

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 February 13, 2006.

**R. Ryan Posten,**

*Chief, Special Permits Program, Office of Hazardous Materials Special Permits & Approvals.*

#### MODIFICATION SPECIAL PERMITS

Application No.	Docket No.	Applicant	Regulation(s) affected	Modification of special permit	Nature of special permit thereof
10048-M .....	.....	Epichem, Inc., Haverhill, MA.	49 CFR 173.181; 173.187; 173.201, 202, 211, 212, 226, 227.	10048	To modify the special permit to authorize a non-DOT specification cylinder as an additional packaging.
10945-M .....	.....	Structural Composites Industries, Pomona, CA.	49 CFR 173.302(a); 173.304(a); 175.3.	10945	To modify the special permit to raise the load sharing capability percentage of the glass fiber wrapping of low pressure cylinders.
12373-M .....	.....	GE Energy Rentals, Inc., Atlanta, GA.	49 CFR 173.306(e)(1)	12373	To modify the special permit to authorize an alternative method for testing used refrigerating machines; to eliminate the requirement to maintain a copy of the special permit at each facility where the refrigeration machine is offered, and to eliminate the requirement to carry a copy of the special permit on motor vehicle.
12412-M .....	.....	ChemStation International, Inc., Dayton, OH.	49 CFR 177.834(h); 172.203(a); 172.302(e).	12412	To modify the special permit to provide alternative attendance requirements for Class 3 and 8 hazardous materials being unloaded from IBCs while on a motor vehicle.
13169-M .....	.....	ConocoPhillips Alaska, Inc., Anchorage, AK.	49 CFR 172.101(9B)	13169	To reissue the exemption originally issued on an emergency basis for the transportation of certain Class 9 materials in UN 31A intermediate bulk containers which exceed quantity limitations when shipped by air.
13554-M .....	.....	Agribusiness Association of Iowa, Des Moines, IA.	49 CFR 173.315(m) ...	13554	To modify the special permit to authorize up to five years to perform the external visual inspection test, conduct the hydrostatic inspection test, and conduct a thickness inspection test for cargo tanks without ASME identification plates.

[FR Doc. 06-1511 Filed 2-16-06; 8:45 am]

BILLING CODE 4909-60-M

#### 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 March 20, 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>.

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## NEW SPECIAL PERMITS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permits thereof
14310-N		Praxair, Danbury, CT	49 CFR 173.301(f)	To authorize the transportation in commerce of certain Division 2.3 gases in DOT specification cylinders without pressure relief devices. (modes 1, 3).
14311-N		The Boeing Company, St. Louis, MO.	49 CFR 173.304a; 175.3	To authorize the transportation in commerce of cylinders manufactured under DOT-E 7945 without a strong outer packaging. (mode 1).
14312-N		National Electrical Manufacturers Association, Rosslyn, VA.	49 CFR 173.421, 173.422, 173.423, 173.424.	To authorize the transportation in commerce of certain lamp and lamp components containing limited quantities of radioactive material without marking the identification number on the package. (modes 1, 2, 3, 4, 5).
14313-N		Airgas, Inc., Radnor, PA	49 CFR 173.302a (b)(2), (3), (4) and (5), 180.205, 180.209, 172.203(a), 172.301(c).	To authorize the use of ultrasonic inspection as an alternative retest method for certain DOT specification cylinders and certain cylinders manufactured under a DOT special permit. (modes 1, 2, 3).
14314-N		North American Automotive Hazmat Action Committee.	49 CFR 173.166(d)	To authorize the transportation in commerce of certain Class 9 seat belt pretensioner devices not subject to 49 CFR Parts 171-180 except for shipping papers and special permit package markings when transported by motor vehicle or rail freight. (modes 1, 2).
14315-N		Safe-T-Tank Corp., Meriden, CT.	49 CFR 177.834	To authorize the manufacture, mark, sale and use of non-bulk, non-DOT Specification metal refueling tanks for transportation of certain Class 3 liquids. (mode 1).
14316-N		VOTG North America, Inc., West Chester, PA.	49 CFR 173.315	To authorize use of a non-DOT specification IMO Type 5 portable tank, for transportation of liquefied compressed gases. (modes 1, 2, 3).
14317-N		GLI Citergaz St. Pierre D'Exideuil, Civray, France.	49 CFR 173.315	To authorize the manufacture, mark, sale and use of certain non-DOT specification steel portable tanks conforming with Section VIII, Division 2 of the ASME Code for the transportation in commerce of Division 2.1 and 2.2 materials. (modes 1, 2, 3).
14318-N		Lockheed Martin Technical Operations, Vandenberg AFB, CA.	49 CFR 173.315	To authorize transportation in commerce of non-DOT specification portable tanks conforming with the 2004 edition of Section VIII, Division 1 of the ASME Code for the transportation in commerce of certain toxic or corrosive hazardous materials. (modes 1, 3, 4).

[FR Doc. 06-1512 Filed 2-16-06; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No.: PHMSA-97-2995]

#### Pipeline Safety: Random Drug Testing Rate

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

**ACTION:** Notice of minimum annual percentage rate for random drug testing.

**SUMMARY:** Each year pipeline operators randomly select employees to test for prohibited drugs. The number of selections may not be less than the minimum annual percentage rate PHMSA determines, either 50 percent or 25 percent of covered employees, based on the industry's positive rate of

random tests. In accordance with applicable standards, PHMSA has determined that the positive rate of random drug tests reported by operators this calendar year for testing done in calendar year 2005 is less than 1.0 percent. Therefore, in calendar year 2006, the minimum annual percentage rate for random drug testing is 25 percent of covered employees.

**DATES:** Effective January 1, 2006, through December 31, 2006.

**FOR FURTHER INFORMATION CONTACT:** Stanley Kastanas, PHMSA, Room 2103, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, telephone (202) 366-3844 or e-mail [Stanley.Kastanas@DOT.GOV](mailto:Stanley.Kastanas@DOT.GOV).

**SUPPLEMENTARY INFORMATION:** Operators of gas, hazardous liquid, and carbon dioxide pipelines and operators of liquefied natural gas facilities must annually submit Management Information System (MIS) reports of drug testing done in the previous calendar year (49 CFR 199.119(a)). One

of the uses of this information is to calculate the minimum annual percentage rate at which operators must randomly select covered employees for drug testing during the next calendar year (49 CFR 199.105(c)(2)). If the minimum annual percentage rate for random drug testing is 50 percent, PHMSA may lower the rate to 25 percent if PHMSA determines that the positive rate reported for random tests for two consecutive calendar years is less than 1.0 percent (49 CFR 199.105(c)(3)). If the minimum annual percentage rate is 25 percent, PHMSA will increase the rate to 50 percent if PHMSA determines that the positive rate reported for random tests for any calendar year is equal to or greater than 1.0 percent (49 CFR 199.105(c)(4)). Part 199 defines "positive rate" as "the number of positive results for random drug tests \* \* \* plus the number of refusals of random tests \* \* \*, divided by the total number of random drug