

MODIFICATION EXEMPTIONS—Continued

Application No.	Docket No.	Applicant	Regulation(s) affected	Modification of exemption	Nature of exemption therefo
8939-M		Hollice Clark Truck Fabrication, Inc., Odessa, TX.	49 CFR 173.201; 173.202; 173.203.	8939	To modify the exemption to authorize the transportation of additional Class 3 materials in non-DOT specification portable tanks manifolded together within a frame and securely mounted on a truck chassis.
9462-M		Aztec Metal Fabrication, Odessa, TX.	49 CFR 173.201; 173.202; 173.203.	9462	To modify the exemption to authorize the transportation of additional Class 3 materials in non-DOT specification portable tanks manifolded together within a frame and securely mounted on a truck chassis.
12800-M	RSPA-0110317	U.S. Department of Energy, Germantown, MD.	49 CFR 173.411(b)(2).	12800	To modify the exemption to provide relief from certain marking requirements to be used on rail cars transporting certain Class 7 materials.
13282-M	RSPA-03-16054	ConocoPhillips Alaska, Inc., Anchorage, AK.	49 CFR 173.35; 173.242(c) & (d).	13282	To modify the exemption to authorize the use of 55-gallon UN Standard 1H1 plastic drums for the transportation of Class 8 materials which exceed the quantity limitation when shipped by cargo aircraft only.
13552-M	RSPA-04-17541	Astaris LLC, Lawrence, KS.	49 CFR 173.188	13552	To reissue the exemption originally issued on an emergency basis for the transportation of a Division 4.2 material, under water, in alternative packaging.
13556-M	RSPA-04-17727	Stericycle, Inc., dba Bio Systems, Inc. Lake Forest, IL.	49 CFR 172.302(c); 173.197(d).	13556	To reissue exemption originally issued on an emergency basis for the transportation of Division 6.2 materials in non-DOT specification rigid plastic sharps containers fitted into a custom designed wheeled rack.
13596-M		Honeywell International Inc., Minneapolis, MN.	49 CFR 173.301(f)(5)	13596	To reissue the exemption originally issued on an emergency basis for the transportation of DOT Specification 3E cylinders that are over 12 inches in length without pressure relief devices.

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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 September 27, 2004.

ADDRESSES: 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 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 application 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)).

NEW EXEMPTION

Application number	Docket number	Applicant	Regulation(s) affected	Nature of exemption thereof
13736-N	RSPA-2004-18890	Conoco Phillips, Anchorage, AK	49 CFR 172.101 Table, Col (9B)	To authorize the transportation in commerce of 350-gallon bulk containers for use in transporting certain Class 3 hazardous materials. (mode 4)

NEW EXEMPTION—Continued

Application number	Docket number	Applicant	Regulation(s) affected	Nature of exemption thereof
13737-N	RSPA-2004-18903	Sexton Can Company Inc., Decatur, AL	49 CFR 173.304a	To authorize the manufacture, mark, sale and use of a DOT Specification 2Q non-refillable cylinder for use in transporting Division 2.1 flammable gas.
13738-N	RSPA-2004-18889	Department of Energy, Washington, DC	49 CFR 173.420(a)(4)	To authorize the one-time, one-way transportation of uranium hexafluoride cylinders without overpacks. (mode 1)
13756-N	RSPA-2004-18888	Ultracore Corp., Park Ridge, IL	49 CFR Subparts D, E and F of Part 172; 173.24(c) and Subparts E and F of Part 173	To authorize the transportation in commerce of a specially designed device consisting of a metal tubing containing certain hazardous materials to be transported as essentially unregulated. (modes 1, 2, 3)
13757-N	RSPA-2004-18887	Maryland Army National Guard, Havre de Grace, MD	49 CFR 178.800	To authorize the transportation in commerce of non-specification IBCs for use in transporting certain Division 6.1 hazardous materials.
13776-N	RSPA-2004-18886	MHF Logistical Solutions, Cranberry Twp., PA	49 CFR 173.427(b)(4)	To authorize the transportation in commerce of gondola cars equipped with a specially designed liner to be classified as an IP-1 package for use in transporting Class 7 hazardous materials. (mode 2)

Issued in Washington, DC, on August 23, 2004.

