

Issued on: May 11, 1995.

**Barry Felrice,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 95-12090 Filed 5-16-95; 8:45 am]

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**Research and Special Programs Administration**

**Office of Hazardous Materials Safety; Notice of Applications for Exemptions**

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

**ACTION:** List of applicants for exemptions.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the applications 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 June 16, 1995.

**ADDRESS COMMENTS TO:** Docket Unit, 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 application number.

**FOR FURTHER INFORMATION CONTACT:** Copies of the applications are available for inspection in the Dockets Unit, Room 8426, Nassif Building, 400 7th Street, SW., Washington, DC.

NEW EXEMPTIONS

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
11449-N ...	Kleen Brite Lab., Inc., Rochester, NY.	49 CFR 174.67(i)(j) .....	To authorize chlorine filled rail cars to remain attached to connectors without the physical presence of an unloader. (modes 1, 2, 3)
11450-N ...	Coast Gas Inc., Bakersfield, CA.	49 CFR 173.315(a) .....	To authorize the transportation in commerce of corrosive liquefied petroleum gases in internally coated MC 331 cargo tanks. (mode 1)
11451-N ...	Gabriel Chemicals Inc., Houston, TX.	49 CFR 180.407 .....	To authorize DOT-412 cargo tank inspection every five years when used in chlorosulfonic acid service. (mode 1)
11453-N ...	Heatec, Inc., Chattanooga, TN.	49 CFR 173.32c(g)(1) .....	To authorize the transportation in commerce of a flammable liquid in non-DOT specification steel portable tanks permanently fitted within an ISO frame. (modes 1, 2, 3)
11454-N ...	Hodgdon Powder Co., Inc., Shawnee Mission, KS.	49 CFR 173.71 .....	To authorize the transportation in commerce of smokeless powder reclassified in Division 4.1 not to exceed 100 pounds to be shipped by cargo vessel. (mode 3)
11457-N ...	Entergy Services, Inc., Beaumont, TX.	49 CFR 174.67(i)&(j) .....	To authorize chlorine filled tank cars to remain connected to fittings without the physical presence of an unloader. (mode 2)
11458-N ...	Bristol-Myers Squibb Co., et al, Cranbury, NJ.	49 CFR 172.203(a), 173.150(b), 173.152(b), 173.154(b), 173.155(b), 173.306 (a) & (h), Part 107, Subpart B, Appendix B, Part 107, Subpart B, Appendix B.	To authorize the transportation in commerce of consumer commodities eligible for reclassification as ORM-D in pallet-sized display packs that exceed the gross weight limit for limited quantities packages. (mode 1)
11459-N ...	Quality Containment Co., Owensboro, KY.	49 CFR 173.34, 173.302, 173.304 .....	To authorize the manufacture, mark and sale of a recovery cylinder for use in transporting damaged sulfur dioxide cylinders. (mode 1)

This notice of receipt of applications for new exemptions is published in accordance with Part 107 of the Hazardous Materials Transportations Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on May 11, 1995.

**J. Suzanne Hedgepeth,**

*Chief, Exemption Programs, Office of Hazardous Materials Exemptions and Approvals.*

[FR Doc. 95-12091 Filed 5-16-95; 8:45 am]

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**Office of Hazardous Materials Safety; Notice of Applications for Modification of Exemptions or Applications To Become a Party to an Exemption**

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

**ACTION:** List of applications for modification of exemptions or applications to become a party to an exemption.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of

Hazardous Materials Safety has received the applications 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. Requests for modifications of exemptions (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. Application numbers with the suffix "P" denote a

party to request. These applications have been separated from the new applications for exemptions to facilitate processing.

**DATES:** Comments must be received on or before June 1, 1995.

**ADDRESS COMMENTS TO:** Dockets Unit, 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 CONTACT:** Copies of the applications are available for inspection in the Dockets Unit, Room 8426, Nassif Building, 400 7th Street SW, Washington, DC.

Application No.	Applicant	Renewal of exemption
3216-M ....	DuPont de Nemours & Co., Inc., Wilmington, DE (See Footnote 1) .....	3216
7765-M ....	Carleton Technologies Inc., Orchard Park, NY (See Footnote 2) .....	7765
7774-M ....	Pipe Recovery Systems, Inc., Houston, TX (See Footnote 3) .....	7774
9184-M ....	The Carbide/Graphite Group, Inc., Louisville, KY (See Footnote 4) .....	9184
9778-M ....	Western Atlas International, Houston, TX (See Footnote 5) .....	9778
11059-M ..	U.S. Department of the Interior, Amarillo, TX (See Footnote 6) .....	11059
11441-M ..	Radian Corporation, Research Triangle Park, NC (See Footnote 7) .....	11441

<sup>1</sup> To modify exemption to provide for shipment of a mixture of two fluorinated hydrocarbons classed in Division 2.2 in DOT-specification 110A2000W and 110A3000W tanks.

