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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Office of Hazardous Materials Safety; Notice of Application for Special Permits**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration, DOT.

**ACTION:** List of Applications for Special Permits.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of

Transportation's Hazardous Material Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

**DATES:** Comments must be received on or before December 18, 2006.

**ADDRESS COMMENTS TO:** Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in

triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:** Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 7th Street SW., Washington, DC or at <http://dms.dot.gov>.

This notice of receipt of applications for special permits is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on November 13, 2006.

**Delmer F. Billings,**  
 Director, Office of Hazardous Materials Safety  
 Special Permits & Approvals.

**NEW SPECIAL PERMIT**

Application No.	Docket No.	Applicant	Regulation(s) Affected	Nature of Special Permit Thereof
14420-N		Garden State Tobacco d/ b/a H.J. Bailey Co., Neptune, NJ.	49 CFR 173.186(c)	To authorize the transportation in commerce of strike anywhere matches in non-DOT specification packages not exceeding 50 pounds each by private motor carrier not subject to the Hazardous Materials Regulations, except for marking. (mode 1).
14422-N		Patterson Logistics, Boone, IA.	49 CFR 172.101 Hazardous Materials Table, column 8A.	To authorize the transportation in commerce of 4 ounces or less of ethyl chloride as a consumer commodity. (modes 1, 2, 3, 4, 5).
14423-N		Accutest Laboratories, Dayton, NJ.	49 CFR 173.4	To authorize the transportation in commerce of Nitric acid other than red fuming with 50% or less nitric acid as small quantities under the provision of 49 CFR 173.4. (mode 4).
14424-N		Chart Industries, Inc., Ball Ground, GA.	49 CFR 172.203(a); 177.834(h).	To authorize filling and discharging of a DOT Specification 4L cylinder with carbon dioxide, refrigerated liquid without removal from the vehicle. (mode 1).
14427-N		The Procter & Gamble Company, Cincinnati, OH.	49 CFR 173.306(a) and 173.306(a)(3)(v).	To authorize the transportation in commerce of Division 2.2 aerosols in non-DOT specification plastic containers not subject to the hot water bath test. (modes 1, 2, 3, 4, 5).
14429-N		Schering-Plough, Union, NJ.	49 CFR 173.306(a)(3)(v)	To authorize the manufacture, marking, sale and use of a bag-on-valve spray packaging similar to an aerosol container without requiring the hot water bath test. (modes 1, 2, 3, 4, 5).
14430-N		Prometheus International, Inc., Commerce, CA.	49 CFR 173.306	To authorize the transportation of a gas fuel tank for a lighter packaged in a special travel container in checked luggage on commercial passenger aircraft. (mode 5).

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Office of Hazardous Materials Safety; Notice of Applications for Modification of Special Permit**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration, DOT.

**ACTION:** List of Applications for Modification of Special Permit.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. This notice is abbreviated to expedite docketing and public notice.

Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Request of modifications of special permits (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) are described in footnotes to the application number. Application numbers with the suffix "M" denote a modification request. These applications have been separated from

the new applications for special permits to facilitate processing.

**DATES:** Comments must be received on or before December 4, 2006.

**ADDRESS COMMENTS TO:** Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of

comments is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:** Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 7th Street, SW., Washington, DC or at <http://dms.dot.gov>.

This notice of receipt of applications for modification of special permits is

published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on November 13, 2006.

