crashes or convictions for moving violations in a CMV.

28. Wesley L. Schoonover

Mr. Schoonover, 66, has amblyopia in his left eye. His best-corrected visual acuity in the right eye is 20/25 and in the left, 20/150. Following an examination in 2004, his ophthalmologist certified, ''In my medical opinion, the patient has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Schoonover reported that he has driven straight trucks for 34 years, accumulating 680,000 miles. He holds a driver's license from Colorado, but at the time of his application he held a Class B CDL. His driving record for the last three years shows no crashes or convictions for moving violations in a CMV.

29. Charles E. Wood

Mr. Wood, 61, has had a choroidal scar in his right eye since 1954. His best-corrected visual acuity in the right eye is 20/400 and in the left, 20/20. Following an examination in 2004, his optometrist certified, ''I find Mr. Wood to have sufficient vision to operate a commercial vehicle.'' Mr. Wood reported that he has driven straight trucks for 16 years, accumulating 320,000 miles. He holds a Class B CDL from Iowa. His driving record for the last three years shows no crashes or convictions for moving violations in a CMV.

Request for Comments

In accordance with 49 U.S.C. 31315 and 31136(e), the FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in the notice.

Issued on: August 26, 2004.

Rose A. McMurray,

Associate Administrator, Policy and Program Development.

[FR Doc. 04–19914 Filed 8–31–04; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. RSPA–2004–18975, Notice No. 04–5]

Safety Advisory: Unauthorized Marking of Compressed Gas Cylinders

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Safety advisory notice.

SUMMARY: This is to notify the public that RSPA is investigating the unauthorized marking of high-pressure compressed gas cylinders by New England Ski and Scuba, LLC, 520 Hartford Turnpike, Vernon, CT, 06066. New England Ski and Scuba's approval to requalify DOT specification cylinders was issued by RSPA under the company name, K&B Enterprises. RSPA believes that New England Ski and Scuba marked and certified an undetermined number of high-pressure DOT specification and exemption cylinders as properly tested in accordance with the Hazardous Materials Regulations (HMR), when the cylinders were not hydrostatically retested, or when the cylinders were improperly tested and inspected.

A hydrostatic retest and visual inspection, conducted as prescribed in the HMR, are used to verify the structural integrity of a cylinder. If the hydrostatic retest and visual inspection are not performed in accordance with the HMR, a cylinder with compromised structural integrity may be returned to service when it should be condemned. Extensive property damage, serious personal injury, or death could result from rupture of a cylinder. Cylinders not retested in accordance with the HMR may not be charged or filled with compressed gas or other hazardous material and offered for transportation in commerce.

FOR FURTHER INFORMATION CONTACT: Anthony Lima, Senior Hazardous Materials Enforcement Specialist, Eastern Region, Office of Hazardous Materials Enforcement, Research and Special Programs Administration, U.S. Department of Transportation, 820 Bear Tavern Road, Suite 306, W. Trenton, NJ 08034. Telephone: (609) 989–2252, Fax: (609) 989–2277.

SUPPLEMENTARY INFORMATION: Through its investigation of New England Ski and Scuba, RSPA obtained evidence that the company marked and certified an undetermined number of cylinders as properly tested in accordance with the HMR without conducting proper testing of the cylinders. Therefore, all cylinders marked and certified as requalified by New England Ski and Scuba may pose a safety risk to the public and should be considered unsafe for use in hazardous materials service until retested by a DOT-authorized facility. The cylinder types in question are carbon dioxide fire extinguishers, industrial gas cylinders, medical oxygen cylinders, and Self Contained Underwater Breathing Apparatus (SCUBA) tanks.

New England Ski and Scuba's Retester Identification Number (RIN) is C626. The cylinders in question are stamped with RIN C626 in the following pattern:

C 6

M Y

6 2

Anyone who has a cylinder serviced by New England Ski and Scuba, and has not retested the cylinder since then, should consider the cylinder potentially unsafe and not fill it with a hazardous material unless the cylinder is first properly retested by a DOT-authorized retest facility. Cylinders described in this safety advisory that are filled with an atmospheric gas should be vented or otherwise safely discharged and then taken to a DOT-authorized cylinder retest facility for proper retest. Cylinders described in this safety advisory that are filled with a material other than an atmospheric gas should not be vented, but instead should be safely discharged. Upon discharge, the cylinders should be taken to a DOT-authorized cylinder retest facility for proper retest to determine compliance with the HMR and to ensure their suitability for continuing service. You may obtain a list of authorized cylinder retesters at the following Web site: *http://hazmat.dot.gov.* Under no circumstance should a cylinder described in this safety advisory be filled, refilled or used for its intended purpose until it is reinspected and retested by a DOT-authorized retest facility.

Issued in Washington, DC on August 27, 2004.

Robert A. McGuire,

Associate Administrator for Hazardous Materials Safety.

[FR Doc. 04–19964 Filed 8–31–04; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34504]

Union Pacific Railroad Company—Lease and Operation Exemption—The Burlington Northern and Santa Fe Railway Company

AGENCY: Surface Transportation Board, DOT.

ACTION: Petition for exemption.