<sup>2</sup> To modify exemption to provide for cargo vessel as an additional mode of transportation for use in transporting nonrefillable, non-DOT specification cylinders containing Division 2.2 material.

<sup>3</sup> To modify exemption to provide for additional size non-DOT cylinders for shipment of bromine trifluoride.

<sup>4</sup> To modify exemption to provide for reusable bulk bags for use in transporting calcium carbide and substances which in contact with water emit flammable gases, solid n.o.s. in truckload or carload lots only.

<sup>5</sup> To modify exemption to provide for additional packaging methods for shipment of sulfur hexafluoride, classed as nonflammable gas, in non-DOT specification tanks and tubes, used in oil well logging service.

<sup>6</sup> To modify exemption to authorize highway as an additional mode of transportation for shipment of DOT-Specification 107A compressed gas cylinders containing helium, classed in Division 2.2.

<sup>7</sup> To modify exemption to provide for highway and rail as additional modes of transportation.

Application	Applicant	Parties to exemption
3216-P .....	Solkatronic Chemicals, Fairfield, NJ .....	3216
6691-P .....	C S Gases, Inc., Buffalo, NY .....	6691
7616-P .....	The Indiana Rail Road Company, Indianapolis, IN .....	7616
7774-P .....	Arrow Electric Line, Inc., LaFayette, LA .....	7774
7835-P .....	Environmental Products & Services, Inc., Syracuse, NY .....	7835
8445-P .....	Specialty Systems Hazardous Waste, Inc., Indianapolis, IN .....	8445
8554-P .....	Intermountain IRECO, Inc., Gillette, WY .....	8554
8915-P .....	Liquid Carbonic Industries, Oak Brook, IL .....	8915
9184-P .....	American Carbide, L.L.C., Newport Beach, CA .....	9184
9248-P .....	Total Resources International, Walnut, CA .....	9248
9275-P .....	MEM Company, Inc., Northvale, NJ .....	9275
9723-P .....	Environmental Options, Inc., Rocky Mount, VA .....	9723
10232-P ...	Aerosol Systems, Macedonia, OH .....	10232
10288-P ...	Chevron Chemical Company, Houston, TX .....	10288
10440-P ...	McDonnell Douglas Aerospace, Mesa, AZ .....	10440
10441-P ...	Environmental Products & Services, Inc., Syracuse, NY .....	10441
10688-P ...	Rust's Flying Service, Anchorage, AK .....	10688
10688-P ...	Ketchum Air Service, Inc., Anchorage, AK .....	10688
10933-P ...	Aptus, Inc., Lakeville, MN .....	10933
11043-P ...	Environmental Products & Services, Inc., Syracuse, NY .....	11043
11055-P ...	Environmental Products & Services, Inc., Syracuse, NY .....	11055
11055-P ...	Aptus, Inc., Lakeville, MN .....	11055
11156-P ...	Olson Explosives, Inc., Decorah, IA .....	11156
11173-P ...	Lockheed Missiles & Space Co., Sunnyvale, CA .....	11173
11197-P ...	Nalco Chemical Company, Naperville, IL .....	11197
11197-P ...	Fisher Scientific Company, Pittsburgh, PA .....	11197
11197-P ...	Betz Laboratories, Inc., Trevoise, PA .....	11197
11197-P ...	Pace International LP, Kirkland, WA .....	11197
11220-P ...	Environmental Products & Services, Inc., Syracuse, NY .....	11220
11230-P ...	Intermountain IRECO, Inc., Gillette, WY .....	11230
11281-P ...	Environmental Products & Services, Inc., Syracuse, NY .....	11281
11328-P ...	Alaska Pacific Powder Company, Anchorage, AK .....	11328
11346-P ...	Allegheny Wireline Services, Inc., Weston, WV .....	11346
11346-P ...	Hitwell Surveys, Inc., Parkersburg, WV .....	11346

This notice of receipt of applications for modification of exemptions and for party to an exemption is published in accordance with Part 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on May 11, 1995.

**J. Suzanne Hedgepeth,**

*Chief, Exemption Programs, Office of Hazardous Materials Exemptions and Approvals.*

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**DEPARTMENT OF THE TREASURY**

**Bureau of Alcohol, Tobacco and Firearms**

[Notice No. 811]

**Appointments of Individuals To Serve as Members of the Performance Review Board (PRB); Senior Executive Service**

**SUMMARY:** Pursuant to 5 U.S.C. 4314(c)(4), this notice announces the appointment of members of the Performance Review Board for the Bureau of Alcohol, Tobacco and Firearms (ATF) for the rating year beginning July 1, 1994, and ending June 30, 1995. This notice effects changes in the membership of the ATF PRB previously appointed April 12, 1989 (54 FR 14730).