**Delmer F. Billings,**

*Director, Office of Hazardous Materials Special Permits and Approvals.*

MODIFICATION SPECIAL PERMITS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
6530-M		Air Products & Chemicals, Inc., Allentown, PA.	49 CFR 173.302(c)	To modify the special permit to authorize an increase in the maximum age of certain DOT Specification 3A, 3AA, 3AX or 3AAX steel cylinders and authorize cargo vessel as a mode of transportation.
6610-M		Degussa Initiators, LLC, Elyria, OH.	49 CFR 173.225(e)	To modify the special permit to authorize the transportation in commerce of an additional Division 5.2 Type F material.
10019-M		Structural Composites Industries, Pomona, CA.	49 CFR 173.302(a)(1); 175.3.	To modify the special permit to change the retest period from 3 to 5 years for non-DOT specification fiber reinforced plastic full composite cylinders used for the transportation of Division 2.2 materials.
10143-M		Eurocom, Inc., Irving, TX	49 CFR 173.306(a); 178.33a.	To modify the exemption to authorize the transportation of additional Division 2.2 materials in a non-refillable non-DOT specification inside metal container.
10590-M		ITW/Sexton, Decatur, AL	49 CFR 173.304(d)(3)(ii); 178.33.	To modify the special permit to authorize the transportation in commerce of certain Division 2.1 gases in non-DOT specification cylinder with a smaller diameter and wall thickness than currently authorized.
11379-M		TRW Occupant Safety Systems, Washington, MI.	49 CFR 173.301(h); 173.302.	To modify the special permit for consistency with other air bag special permits.
11380-M		Baker Atlas (a division of Baker Hughes, Inc.), Houston, TX.	49 CFR 173.34(d); 178.37-5; 178.37-13; 178.37-15.	To modify the special permit to authorize a new non-DOT specification tank assembly design.
11494-M		ARC Automotive, Inc. (Former Grantee: Atlantic Research Corp. Automotive Products Group), Knoxville, TN.	49 CFR 173.301(h); 173.302; 173.306(d)(3).	To modify the special permit for consistency with other air bag special permits.
11506-M		Autoliv ASP, Inc., Ogden, UT.	49 CFR 173.301(h); 173.302.	To modify the special permit for consistency with other air bag special permits.
11650-M		Autoliv ASP, Inc., Ogden, UT.	49 CFR 173.301; 173.302; 178.65-9.	To modify the special permit for consistency with other air bag special permits.
11777-M	RSPA-15902	Autoliv ASP, Inc., Ogden, UT.	49 CFR 173.301(h); 173.302.	To modify the special permit for consistency with other air bag special permits.
11993-M	RSPA-3100	Key Safety Systems, Inc. (formerly BREED Tech.), Lakeland, FL.	49 CFR 173.301(a)(1); 173.302a.	To modify the special permit for consistency with other air bag special permits.
12122-M	RSPA-4313	ARC Automotive, Inc., Knoxville, TN.	49 CFR 173.301(h); 173.302; 173.306(d)(3).	To modify the special permit for consistency with other air bag special permits.
12124-M	RSPA-4309	TOTAL Petrochemicals USA Inc., Pasadena, TX.	49 CFR 173.242; 178.245-1(c); 178.245-1(d)(4).	To modify the special permit to authorize a new non-DOT specification portable tank comparable to a specification DOT 51 portable tank equipped with vertical outlet and no internal shutoff valve for use in transporting Division 4.2 and 4.3 hazardous materials.
12844-M	RSPA-10753	Delphi Corporation, Vandalia, OH.	49 CFR 173.301(a)(1); 173.302a(a)(1); 175.3.	To modify the special permit for consistency with other air bag special permits.
13270-M	RSPA-16489	Takata Corporation, Minato-Ku Tokyo 106-8510.	49 CFR 173.301(a); 173.302(a); 175.3.	To modify the special permit for consistency with other air bag special permits.

## MODIFICATION SPECIAL PERMITS—Continued

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
14152-M .....	PHMSA-20467	Saes Pure Gas, Inc., San Luis Obispo, CA.	49 CFR 173.187 .....	To modify the special permit to authorize a change in the minimum and maximum pressures authorized in a non-DOT specification packaging for transporting certain quantities of metal catalyst, classed as Division 4.2.
14167-M .....	PHMSA-20669	Trinityrail, Dallas, TX .....	49 CFR 173.26; 173.314(c); 179.13 and 179.100-12(c).	To modify the special permit to authorize an alternative fitting design on DOT 105J600W specification tank cars.
14232-M .....	PHMSA-22248	Luxfer Gas Cylinders— Composite Cylinder Division, Riverside, CA.	49 CFR 173.302a(a); 173.304a(a); and 180.205.	To modify the special permit to authorize an increase in service life to 30 years for certain carbon composite cylinders for transporting certain Division 2.1 and 2.2 gases.

