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic to be rerouted; (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)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee 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 June 23, 2007, unless stayed pending reconsideration.¹ Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking requests under 49 CFR 1152.29 must be filed by June 4, 2007. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 13, 2007, with: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to FGLK's representative: Eric M. Hocky, Gollatz, Griffin & Ewing, P.C., Four Penn Center, Suite 200, 1600 John F. Kennedy Blvd., Philadelphia, PA 19103.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

FGLK has filed a combined environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by May 29, 2007. Interested persons may obtain a copy of the EA by writing to SEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 245-0305. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic

¹ The earliest this transaction may be consummated is June 23, 2007. FGLK has originally indicated a consummation date of on or after June 18, 2007.

² 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.

³ Each OFA must be accompanied by the filing fee, which currently is set at \$1,300. See 49 CFR 1002.2(f)(25).

preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), FGLK shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by FGLK's filing of a notice of consummation by May 24, 2008, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: May 18, 2007.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. E7-10058 Filed 5-23-07; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-988 (Sub-No. 1X)]

Nebkota Railway, Inc.—Abandonment Exemption—in Dawes and Sheridan Counties, NE

On May 4, 2007, Nebkota Railway, Inc. (NRI) filed with the Surface Transportation Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a 30.3-mile segment of its line

of railroad between milepost 404.3 near Chadron 69337 and the end of the line at milepost 374 at Rushville 69360, in Dawes and Sheridan Counties, NE. The line traverses U.S. Postal Service Zip Codes 69337, 69347, and 69360, and includes the stations of Chadron, Bordeaux, Hay Springs and Rushville.

The line does not contain federally granted rights-of-way. Any documentation in NRI's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by August 22, 2007.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each offer must be accompanied by a \$1,300 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than June 13, 2007. Each trail use request must be accompanied by a \$200 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-988 (Sub-No. 1X), and must be sent to: (1)

Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001, and (2) Fritz R. Kahn, 1920 N Street, N.W., 8th Floor, Washington, DC 20036-1601. Replies to NRI's petition are due on or before June 13, 2007.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 245-0230 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152.

Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 245-0305. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

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

Decided: May 15, 2007.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

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