R. Ryan Posten,

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

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DEPARTMENT OF TRANSPORTATION**Research and Special Programs Administration**

[Docket No. RSPA-03-15122; Notice 3]

Pipeline Safety: Grant of Waiver; Duke Energy Gas Transmission Company

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

ACTION: Notice; grant of waiver.

SUMMARY: Duke Energy Gas Transmission Company (DEGT) petitioned the Research and Special Programs Administration's Office of Pipeline Safety (RSPA/OPS) for waiver of compliance with 49 CFR 192.611, which requires natural gas pipeline operators to confirm or revise the maximum allowable operating pressure (MAOP) of a pipeline after a change in class location. DEGT proposed an alternative set of risk control activities in lieu of a reduction in pressure or pressure testing of certain pipeline segments in Pennsylvania in areas that have changed from Class 1 to Class 2.

SUPPLEMENTARY INFORMATION:**Background**

In a September 13, 2002, letter, as supplemented by a letter dated February

28, 2003, DEGT requested a waiver of compliance with 49 CFR 192.611, which requires pipeline operators to confirm or revise the MAOP on their pipelines after a change in class location. DEGT identified changes from Class 1 to Class 2 in four gas transmission pipeline segments in Pennsylvania on DEGT's Lines 12 and 19, two parallel pipelines that are part of its Texas Eastern Pipeline System. DEGT proposed to conduct alternative risk control activities based on Integrity Management Program principles and requirements in lieu of compliance with 192.611 and requested an extension of the 18-month time limit to allow it to develop and propose the alternative activities. On June 11, 2003, RSPA/OPS published a notice in the **Federal Register** seeking comment on DEGT's request for an extension of time (68 FR 35051). No comments were received in response to this Notice. Following several consultations with RSPA/OPS, on October 7, 2003, DEGT presented its alternative technical proposal and asserted that the alternative risk control activities would provide a level of safety at least equivalent to that provided by compliance with the requirements of 192.611. Pursuant to RSPA/OPS' request, DEGT also provided information concerning the cause of a November 2, 2003, failure on DEGT's Line 15, a 30-inch pipeline running between Danville and Owingsville, Kentucky.

DEGT's Proposed Waiver

DEGT's waiver request involves four segments on its 24-inch Line 12 and its 30-inch Line 19 (the "waiver

segments"). The waiver segments were constructed between 1954 and 1963 and were hydrotested to at least 100% of the pipe's specified minimum yield strength (SMYS), except for 10 feet of pipe on the Bechtelsville compressor discharge line that was tested to 90% SMYS. DEGT identified the waiver segments and the areas within each segment that have changed from Class 1 to Class 2 as follows:

- Entriken Compressor Station Discharge (Mile Post (MP) 84.02-110.92)*
Line 12: MP 103.27-104.13.
Line 19: MP 103.28-104.14.
- Perulack Compressor Station Discharge (MP 110.94-138.35)*
Line 12: MP 128.02-128.28; MP 128.43-128.49; MP 131.24-131.56; and MP 132.06-132.36.
Line 19: MP 128.00-128.28; MP 128.43-128.48; MP 131.25-131.42; MP 131.51-131.57; and MP 132.05-132.35.
- Bernville Compressor Station Discharge (MP 194.17-223.52)*
Line 12: MP 201.11-201.53.
Line 19: MP 201.11-201.52.
- Bechtelsville Compressor Station Discharge (MP 223.53-263.39)*
Line 12: MP 228.13-228.28; MP 251.45-251.81; MP 259.59-259.89; and MP 260.89-261.28.
Line 19: MP 228.18-228.28; MP 251.47-251.81; MP 260.17-260.17; and MP 261.00-261.57.

DEGT requested that the waiver be immediately applicable to the specified areas within each of the waiver segments where the class location has changed. DEGT further requested that the waiver be applicable to any Class 1