

the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland and Slovakia were terminated as beneficiary developing countries under the U.S. GSP program on that date.

**FOR FURTHER INFORMATION CONTACT:** GSP Subcommittee, Office of the United States Trade Representative, USTR Annex, 1724 F Street, NW., Room F220, Washington, DC 20508 (Tel. 202-395-6971).

**SUPPLEMENTARY INFORMATION:** The GSP program is authorized pursuant to Title V of the Trade Act of 1974, as amended ("the Trade Act") (19 U.S.C. 2461 *et seq.*). The GSP program grants duty-free treatment to designated eligible articles that are imported from designated beneficiary developing countries. Countries that cannot be designated as GSP-eligible include, among others, member states of the European Union (19 U.S.C. 2462). In Proclamation 7758 (March 1, 2004, the President, pursuant to section 502(b)(1)(C) of the Trade Act of 1974, as amended (19 U.S.C. 2462(b)(1)(C))), announced that "the designation of the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland and Slovakia as beneficiary developing countries for purposes of the GSP is terminated for each country on the date when it becomes a European Union member state. The United States Trade Representative shall announce each such date in a notice published in the **Federal Register**."

The United States Trade Representative hereby announces that May 1, 2004, was the date on which the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland and Slovakia became European Union member states.

**Peter F. Allgeier,**  
*Acting United States Trade Representative.*  
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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending May 7, 2004

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. 412 and 414. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* OST-2004-17744.

*Date Filed:* May 7, 2004.

*Parties:* Members of the International Air Transport Association.

*Subject:* PTC2 EUR 0556 dated 11 May 2004, Within Europe Expedited

Resolutions r1-r19, Intended effective date: 15 June 2004.

**Andrea M. Jenkins,**  
*Program Manager, Docket Operations,*  
*Federal Register Liaison.*  
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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

**[FRA Emergency Order No. 23, Notice No. 2]**

#### **Clarifying Amendment to the Emergency Order To Prohibit the Continued Use of Certain Railroad Tank Cars Equipped With a Truck Bolster Bearing Either (1) Association of American Railroads (AAR) Identification Number B-2410 and National Castings of Mexico (NCM) Pattern Number 52122 or (2) AAR Identification Number B-2409 and NCM Pattern Number 52202**

On April 30, 2004, FRA published Emergency Order No. 23, Notice No. 1, directing all persons, including, but not limited to owners, shippers, consignees, and railroads, to discontinue the loading and transportation of certain railroad tank cars equipped with a truck bolster bearing either (1) AAR identification Number B-2410 and NCM Pattern Number 52122 or (2) AAR Identification Number B-2409 and NCM Pattern Number 52202, until each of the described bolsters is removed from the car and replaced with a bolster of suitable design and manufacture. *See* 69 FR 23850. Information received by FRA subsequent to the issuance of the Emergency order compels FRA to issue this amendment to the Order (Notice No. 2) to clarify the identification of the tank cars covered by Emergency Order No. 23.

**FOR FURTHER INFORMATION CONTACT:** Ronald Newman, Staff Director, Motive Power & Equipment Division, FRA, 1120 Vermont Ave, NW., stop 25, Washington, DC 20590, (202) 493-6241, or Thomas Herrmann, Trial Attorney, Office of Chief Counsel, FRA, 1120 Vermont Ave., NW., stop 10, Washington, DC 20590, (202) 493-6036.

#### **Authority**

The authority for issuance of this amendment to Emergency Order No. 23 is the same as that cited for the issuance of the original Emergency Order. *See* 69 FR 23850.

#### **Background**

FRA outlined the scope and severity of the problems associated with two

above-noted bolster patterns in Notice No. 1 to Emergency Order No. 23. *See* 69 FR 23850-51. FRA is working with the AAR, tank car builders and users, and the nation's railroads to resolve the problem. Previous efforts are memorialized in FRA Safety Advisory 2002-03 (69 FR 79686, December 30, 2002); FRA Safety Advisory 2003-03 (68 FR 65982, November 24, 2003); AAR Maintenance Advisory MA-81; and a series of AAR Early Warning letters including EW-5191, EW-5194, EW-5195, EW-5196, and EW-5197, and supplements to them.

Although all parties to this effort agree that the involved bolsters must be replaced, the castings industry simply cannot produce a sufficient number of replacement truck bolsters fast enough. Therefore, priorities had to be established to schedule the necessary change-outs in a timely fashion. As discussed in Notice No. 1 to this Emergency Order, the AAR developed a unique risk assessment matrix to establish these priorities. The risk matrix included, among other things, factors for the manner in which the cars were loaded and, for tank cars, the relative danger of the hazardous material being transported. The results of the risk matrix divided the freight cars with defective bolsters into three specific groups: Group I included hazardous material tank cars, Group II included coal cars and mill gondola cars, and Group III included all other cars. *See* 69 FR 23851. For purposes of priority, hazardous material tank cars were further divided into three hazard-based categories: Category I included pressurized shipments (liquefied compressed gases) such as propane, anhydrous ammonia, and chlorine, Category II included flammable liquids, corrosives, and liquids with a poisonous hazard; and Category III included molten sulfur, elevated temperature materials, and the low-hazard Class 9 "other regulated materials." Appendix A to this Notice displays the results of the risk matrix applied to hazardous materials transported in railroad tank cars and shows which commodities are included in each of the three Categories. Based on the lower degree of hazard involved, hazardous material tank cars (Group I cars) used to transport Category III hazardous materials, were prioritized with the Group III (all other) cars.

Information received by FRA since its issuance of Emergency Order No. 23, Notice No. 1, indicates that the identification of the affected tank cars needs to be clarified. In order to make clear the applicability of Emergency Order No. 23, FRA believes it is necessary to issue this amendment. FRA