The *names* and *titles* of the ATF PRB members are as follows:

Bradley A. Buckles, Acting Chief Counsel, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury

John A. Dooher, Director, Washington Office, Federal Law Enforcement Training Center, Department of the Treasury

Suellen P. Hamby, Executive Director, Treasury Executive Institute, Department of the Treasury

**FOR FURTHER INFORMATION CONTACT:** Steve L. Mathis, Personnel Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., Washington, DC 20226; telephone (202) 927-8600.

Signed: May 10, 1995.

**John W. Magaw,**

*Director.*

[FR Doc. 95-12046 Filed 5-16-95; 8:45 am]

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**Internal Revenue Service**

**Tax on Certain Imported Substances (Hexabromocyclododecane, et al.); Notice of Determinations**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice.

**SUMMARY:** This notice announces determinations, under Notice 89-61, that the list of taxable substances in section 4672(a)(3) will be modified to include hexabromocyclododecane and ethylenebistetabromophthalimide.

**EFFECTIVE DATE:** This modification is effective October 1, 1993.

**FOR FURTHER INFORMATION CONTACT:** Ruth Hoffman, Office of Assistant Chief Counsel (Passthroughs and Special Industries), (202) 622-3130 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**Background**

Under section 4672(a), an importer or exporter of any substance may request that the Secretary determine whether that substance should be listed as a taxable substance. The Secretary shall add the substance to the list of taxable substances in section 4672(a)(3) if the Secretary determines that taxable chemicals constitute more than 50 percent of the weight, or more than 50 percent of the value, of the materials used to produce the substance. This determination is to be made on the basis of the predominant method of production. Notice 89-61, 1989-1 CB 717, sets forth the rules relating to the determination process.

**Determination**

On May 8, 1995, the Secretary determined that hexabromocyclododecane and ethylenebistetabromophthalimide should be added to the list of taxable substances in section 4672(a)(3), effective October 1, 1993.

The rate of tax prescribed for hexabromocyclododecane, under section 4671(b)(3), is \$4.55 per ton. This is based upon a conversion factor for bromine of 0.747 and a conversion factor for butadiene of 0.253.

The rate of tax prescribed for ethylenebistetabromophthalimide, under section 4671(b)(3), is \$4.51 per ton. This is based upon a conversion factor for bromine of 0.672, a conversion factor for ethylene of 0.029, a conversion factor for xylene of 0.223, a conversion factor for ammonia of 0.036, and a conversion factor for chlorine of 0.075.

The petitioner is Ethyl Corporation, a manufacturer and exporter of these substances. No material comments were received on these petitions. The following information is the basis for the determinations.

**Hexabromocyclododecane**

HTS number: 2903.59.00.00

CAS number: 3194-55-6

Hexabromocyclododecane is derived from the taxable chemicals bromine and butadiene. Hexabromocyclododecane is a solid produced predominantly by reacting cyclododecatriene with bromine in a solvent system, followed by a neutralization, a centrifugation, a strip, a wash, drying, and grinding (as required).

The stoichiometric material

consumption formula for hexabromocyclododecane is:

$3 \text{ Br}_2$  (bromine) +  $3 \text{ C}_4\text{H}_6$  (butadiene)

—→  $\text{C}_{12}\text{H}_{18}\text{Br}_6$

(hexabromocyclododecane)

Hexabromocyclododecane has been determined to be a taxable substance because a review of its stoichiometric material consumption formula shows that, based on the predominant method of production, taxable chemicals constitute 100 percent by weight of the materials used in its production.

**Ethylenebistetabromophthalimide**

HTS number: 2925.19.10.00

CAS number: 32588-76-4

Ethylenebistetabromophthalimide is derived from the taxable chemicals bromine, ethylene, xylene, ammonia, and chlorine.

Ethylenebistetabromophthalimide is a solid produced predominantly by sulfonating and brominating phthalic anhydride in the presence of oleum and then hydrolyzing the resulting tetrabromophthalic anhydride in the presence of a solvent system and reacting it with ethylene diamine. The resulting ethylenebistetabromophthalimide is centrifuged, washed, dried/converted, milled, and packaged.

The stoichiometric material

consumption formula for ethylenebistetabromophthalimide is:

$4 \text{ Br}_2$  (bromine) +  $\text{C}_2\text{H}_4$  (ethylene) +  $2$

$\text{C}_8\text{H}_{10}$  (o-xylene) +  $2 \text{ NH}_3$  (ammonia)

+  $\text{Cl}_2$  (chlorine) +  $6 \text{ O}_2$  (oxygen) +  $8$

$\text{SO}_3$  (sulfur trioxide) —→

$\text{C}_{18}\text{H}_4\text{O}_4\text{N}_2\text{Br}_8$

(ethylenebistetabromophthalimide) +

$8 \text{ H}_2\text{O}$  (water) +  $4 \text{ SO}_2$  (sulfur dioxide)

+  $4 \text{ H}_2\text{SO}_4$  (sulfuric acid) +  $2 \text{ HCl}$

(hydrochloric acid)

Ethylenebistetabromophthalimide has been determined to be a taxable substance because a review of its