

*Address Comments to:* Record Center, Research and Special Programs 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 exemption number.

**FOR FURTHER INFORMATION:** 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 exemption 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 July 15, 2004.

**R. Ryan Posten,**

*Exemptions Program Officer, Office of Hazardous Materials Exemptions & Approvals.*

Application No.	Docket No.	Applicant	Regulation(s) affected	Modification of exemption	Nature of exemption thereof
<b>MODIFICATION EXEMPTIONS</b>					
11537-M .....	.....	American Development Corporation, Fayetteville, TN.	49 CFR 177.834(h) ...	11537	To modify the exemption to authorize discharge of a Division 5.1 material from a UN Standard UN31H2 or UN31HA1 Intermediate Bulk Container (IBC) securely mounted to a flatbed trailer, unloaded while on a motor vehicle.
13027-M .....	RSPA-02-12451.	Hernco Fabrication & Services, Midland, TX.	49 CFR 173.241; 173.242.	13027	To modify the exemption to authorize the filling overflow line shutoff valve on top of manifolded non-DOT specification tanks to remain open during transportation.
13321-M .....	RSPA-03-16598.	Quest Diagnostics, Inc., Collegeville, PA.	49 CFR 173.28(b)(3)	13321	To modify the exemption to authorize the transportation of Diagnostic Specimens in specially designed UN5L3 reusable textile bags.
13568-M .....	RSPA-04-17985.	Spectrum Astro, Inc., Gilbert, AZ.	49 CFR 173.301(a)(1) & 173.301(f).	13568	To reissue the exemption originally issued on an emergency basis for the transportation in commerce of non-DOT propellant tanks fully pressurized for use in a space vehicle flow system.

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**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs Administration Office of Hazardous Materials Safety; Notice of Application for Exemptions**

**AGENCY:** Research and Special Programs Administration, DOT.

**ACTION:** List of applications for exemption.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions 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 exemption 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 August 23, 2004.

**ADDRESSES COMMENTS TO:** Record Center, Research and Special Programs 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 exemption number.

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Issued in Washington, on July 15, 2004.

**R. Ryan Posten,**

*Exemptions Program Officer, Office of Hazardous Materials Safety Exemptions & Approvals.*

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
<b>NEW EXEMPTION</b>				
13576-N .....	.....	Scott Specialty Gases, Inc. Plumsteadville, PA.	49 CFR 173.302a(a)(1) .....	To authorize the transportation in commerce of certain compressed gases in DOT specification 2Q containers. (modes 1, 2, 3, 4).
13577-N .....	.....	Scott Specialty Gases, Inc. Plumsteadville, PA.	49 CFR 173.306(a)(3)(ii) .....	To authorize the transportation in commerce of refrigerant 134a to be shipped as a limited quantity compressed gas. (modes 1, 2, 3, 4).

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
13578-N .....	.....	Scott Specialty Gases, Inc. Plumsteadville, PA.	49 CFR 173.304(d)(3)(ii) .....	To authorize the transportation in commerce of certain non-DOT specification inside metal containers similar to a DOT specification 2Q for use in transporting certain Division 2.1 material. (modes 1, 2, 3, 4).
13579-N .....	.....	Scott Specialty Gases, Inc. Plumsteadville, PA.	49 CFR 173.302a(a)(1) .....	To authorize the transportation in commerce of certain Division 2.2 compressed gases in DOT specification 2Q containers. (modes 1, 2, 3, 4).
13598-N .....	.....	Jadoo Power Systems Inc. Folsom, CA.	49 CFR 173.301(a)(1), (d) and (f).	To authorize the manufacture, mark, sale and use of a specially designed device for use in transporting certain Division 2.1 hazardous materials. (modes 1, 2, 3, 4).
13599-N .....	.....	Air Products and Chemicals, Inc. Allentown, PA.	49 CFR 173.304a(a)(2) .....	To authorize the transportation in commerce of certain DOT-specification cylinders with alternative filling densities/ratios. (modes 1, 2, 3).
13601-N .....	.....	DS Containers, Inc. Lemont, IL.	49 CFR 173.306(b)(1); 175.3	To authorize the transportation in commerce of certain aerosol cans with alternative filling criteria. (modes 1, 2, 3, 4, 5).
13636-N .....	.....	Timberline Environmental Services Cold Springs, CA.	49 CFR 173.62 .....	To authorize the transportation in commerce of certain Division 1.3S waste hazardous materials for disposal. (mode 1).