SUMMARY: The Board grants an exemption under 49 U.S.C. 10502, from the prior approval requirements of 49

U.S.C. 11323–24, for Union Pacific Railroad Company to lease and operate over 5.39 miles of The Burlington Northern and Santa Fe Railway Company (BNSF) line extending from BNSF milepost 474.01, near Marion, AR, to BNSF milepost 479.4, near West Memphis, AR.

DATES: This exemption is effective on September 25, 2004. Petitions to stay must be filed by September 7, 2004. Petitions to reopen must be filed by September 15, 2004.

ADDRESSES: An original and 10 copies of all pleadings referring to STB Finance Docket No. 34504 must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423–0001. In addition, a copy of all pleadings must be served on petitioner's representative: Robert T. Opal, General Commerce Counsel, 1416 Dodge Street, Room 830, Omaha, NE 68179–0001.

FOR FURTHER INFORMATION CONTACT: John Sado, (202) 565–1661. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. Copies of the decision may be purchased from ASAP Document Solutions by calling (301) 577–2600 (assistance for the hearing impaired is available through FIRS at 1–800–877–8339) or by visiting 9332 Annapolis Rd., Suite 103, Lanham, MD 20706.

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

Decided: August 26, 2004.

By the Board, Chairman Nober, Vice Chairman Mulvey, and Commissioner Buttrey.

Vernon A. Williams,

Secretary.

[FR Doc. 04–19926 Filed 8–31–04; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF THE TREASURY

Office of the General Counsel; Appointment of Members of the Legal Division to the Performance Review Board, Internal Revenue Service

Under the authority granted to me as Chief Counsel of the Internal Revenue Service by the General Counsel of the Department of the Treasury by General Counsel Order No. 21 (Rev. 4), pursuant to the Civil Service Reform Act, I have appointed the following persons to the Legal Division Performance Review Board, Internal Revenue Service Panel:

1. Chairperson, Nicholas J. DeNovio, Deputy Chief Counsel (Technical)
2. Heather C. Maloy, Associate Chief Counsel (Passthroughs & Special Industries)
3. Thomas R. Thomas, Division Counsel (Small Business/Self-Employed)
4. Edward L. Patton, Deputy Associate Chief Counsel (General Legal Services)
5. Joseph F. Maselli, Area Counsel, Division Counsel (Large & Mid-Size Business)

This publication is required by 5 U.S.C. 4314(c)(4).

Dated: August 25, 2004.

Donald L. Korb,

Chief Counsel, Internal Revenue Service.

[FR Doc. 04–19934 Filed 8–31–04; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Office of the General Counsel; Appointment of Members of the Legal Division to the Performance Review Board, Internal Revenue Service

Under the authority granted to me as Chief Counsel of the Internal Revenue Service by the General Counsel of the Department of the Treasury by General Counsel Order No. 21 (Rev. 4), pursuant to the Civil Service Reform Act, I have appointed the following persons to the Legal Division Performance Review Board, Internal Revenue Service Panel:

1. Chairperson, James Carroll, Deputy General Counsel
2. Mark E. Matthews, Deputy Commissioner for Services and Enforcement
3. Eric Solomon, Deputy Assistant Secretary for Regulatory Affairs

This publication is required by 5 U.S.C. 4314(c)(4).

Dated: August 25, 2004.

Donald L. Korb,

Chief Counsel, Internal Revenue Service.

[FR Doc. 04–19935 Filed 8–31–04; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, 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, as required by the Paperwork Reduction Act of 1995. The OCC is soliciting comment concerning its information collection titled, ''Examination Questionnaire.'' The OCC also gives notice that it has sent the information collection to OMB for review and approval.

DATES: You should submit your comments to the OCC and the OMB Desk Officer by October 1, 2004.

ADDRESSES: You should direct your comments to: Communications Division, Office of the Comptroller of the Currency, Public Information Room, Mailstop 1–5, Attention: 1557–0199, 250 E Street, SW., Washington, DC 20219. In addition, comments may be sent by fax to (202) 874–4448, or by electronic mail to *regs.comments@occ.treas.gov.* You can inspect and photocopy the comments at the OCC's Public Information Room, 250 E Street, SW., Washington, DC 20219. You can make an appointment to inspect the comments by calling (202) 874–5043.

Additionally, you should send a copy of your comments to Mark Menchik, OMB Desk Officer, 1557–0199, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, DC 20503. Electronic mail address is *mmenchik@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: You can request additional information or a copy of the collection from John Ference, OCC Clearance Officer, or Camille Dixon, (202) 874–5090, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219.

SUPPLEMENTARY INFORMATION: The OCC is proposing to extend OMB approval of the following information collection:

Title: Examination Questionnaire.

OMB Number: 1557–0199.

Description: Completed Examination Questionnaires provide the OCC with information needed to properly evaluate the effectiveness of the examination process and agency communications. The OCC will use the information to identify problems or trends that may impair the effectiveness of the examination process, to identify ways to improve its service to the banking industry, and to analyze staff and training needs.

National banks receive the Questionnaire at the conclusion of their supervisory cycle (12 or 18 month period).