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Hazardous Materials: Improving the Safety of Railroad Tank Car Transportation of Hazardous Materials

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

**ACTION:** Notice of public meeting.

**SUMMARY:** PHMSA and FRA are conducting a comprehensive review of design and operational factors that affect rail tank car safety. The two agencies invite interested persons to participate in a public meeting to address potential improvements to the design of hazardous materials tank cars that would enhance overall safety and security.

**DATES:** *Public meeting:* December 14, 2006, starting at 9 a.m. and ending at 5 p.m.

**ADDRESSES:** *Public meeting:* The meeting will be held at the Hilton Garden-Franklin Square Hotel, 815 14th Street, NW., Washington, DC 20005. For information on the facilities or to request special accommodations at the meeting, please contact Ms. Michele M. Sampson by telephone or e-mail as soon as possible.

*Written Comments:* Written comments, identified by Docket Number FRA-2006-25169, may be submitted by any of the following methods:

- Web Site: <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- Fax: 1-202-493-2251.
- Mail: Docket Management Facility; U.S. Department of Transportation, 400

Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Instructions:* All submissions must include the agency name and docket number for this notice. Internet users may access comments received by DOT at. Note that comments received may be posted without change to <http://dms.dot.gov> including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:**

Michele M. Sampson ([Michele.Sampson@dot.gov](mailto:Michele.Sampson@dot.gov)), Railroad Safety Specialist, Federal Railroad Administration, 1120 Vermont Ave., NW., Washington, DC 20590 (202-493-6475) or Lucinda Henriksen ([Lucinda.Henriksen@dot.gov](mailto:Lucinda.Henriksen@dot.gov)), Trial Attorney, Office of Chief Counsel, Federal Railroad Administration, 1120 Vermont Ave., NW., Washington, DC 20590 (202-493-1345).

**SUPPLEMENTARY INFORMATION:** The Federal hazardous materials transportation law (Federal hazmat law, 49 U.S.C. 5101 *et seq.*, as amended by section 1711 of the Homeland Security Act of 2002, Public Law 107-296 and Title VII of the 2005 Safe, Accountable, Flexible and Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU)) authorizes the Secretary of the Department of Transportation (DOT) to “prescribe regulations for the safe transportation, including security, of hazardous material in intrastate, interstate, and foreign commerce.” The Secretary has delegated this authority to the Pipeline and Hazardous Materials Safety Administration (PHMSA).

The Secretary of Transportation also has authority over all areas of railroad safety (49 U.S.C. 20101 *et seq.*), and has delegated this authority to the Federal Railroad Administration (FRA). FRA has

issued a comprehensive set of Federal regulations governing the safety of all facets of freight and passenger railroad operations (49 CFR parts 200-244). FRA inspects railroads and shippers for compliance with both FRA regulations and Hazardous Materials Regulations (HMR; 49 CFR parts 171-180). FRA also conducts research and development to enhance railroad safety.

On May 24, 2006, PHMSA and FRA published a notice of public meeting (71 FR 30019) announcing initiation of a comprehensive review of design and operational factors that affect the safety of railroad tank car transportation of hazardous materials. As indicated in the notice, PHMSA and FRA are utilizing a risk management approach to identify ways to enhance the safe transportation of hazardous materials in tank cars, including tank car design, manufacture, and requalification; operational issues such as human factors, track conditions and maintenance, wayside hazard detectors, and signals and train control systems; and emergency response. Initially, PHMSA and FRA did not intend for the review to consider security issues, in part because PHMSA and FRA have been working closely with the Transportation Security Administration on developing proposed regulations to enhance the security of rail shipments of hazardous materials. Upon further consideration, PHMSA and FRA have decided to slightly expand the topics under review to consider enhancements and improvements to railroad tank cars transporting hazardous materials that may enhance the security of these cars.

To facilitate public involvement in this review, PHMSA and FRA held a public meeting on May 31 and June 1, 2006 (see 71 FR 30019). The primary purpose of the public meeting was to surface and prioritize issues relating to the safe transportation of hazardous materials by railroad tank car. Subsequent to the meeting, FRA