

Appendix A–1, identifies those lines that are exempted from the Theft Prevention Standard for a given model year. 49 CFR 543.7(f) contains publication requirements incident to the disposition of all part 543 petitions. Advanced listing, including the release of future product nameplates, the beginning model year for which the petition is granted, and a general description of the antitheft device are necessary in order to notify law enforcement agencies of new vehicle lines exempted from the parts marking requirements of the Theft Prevention Standard.

If Toyota decides not to use the exemption for this line, it should formally notify the agency. If such a decision is made, the line must be fully marked according to the requirements under 49 CFR 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if Toyota wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.7(d) states that a part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, § 543.9(c)(2) provides for the submission of petitions "to modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption."

The agency wishes to minimize the administrative burden that § 543.9(c)(2) could place on exempted vehicle manufacturers and itself. In drafting part 543, the agency did not intend to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify.

Authority: 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: January 23, 2012.

Christopher J. Bonanti,

Associate Administrator for Rulemaking.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2012–0015; Notice No. 12–1]

Safety Advisory Notice: Return of Radioactively Contaminated Tissue Holders Purchased From Bed Bath and Beyond

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

ACTION: Safety Advisory Notice.

SUMMARY: PHMSA has been notified that Bed Bath and Beyond sold a number of tissue holders in the United States, identified as the Dual Ridge Metal tissue holder, model number DR9M, that emit low levels of radiation. PHMSA and the Nuclear Regulatory Commission believe that there is no immediate danger to the public; however, PHMSA is advising persons in possession of the contaminated tissue holders that they should arrange with Bed Bath and Beyond for their safe return. Any person in possession of this item should call Bed Bath and Beyond at 1–(800) 462–3966 to obtain information about the proper return procedures.

FOR FURTHER INFORMATION CONTACT: Mr. Rick Boyle, Acting Chief, Sciences Branch, Office of Hazardous Materials Safety, (202) 366–2993, 1200 New Jersey Avenue SE., Washington, DC 20590.

SUPPLEMENTARY INFORMATION: On January 11, 2012, PHMSA was advised that Bed Bath and Beyond sold Dual Ridge Metal tissue holders model number DR9M, that were contaminated with the radioisotope Cobalt-60 during their manufacture in India. At this time, it has been verified that at least 220 tissue holders, sold in some of the more than 200 affected Bed Bath and Beyond stores in the United States, are radioactively contaminated. The highest identified radioactivity level on the surface of the tissue holders was approximately 20 mrem/hr, however most of the tissue holders showed much lower levels. A person who spends eight hours in close contact with one of these tissue holders (such as having the tissue on a bedside table next to the bed) could possibly get a maximum yearly dose of about 500–700 mrem. While no unnecessary radiation exposure is desirable, the dose from the tissue holders is not expected to cause any appreciable health effects. To put this into perspective, a person living in the United States receives a radioactive exposure of about 360 mrem/year from

naturally-occurring background radiation.

Bed Bath and Beyond has posted notices on its web site: <http://www.bedbathandbeyond.com/tissueholdernotice.asp>, its facebook pages, and in its stores, and has been actively working with state Radiation Control Programs, the Nuclear Regulatory Commission, the Environmental Protection Agency, the Consumer Product Safety Commission, and Pipeline and Hazardous Materials Safety Administration to identify and remove all of the contaminated tissue holders. Information on radiation exposure can be found on the Nuclear Regulatory Commission's Web site at: <http://www.nrc.gov/about-nrc/radiation/around-us/doses-daily-lives.html>.

Recommended Action

A person in possession of this item should call Bed Bath and Beyond at 1–(800) 462–3966 to obtain information about the proper return procedures. If a person possessing the identified tissue holders experiences difficulties when attempting to obtain return directions or assistance from Bed Bath and Beyond, they should contact PHMSA at the contact number provided in this notice.

Issued in Washington, DC, on January 23, 2012.

R. Ryan Posten,

Deputy Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

Release of Waybill Data

The Surface Transportation Board has received a request from Sidley Austin LLP on behalf of Norfolk Southern Railway Company (WB484–2—1/18/12), for permission to use certain data from the Board's 2000–2010 Carload Waybill Samples. A copy of the request may be obtained from the Office of Economics.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.