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inspections and testing to be performed by independent inspection agencies approved by DOT. A final rule was never issued under Docket HM-74A. This action to withdraw the proposed rule is being taken because of the extended period of inactivity under Docket HM-74A.

FOR FURTHER INFORMATION CONTACT: Hattie L. Mitchell, (202) 366-4488, Office of Hazardous Materials Standards, Research and Special Programs Administration, Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION: On January 13, 1976, a revised notice of proposed rulemaking, published in the Federal Register (41 FR 1919) under Docket HM-74, Notice No. 76-1, solicited comments concerning proposed amendments that would, in part, discontinue the existing authority for using "interested" inspectors to perform inspections and testing of domestically manufactured low-pressure gas cylinders. In response to requests for extension of time to submit comments concerning that part of Docket HM-74, Notice 76-1A was published in the Federal Register (41 FR 11179) on March 17, 1976, severing that part of Docket HM-74 and placing it in Docket HM-74A. At issue was whether better compliance with the applicable requirements for manufacturing low-pressure cylinders would be achieved if the manufacturing inspections and testing were performed by independent inspection agencies, i.e., disinterested inspectors, rather than by the cylinder manufacturer's own employees, i.e., interested inspectors. The proposed rule would have revised requirements in 49 CFR parts 173 and 178 pertaining to the manufacture of low-pressure DOT cylinders within the United States, by discontinuing the current authority for using employees of the cylinder manufacturer to perform the inspections and testing. Instead, such inspections and testing would have been performed by independent inspection agencies approved by the DOT.

RSPA received eight written comments to Docket HM-74A and accepted six oral presentations at a public hearing. These comments were from trade associations and manufacturers of low-pressure cylinders; none supported the proposed rule. Commenters based their objections to the proposed rule on increased costs for using an independent inspection agency and the over-all satisfactory safety record of the domestic, low-pressure cylinder industry. Since publication of the notice, further action has been delayed due to

DEPARTMENT OF TRANSPORTATION

Research and Special Programs
Administration

49 CFR Parts 173 and 178

[Docket No. HM-74A; Notice No. 76-1A]

**Withdrawal of Proposal; Inspection
and Testing of Domestically
Manufactured Low-Pressure
Compressed Gas Cylinders by
Independent Inspection Agencies**

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

ACTION: Revised notice of proposed rule;
withdrawal.

SUMMARY: RSPA is withdrawing a revised notice of proposed rulemaking published in the Federal Register under Docket HM-74, Notice 76-1, on January 13, 1976 (41 FR 1919), which was later placed in Docket HM-74A, Notice 76-1A, on March 17, 1976 (41 FR 11179). The proposed rule would have revised requirements in the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180) pertaining to the manufacture of low-pressure DOT specification cylinders by requiring the

other organizational priorities. Because of the extended period of inactivity, RSPA is terminating rulemaking action under Docket HM-74A. However, this action does not preclude RSPA from addressing this issue in a future rulemaking action.

In consideration of the foregoing, that portion of the revised notice of proposed rulemaking published in the Federal Register on January 13, 1978 (41 FR 1919), under Docket HM-74, Notice 78-1 that was severed and placed in Docket HM-74A by Notice 78-1A on March 17, 1979 (41 FR 11179), is hereby withdrawn.

Issued in Washington, DC on February 15, 1991, under authority delegated to 49 CFR part 1.

Alan L. Roberts,
*Associate Administrator for Hazardous
Materials Safety.*

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