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**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs Administration**

[Docket No. RSPA-04-18607; Notice 1]

**Pipeline Safety: Petition for Waiver; Alyeska Pipeline Service Company**

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

**ACTION:** Notice; petition for waiver.

**SUMMARY:** Alyeska Pipeline Service Company (Alyeska) has petitioned the Research and Special Programs Administration's (RSPA) Office of Pipeline Safety (OPS) for a waiver of the pipeline safety regulation that requires an operator to reduce the pressure of a pipeline to not more than 50 percent of the maximum operating pressure whenever the line pipe is moved.

**DATES:** Persons interested in submitting written comments on the waiver proposed in this notice must do so by August 23, 2004. Late-filed comments will be considered so far as practicable.

**ADDRESSES:** You may submit written comments by mailing or delivering an original and two copies to the Dockets Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. The Dockets Facility is open from 10 a.m. to 5 p.m., Monday through Friday, except on Federal holidays when the facility is closed. Alternatively, you may submit written comments to the docket electronically at

the following Web address: <http://dms.dot.gov>.

All written comments should identify the docket and notice numbers stated in the heading of this notice. Anyone who wants confirmation of mailed comments must include a self-addressed stamped postcard. To file written comments electronically, after logging on to <http://dms.dot.gov>, click on "Comment/Submissions." You can also read comments and other material in the docket at <http://dms.dot.gov>. General information about our pipeline safety program is available at <http://ops.dot.gov>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** James Reynolds by phone at 202-366-2786, by fax at 202-366-4566, by mail at DOT, RSPA, OPS, 400 Seventh Street, SW., Room 2103, Washington, DC 20590, or by e-mail at [james.reynolds@rspa.dot.gov](mailto:james.reynolds@rspa.dot.gov).

**SUPPLEMENTARY INFORMATION:** Alyeska has petitioned RSPA/OPS for a waiver from compliance with the requirements of 49 CFR 195.424(a) for 420 miles of aboveground line pipe in the Trans Alaska Pipeline System (TAPS). Section 195.424(a) does not allow a pipeline operator to move any line pipe unless the pressure in the pipeline section is

reduced to not more than 50 percent of the maximum operating pressure (MOP). Alyeska argues that lowering the pressure on the aboveground portion of TAPS is not necessary and is disruptive and burdensome to its pipeline operations. The requested waiver would apply whenever routine maintenance requires that the aboveground line pipe be moved laterally, longitudinally, or vertically to relieve pipe stresses and restore it to its intended position.

TAPS was designed and constructed between 1973 and 1977 to transport oil 800 miles from Prudhoe Bay, Alaska, to Alyeska's marine terminal at Valdez, Alaska. Over half of the TAPS pipeline, 420 miles, was constructed aboveground. Alyeska states that because of TAPS' unique design and construction, the aboveground portions of the pipeline behave in a structurally predictable manner. According to Alyeska, the aboveground structures were designed to accommodate line pipe movement while operating at MOP under a full range of operating and environmental conditions without overstressing the line pipe. Alyeska notes that the unique design and construction of TAPS allows pipeline movement caused by thermal expansion, seismic or hydraulic events, fault movements, support structure settlement, or frost jacking, as well as complete loss of two adjacent support structures. Moreover, Alyeska further states that TAPS was designed and constructed to anticipate line pipe movements, including routine lifting to replace sliding pads, reposition shoes, and adjust out-of-level crossbeams without reducing the pressure in the pipeline or overstressing the pipe.