

DEPARTMENT OF TRANSPORTATION**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA–2008–0289]

Filing Requirements of 49 U.S.C. 14123; The Motor Carrier Financial and Operating Statistics Program (the Annual Form M Filing); Application for Exemption From Swift Transportation Corporation**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.**ACTION:** Notice of final disposition.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) published a **Federal Register** notice of an application by Swift Transportation Corporation (Swift Transportation) for an exemption from the requirement annually to report certain financial information (49 CFR 369.1). Swift Transportation stated that disclosing this information would cause competitive harm. The Agency received one comment to the public docket. The Agency has considered the comment and grants Swift Transportation's request for exemption.

DATES: This exemption is effective until December 31, 2011.

FOR FURTHER INFORMATION CONTACT: Rhonda Scott, Office of Information Technology, IT Operations Division, (202) 366–4134; Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:**Background**

Although 49 U.S.C. 14123 requires certain motor carriers annually to file financial and safety reports with FMCSA, subsection (c) authorizes exemptions from the filing requirements or from public release of the information. Exemption requests must comply with 49 CFR 369.9, and the request must be published in the **Federal Register**.

Swift Transportation's Application for Exemption

On December 14, 2007, Swift Transportation applied for an exemption under 49 CFR 369.9 from disclosing confidential business information to the public. A privately held corporation, Swift Transportation argued that disclosure of this information would result in competitive harm.

Comments

FMCSA published a **Federal Register** notice announcing the application on

November 6, 2008 (73 FR 66095). One comment was submitted to the docket. The commenter concurred with the request on the ground that the data is not being used and the requirement is no longer needed.

FMCSA Decision

FMCSA reviewed the comment and the documentation submitted by the applicant. The Agency determined that Swift Transportation is not a publicly held corporation and that it provided sufficient support for the claim of competitive harm, both of which are preconditions for an exemption under 49 CFR 369.9. The Agency therefore grants the exemption, which will be effective from March 31, 2008 through December 31, 2011 (§ 369.9(g)).

Issued on: March 18, 2009.

Rose A. McMurray,*Acting Deputy Administrator.*

[FR Doc. E9–6460 Filed 3–30–09; 8:45 am]

BILLING CODE 4910–EX–P**DEPARTMENT OF TRANSPORTATION****Pipeline and Hazardous Materials Safety Administration****International Standards on the Transport of Dangerous Goods; Public Meeting**

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation.

ACTION: Notice of public meeting.

SUMMARY: This notice is to advise interested persons that PHMSA will conduct a public meeting in preparation for the 35th session of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (UNSCOE TDG) to be held June 22–26, 2009 in Geneva, Switzerland. During this meeting, PHMSA is also soliciting comments relative to potential new work items which may be considered for inclusion in its international agenda, and comments relative to a potential future rulemaking action regarding the use and applicability of international standards.

Information Regarding the UNSCOE TDG Meeting**DATES:** Wednesday, June 17, 2009; 9:30 a.m.–12 p.m.

ADDRESSES: The meeting will be held at the DOT Headquarters, West Building, Oklahoma City Conference Room, 1200 New Jersey Avenue, SE., Washington, DC 20590.

Conference Call Capability/Live Meeting Information: Conference call-in and “live meeting” capability will be provided for this meeting. Specific information on call-in and live meeting access will be posted when available at <http://www.phmsa.dot.gov/hazmat/regs/international>.

FOR FURTHER INFORMATION CONTACT: Mr. Duane Pfund, Director, Office of International Standards or Mr. Shane Kelley, International Transportation Specialist, Office of Hazardous Materials Safety, Department of Transportation, Washington, DC 20590; (202) 366–0656.

SUPPLEMENTARY INFORMATION: The primary purpose of this meeting will be to prepare for the 35th session of the UNSCOE TDG. The 35th session of the UNSCOE TDG is the first meeting in the current 2009–2010 biennium. The UNSCOE will consider proposals for the 16th Revised Edition of the United Nations Recommendations on the Transport of Dangerous Goods Model Regulations which will come into force in the international regulations from January 1, 2013. Topics on the agenda for the UNSCOE TDG meeting include:

- Explosives and related matters;
- Listing, classification and packing;
- Electric storage systems;
- Miscellaneous proposals of amendments to the Model Regulations on the Transport of Dangerous Goods;
- Electronic data interchange (EDT) for documentation purposes;
- Cooperation with the International Atomic Energy Agency (IAEA);
- Global harmonization of transport of dangerous goods regulations with the UN Model Regulations;
- Guiding principles for the Model Regulations; and
- Issues relating to the Globally Harmonized System of Classification and Labelling of Chemicals (GHS).

In addition, PHMSA is soliciting comments on how to further enhance harmonization for international transport of hazardous materials. PHMSA has finalized a broad international strategic plan and welcomes input on items which stakeholders believe should be included as specific initiatives within this plan. PHMSA's Office of International Standards Strategic Plan can be accessed at: <http://www.phmsa.dot.gov/hazmat/regs/international>.

Finally, PHMSA is soliciting comments regarding a potential future rulemaking action regarding the use of international regulations, in particular the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous