

longer period as the Commission may designate up to ninety days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding, the Commission shall either approve the proposed rule change or institute proceedings to determine whether the proposed rule change should be disapproved. The 35th day for this filing was August 2, 2010.<sup>5</sup> The Commission had received an extension of time from FINRA until August 16, 2010.<sup>6</sup>

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider this proposed rule change, relating to the amendment of clearly erroneous execution rules to provide greater transparency and certainty to the process of breaking trades, and the comment letters that have been submitted in connection with the filing.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,<sup>7</sup> designates August 30, 2010, as the date by which the Commission should either approve or institute proceedings to determine whether to disapprove the proposed rule change.

By the Commission.

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. 2010-21094 Filed 8-24-10; 8:45 am]

**BILLING CODE 8010-01-P**

## DEPARTMENT OF STATE

[Public Notice 7129]

### Culturally Significant Objects Imported for Exhibition Determinations: "Paintings From the Reign of Victoria: The Royal Holloway Collection, London"; Correction

**AGENCY:** Department of State.

**ACTION:** Notice; correction.

**SUMMARY:** The Department of State published a document in the **Federal Register** of August 26, 2008, concerning culturally significant objects imported for exhibition determinations. The document did not state that the exhibition, "Paintings from the Reign of Victoria: The Royal Holloway Collection, London" would leave the United States after the last exhibit listed and then return for further exhibits.

<sup>5</sup> See Securities Exchange Act Release No. 62341 (June 21, 2010), 75 FR 36756 (June 28, 2010).

<sup>6</sup> FINRA submitted through the Commission's Electronic Form 19b-4 Filing System an extension of time period for Commission action through August 16, 2010.

<sup>7</sup> 15 U.S.C. 78s(b)(2).

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of exhibit objects, contact Carol B. Epstein, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (*telephone:* 202/632-6473). The address is U.S. Department of State, SA-5, L/PD, Fifth Floor, Washington, DC 20522-0505.

### Correction

In the **Federal Register** of August 26, 2008, in FR volume 73, page 50395, at the end of the determinations, should be added the following: I further determine that the return to the United States of this exhibition of culturally significant objects for display at the Chrysler Museum of Art, Norfolk, VA, from on or about September 25, 2010, until on or about January 3, 2011, and at an additional venue yet to be determined from on or about January 22, 2011, until on or about May 2, 2011, is in the public interest.

Dated: August 17, 2010.

**Ann Stock,**

*Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. C1-2010-21179 Filed 8-24-10; 8:45 am]

**BILLING CODE 4710-08-P**

## DEPARTMENT OF STATE

[Public Notice 7128]

### Bureau of Political-Military Affairs; Lifting of Policy of Denial Regarding ITAR Regulated Activities of Xe Services LLC, Formerly EP Investments, LLC (a/k/a Blackwater)

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Department of State is lifting the policy of denial regarding Xe Services LLC, formerly EP Investments, LLC (a/k/a Blackwater) imposed on December 18, 2008 (73 FR 77099) pursuant to section 38 of the Arms Export Control Act (AECA) (22 U.S.C. 2778) and section 126.7 of the International Traffic in Arms Regulations (ITAR).

**DATES:** *Effective Date:* August 17, 2010.

**FOR FURTHER INFORMATION CONTACT:** Lisa V. Studtmann, Director, Office of Defense Trade Controls Compliance, Bureau of Political-Military Affairs, Department of State, (202) 663-2980.

**SUPPLEMENTARY INFORMATION:** Section 126.7 of the ITAR provides that any application for an export license or other approval under the ITAR may be disapproved, and any license or other approval or exemption granted may be revoked, suspended, or amended without prior notice whenever, among

other things, the Department of State believes that 22 U.S.C. 2778, any regulation contained in the ITAR, or the terms of any U.S. Government export authorization (including the terms of a manufacturing license or technical assistance agreement, or export authorization granted pursuant to the Export Administration Act, as amended) has been violated by any party to the export or other person having a significant interest in the transaction; or whenever the Department of State deems such action to be in furtherance of world peace, the national security or the foreign policy of the United States, or is otherwise advisable.

On December 2, 2008, the Department of State placed EP Investments, LLC, now Xe Services LLC (a/k/a Blackwater) (hereafter referred to as Xe), including its subsidiaries or associated companies, under a policy of denial to ensure that Xe is both capable of and willing to comply with the AECA and ITAR.

The Department of State has determined that Xe has taken appropriate steps to address the causes of its ITAR violations, identify compliance problems, and resolve alleged violations. Xe replaced senior management; established, in October 2008, an independent Export Compliance Committee to oversee its remedial compliance efforts; improved ITAR compliance procedures; conducted various ITAR training; and conducted a targeted ITAR audit to confirm the effectiveness of its compliance measures. Xe entered into a civil settlement with the Department to resolve outstanding violations, institute external compliance oversight, and continue and improve compliance measures.

Therefore, the Department rescinds its denial policy against Xe and its subsidiaries and associated companies, effective August 17, 2010.

Dated: August 18, 2010.

**Andrew J. Shapiro,**

*Assistant Secretary, Bureau of Political-Military Affairs, Department of State.*

[FR Doc. 2010-21174 Filed 8-24-10; 8:45 am]

**BILLING CODE 4710-25-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Office of Hazardous Materials Safety; Actions on Special Permit Applications

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

**ACTION:** Notice of actions on special permit applications.

**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 of the actions

on special permits applications in (January to June 2010). The mode of transportation involved are identified 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. Application numbers prefixed by the letters EE

represent applications for Emergency Special Permits. It should be noted that some of the sections cited were those in effect at the time certain special permits were issued.

Issued in Washington, DC, on August 18, 2010.

**Donald Burger,**  
Chief, Special Permits and Approvals Branch.

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
<b>MODIFICATION SPECIAL PERMIT GRANTED</b>			
14282-M .....	T.F. Boyle Transportation, Inc. (Boyle Transportation) Billerica, MA.	49 CFR 173.835(g) .....	To modify the special permit to authorize an additional four Class 1 hazardous materials.
13057-M .....	MINTEQ International Inc. Canaan, CT.	49 CFR 172 Subparts D, E and F; 173.24(c) Subparts E and F of Part 173.	To modify the special permit by the deleting of three hazardous materials from paragraph 6; change the length of continuous roller coil from 10,000 meters to 12,500 meters; and authorize 12,500 meters; and authorize steel pallets in addition to wooden pallets in paragraph 7.a.(5).
9880-M .....	G.E. Reuter-Stokes, Inc., Twinsburg, OH.	49 CFR 173.302; 175.3; Part 172 Subpart E and F.	To modify the special permit to authorize one drop test instead of 5 drop tests every 24 months and in section 8.e. add "e.e. radiation sensor" after "Each packaging manufactured".
11911-M .....	Transfer Flow, Inc., Chico, CA	49 CFR 178.700 thru 178.8 19	To modify the special permit to authorize new part numbers for tank drawings; to add several new refueling systems; to add two new fuel caps; and to add several new fuel tanks to the special permit.
14656-M .....	PurePak Technology Corporation, Chandler, AZ.	49 CFR 173.158 (f)(3) .....	To modify the special permit to authorize the use of a 38 mm closure in addition to the currently authorized 45 mm tamper evident closure.
14772-M .....	GE Hitachi Nuclear, Energy Americas, LLC, Sunsol, CA.	49 CFR 173.416 .....	To modify the special permit to authorize an increase of the total number of authorized shipments from eight (8) to twenty (20) shipments.
14372-M .....	Garrett Aviation Services LLC dba Standard Aero, Augusta, GA.	49 CFR 173.301 (a)(1); 173.304.	To modify the special permit to add an additional type certificate to 7.b.(2) and to allow production markings to be obliterated as part of the retest.
11598-M .....	Metalcraft, Inc., Baltimore, MD	49 CFR 175.3; 180.209 .....	To modify the special permit to authorize an additional Division 2.2 hazardous material.
14815-M .....	Air Products and Chemicals, Inc., Allentown, PA.	49 CFR 173.315 .....	To reissue the special permit originally issued on an emergency basis to authorize transportation in commerce of nitrous oxide, refrigerated liquid in fifteen non-DOT specification portable tanks that were manufactured to the EN 13530 standard instead of the ASME Code Section VIII.
10326-M .....	Honeywell International, Inc., Morristown, NJ.	49 CFR 178.44; 173.302(a)(2); 175.3.	To modify the special permit to authorize the plating on the EED Cartridge connector pins to be gold and to add drawing 3258082-2 to the special permit.
12087-M .....	LND, Inc., Oceanside, NY .....	49 CFR 172.101, (Col. 9); 173.306; 175.3.	To modify the special permit to decrease the maximum allowable pressure from 25 PSIG to 5 PSIG; to add two new design types; and allow the maximum volume of the radiation sensor to be a function of the fill pressure not to exceed 57 grams of BF3 per sensor.
14466-M .....	Alaska Central Express, Inc., Anchorage, AK.	49 CFR 172.101 Column (9B)	To modify the special permit to authorize an additional Division 1.1D hazardous material.
14925-M .....	Warbelow's Air Ventures, Inc., Fairbanks, AK.	49 CFR 173.302(1) .....	To modify the special permit to extend the date in paragraph 11(b) to September 30, 2010.
14844-M .....	Northern Air Cargo, Anchorage, AK.	49 CFR 173.302(f) .....	To modify the special permit to authorize cylinders of less than 116 cubic feet to be used after June 30, 2010, to include other oxidizing gases and that the human and veterinary use only provision be removed.
14922-M .....	Peninsula Airways Inc. (PenAir) Anchorage, AK.	49 CFR 173.302(1) .....	To modify the special permit to extend the date in paragraph 11(b) to September 30, 2010.
14923-M .....	Spernak Airways, Anchorage, AK.	49 CFR 173.302(f) .....	To modify the special permit to extend the date in paragraph 11(b) to September 30, 2010.
14906-M .....	Arctic Transportation Services, Anchorage, AK.	49 CFR 173.302(f) .....	To modify the special permit to extend the date in paragraph 11(b) to September 30, 2010.
14931-M .....	Tucker Aviation Inc., Dillingham, AK.	49 CFR 173.302(f) .....	To modify the special permit to extend the date in paragraph 11(b) to September 30, 2010.
14904-M .....	Tatonduk Outfitters Limited dba Everts Air Alaska, Fairbanks, AK.	49 CFR 173.302(f) .....	To modify the special permit to extend the date in paragraph 11(b) to September 30, 2010.

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
14974-M .....	Continental Batteries, Dallas, TX.	49 CFR 173.159 (e)(4) .....	To reissue the special permit originally issued on an emergency basis to authorize transportation in commerce of lead batteries from more than one shipper without voiding the exception in § 173.159(e).

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
----------	-----------	---------------	----------------------------------

**NEW SPECIAL PERMIT GRANTED**

14967-N .....	GFS Chemicals, Inc., Columbus, OH.	49 CFR 171-180 .....	To authorize the one-time transportation in commerce of certain hazardous materials to a new site to be transported as essentially unregulated (mode 1).
14966-N .....	Vulcore Industrial LLC, Fort Wayne, IN.	49 CFR 173.302 and 180 .205	To authorize the manufacture, marking, sale and use of non-DOT specification cylinders for the transportation of compressed air for use in self contained breathing apparatus (modes 1, 2, 3, 4, 5).
14969-N .....	Pace Air Freight, Inc., Plainfield, IN.	49 CFR 173.196 and 178.609	To authorize the one-way transportation in commerce of certain Category A infectious substances in alternative packaging (freezers) by motor vehicle (mode 1).
14971-N .....	Northrop Grumman Corporation, Baltimore, MD.	49 CFR 173.24 .....	To allow the controlled release of nitrogen and air from a cylinder during transportation to maintain an inert atmosphere in a shipping container to protect the electronic sensors for a satellite (mode 1).
14974-N .....	Continental Batteries, Dallas, TX.	49 CFR 173.159 (e)(4) .....	To authorize the transportation in commerce of lead batteries from more than one shipper without voiding the exception in § 173.159(e) (mode 1).
14978-N .....	Air Products and Chemicals, Inc., Allentown, PA.	49 CFR 173.181 .....	To authorize the transportation in commerce of pyrophoric liquids in inner metal containers (bubblers) with openings greater than 25mm (1 inch) which are engineered to specific electronics applications that require a larger opening (modes 1, 3).
14981-N .....	Eclipse Aerospace, Inc. (EAI), Albuquerque, NM.	49 CFR 173.309(b) .....	To authorize the manufacture, marking, sale and use of non-DOT specification cylinders for use as fire extinguishers (modes 1, 2, 3, 4, 5).
14991-N .....	Intex Recreation Corp., Long Beach, CA.	49 CFR 173.150 and 172.3 16	To authorize the transportation in commerce of above ground swimming pool kits containing one .2 ounce tube of flammable adhesive each without being marked ORM-D and exceeding the 66 pound weight restriction (mode 1).
14995-N .....	Grasshopper Aviation, LLC, Wasilla, AK.	49 CFR 172.101 .....	To authorize the Column (9B) transportation in commerce of certain Class I explosive materials which are forbidden for transportation by air, to be transported by cargo aircraft within the State of Alaska when other means of transportation are impracticable or not available (mode 4).
15005-N .....	Coastal Helicopters, Inc., Juneau, AK.	49 CFR 172.101 Column (9B), 172.204(c)(3), 173.27(b)(2), 175.30(a)(1).	To authorize the transportation in commerce of propane in DOT Specification 4B240, 4BA240, 4BW240 cylinders via helicopter utilizing sling load and 175.75 operations within the state of Alaska without being subject to hazard communication requirements, quantity limitations and certain loading and stowage requirements (mode 4).

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
----------	-----------	---------------	----------------------------------

**EMERGENCY SPECIAL PERMIT GRANTED**

14927-M .....	ERA Aviation, Anchorage, AK	49 CFR 173.302(f) .....	To extend the temporary time limit of June 30 to September 30 to comply with new oxygen cylinder packaging requirements (modes 4, 5).
14909-M .....	Lake Clark Air, Inc., Port Alsworth, AK.	49 CFR 173.304(f) .....	To modify the special permit to extend the date in paragraph 11(b) to September 30, 2010 (modes 4, 5).
14908-M .....	Conocophillips Alaska, Inc., Anchorage, AK.	49 CFR 173.302(f) .....	To modify the special permit to authorize the extension of paragraph 11(b) to September 30, 2010.
14926-M .....	Lynden Air Cargo, Anchorage, AK.	49 CFR 173.302(f) .....	To modify the special permit to authorize the extension of paragraph 11(b) to September 30, 2010 (modes 4, 5).
14905-M .....	Frontier Flying Service, Inc., Fairbanks, AK.	49 CFR 173.302(f) .....	To modify the special permit to authorize the extension of paragraph 11(b) to September 30, 2010 (modes 4, 5).
14903-M .....	Hageland Aviation Services, Inc., Anchorage, AK.	49 CFR 173.302(f) .....	To modify the special permit to authorize the extension of paragraph 11(b) to September 30, 2010 (modes 4, 5).
14860-M .....	Alaska Airlines, Seattle, WA ...	49 CFR 173.302(f) .....	To modify the special permit to authorize the extension of paragraph 11(b) to September 30, 2010 (modes 4, 5).

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
14984-N .....	Air Products and Chemicals, Inc., Allentown, PA.	49 CFR 171.23(a)(1) and (3) ..	To authorize the transportation in commerce of certain non-DOT specification foreign cylinders containing Dichlorosilane by motor vehicle and cargo vessel (modes 1, 3).
14983-N .....	Teck Alaska, Inc. Red Dog Operations, Anchorage, AK.	49 CFR 49 CFR 172.101 Column 9(B).	To authorize the transportation in commerce of Xanthates, which exceeds the quantity limitations specified for transportation by cargo aircraft and to add Comustible Liquid n.o.s. (Mineral Oil, Kerosene) N/A UN 1993 PG III (modes 1, 4).
14961-N .....	Lynden Air Cargo, Anchorage, AK.	49 CFR 171.24(d)(2) .....	To authorize the air transportation in commerce of cylinders of compressed oxygen without rigid outer packaging to Haiti earthquake disaster areas (mode 4).
14962-N .....	Northern Air Cargo, Anchorage, AK.	49 CFR.	
14963-N .....	National Air Cargo Group dba National Airlines, Ypsilanti, MI.	49 CFR 172.101 Column (9B), 172.204(c)(3), 173.27(b)(2) and (b)(3) 175.30(a)(1).	To authorize the one-time, one-way transportation in commerce of certain explosives that are and forbidden for transportation or the quantity limits are exceeded for transportation by cargo only aircraft (mode 4).
14964-N .....	Korean Air Lines Co., Ltd. (KAL), Los Angeles, CA.	49 CFR 172.101 Column (9B), 172.204(c)(3), 173.27, 175.30(a)(1), 175.320.	To authorize the air transportation in commerce of certain explosives which are forbidden for shipment by cargo-only aircraft (mode 4).
14973-N .....	NEC Corporation, Fuchu, Tokyo 183-8501.	49 CFR 173.304a, 173301, 172.101 Table Column (9B).	To authorize the transportation in commerce of anhydrous ammonia in non-DOT specification packaging (heat pipes) for installation in a satellite (modes 1, 4).
14975-N .....	Atlas Air, Inc., Miami, FL .....	49 CFR .....	To authorize the one-time transportation in commerce of certain explosives and Division 4.2 hazardous materials that are forbidden for transportation or the quantity limits are exceeded for transportation by cargo only aircraft (mode 4).
14976-N .....	Air Transport International, L.L.C., Little Rock, AR.	49 CFR .....	To authorize the one-time transportation in commerce of certain explosives and Division 4.2 hazardous materials that are forbidden for transportation or the quantity limits are exceeded for transportation by cargo only aircraft (mode 4).
14993-N .....	Ball Corporation, Elgin, FL .....	49 CFR 172.301(c) .....	To authorize the transportation in commerce of approximately 173,160 cans containing whipped cream under pressure that were manufactured under DOT-SP 7951 but were inadvertently marked "DOT-SP 2951." (mode 1).
14996-N .....	Skydance Helicopters of Northern Nevada, Inc., Minden, NV.	49 CFR 172.101 Column (9B), 172.204(c)(3), 173.27(b)(2) and 175.30(a)(1).	To authorize the transportation in commerce of certain forbidden explosives in sling load operations in remote areas of the U.S. without being subject to hazard communication requirements, quantity limitations and certain loading and stowage requirements (mode 4).
15006-N .....	Alpine Air Alaska, Inc., Girdwood, AK.	49 CFR 172.101 Column (9B)	To authorize the transportation in commerce of certain Class 1 explosive materials which are forbidden for transportation by air, to be transported by cargo aircraft within the State of Alaska when other means of transportation are impracticable or not available (mode 4).
15014-N .....	Air Logistics of Alaska Inc., Fairbanks, AK.	49 CFR 172.101 Column (9B)	To authorize the transportation in commerce of certain Class 1 explosive materials which are forbidden for transportation by air, to be transported by cargo aircraft within the State of Alaska when other means of transportation are impracticable or not available (mode 4).
15015-N .....	Wood Group Production Services, Sheridan, WY.	49 CFR 172.101 Column (9B)	To authorize the one-time, one-way transportation in commerce of 11 pounds of Division 1.3C explosives that is forbidden for air transportation (mode 4).
15051-N .....	High Five Fireworks, Inc., Junction City, OR.	49 CFR 173.56 .....	To authorize the one-time, one-way transportation in commerce of certain unapproved fireworks to a warehouse (mode 1).

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
----------	-----------	---------------	----------------------------------

**MODIFICATION SPECIAL PERMIT WITHDRAWN**

10266-M .....	LDH Energy Pipeline LP (Former Grantee: Louis Dreyfus Pipeline LP) Houston, TX.	49 CFR 173.119 .....	To modify the special permit to authorize the deletion of 6 hazardous materials in paragraph 6 of special permit; delete a truck; add a new truck and a new truck drawing to the special permit.
11447-M .....	SAES Pure Gas, Inc., San Louis Obispo, CA.	49 CFR 173.187 .....	To modify the special permit to increase the number of pressure vessels from six to eight.
11489-M .....	TRW, Washington, MI .....	49 CFR 172.320; 173.56(b) ....	To modify the special permit to authorize an additional Division 1.4C explosive article.

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
13998-M .....	Digital Wave Corporation, Centennial, CO.	49 CFR 172.203(a); 172.302a(b)(2),(4)(5); 180.205(f)(g); 180.209(a), (b)(1)(iv).	To modify the special permit to authorize the use of tare weight to identify DOT 3A/3AA cylinders.
14206-M .....	Digital Wave Corporation, Englewood, CO.	49 CFR 180.205 .....	To modify the special permit to authorize the use of tare weight to identify DOT 3A/3AA cylinders.
14867-M .....	GTM Manufacturing, LLC, Amarillo, TX.	49 CFR 173.302a, 173.304a ..	To modify the special permit to authorize cargo vessel and rail freight as additional modes of transportation and to add Division 2.1 and 2.2 hazardous materials to the special permit.

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
----------	-----------	---------------	----------------------------------

**NEW SPECIAL PERMIT WITHDRAWN**

14970-N .....	AmeriGlobe LLC, Lafayette, LA.	49 CFR 178.700 .....	To authorize the manufacture, marking, sale and use of flexible intermediate bulk containers that contain a net mass of less than 400 kg (modes 1, 2, 3, 4, 5).
14987-N .....	Line Pressure, Inc., Englewood, CO.	49 CFR 172.407 .....	To authorize the transportation in commerce of cylinders containing medical gas with modified hazard warning labels (modes 1, 2).
14986-N .....	National Aeronautics and Space Administration (NASA) Kennedy Space Center, FL.	49 CFR 173.302a .....	To authorize the transportation in commerce of nitrogen, compressed in alternative packaging (a Flex Hose Rotary Coupler Integrated assembly) (modes 1, 4).
14990-N .....	Manufacturing Technologies Incorporated, Albuquerque, NM.	49 CFR 178.65 .....	To authorize the manufacture, marking, sale and use of non-DOT specification cylinders conforming to the DOT Specification 39 except they are manufactured from stainless steel (modes 1, 2, 3, 4, 5).
15000-N .....	FIBA Technologies, Inc., Millbury, MA.	49 CFR 180.205(f) and (g) and 180.209(a).	To authorize the transportation in commerce of certain hazardous materials in DOT Specification 3AL cylinders manufactured from aluminum alloy 6061-T6 that are requalified every ten years rather than every five years using 100% ultrasonic examination (modes 1, 2, 3, 4, 5).

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
----------	-----------	---------------	----------------------------------

**EMERGENCY SPECIAL PERMIT WITHDRAWN**

14998-N .....	Daniels SharpSmart, Inc., Baltimore, MD.	49 CFR 173.197 .....	To authorize the transportation in commerce of regulated medical waste in 450 gallon Gaylord boxes by motor vehicle (mode I).
---------------	--	----------------------	---

**DENIED**

11761-M .....	Request by Eli Lilly & Company, Clinton, IN, August 02, 2010. To modify the special permit to add an additional Class 8 hazardous material.		
14979-N .....	Request by M & N Aviation, Inc., Carolina, March 31, 2010. To authorize the air transportation in commerce of certain explosives which are forbidden or exceed quantity limits for shipment by cargo-only aircraft.		

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
14429-M .....	Schering-Plough, Summit, NJ	49 CFR 173.306(a)(3)(v) .....	To modify the special permit to authorize an alternative testing method to the hot water bath.
14968-N .....	Zubiate Machine Works LLC, Roosevelt, UT.	49 CFR 177.834 .....	To authorize the manufacture, mark and sale of refueling tanks as intermediate bulk containers for use in transporting various Class 3 hazardous materials and discharging without being removed from the motor vehicle (mode 1).
14982-N .....	StarLite Propane Gas Corporation, Bay Shore, NY.	49 CFR.	
15009-N .....	R M A Lumber Inc., Dill Wyn, VA.	49 CFR 107 .....	Transport Cargo tank off Road Diesel Fuel on lowboy (mode 1).
15011-N .....	SolvChem, Pearland, TX .....	49 CFR 173.24(g) 49 CFR 173.24a(b)4 49 CFR parts 106, 107, 171-180.	SP-11836 (mode 1).

S.P No.	Applicant	Regulation(s)	Nature of special permit thereof
15016-N .....	Ashland Inc., Pittsburgh, PA ...	49 CFR 177.834(i)(4) .....	49 CFR 177.834(i)(4) requires that the qualified person is authorized to move the cargo tank, and he has the means to do so. We are requesting relief from this part of the regulation. Our safety policy in the plant requires that in the event of an emergency the transfer is shut down and all personnel must report to an assembly point for accountability. All motor vehicles are shut down and not permitted to move which become an ignition source. (mode 1).
15017-N .....	Ashland Inc., Pittsburgh, PA ...	49 CFR 177.834(i)(4) .....	49 CFR 177.834(i)(4) requires that the qualified person is authorized to move the cargo tank, and he has the means to do so. We are requesting relief from this part of the regulation. Our safety policy in the plant requires that in the event of an emergency the transfer is shut down and all personnel must report to an assembly point for accountability. All motor vehicles are shut down and not permitted to move which become an ignition source (mode 1).
15018-N .....	Modern Gas, Greenwich, CT ..	49 CFR 173.315 .....	Need to transport 500 gallon above ground propane storage tank with 50% product in it because we are unable to remove existing product (mode 1).
15020-N .....	ChemQuest, Inc., Pasadena, TX.	49 CFR 107.109 .....	To obtain special permit DOT-SP 11836 for Aqua Ammonia Drums (mode 1).
15021-N .....	New York & Atlantic Railway, Ridgewood, NY.	49 CFR SP7616 .....	Applying for SP7616 (mode 2).
15024-N .....	New Hampshire Northcoast Corp., Ossipee, NH.	49 CFR 107.107 .....	Party status to DOT-SP7616 (mode 2).
15025-N .....	Burlington Containers, Brooklyn, NY.	49 CFR 173.226 and 173.227	To authorize the transportation in commerce of certain materials toxic by inhalation, Hazard Zone A and B, in alternative packaging (mode 1).
15032-N .....	GE Transportation, ERIE, PA	49 CFR § 173.189 .....	The United States recently submitted a UN paper (ST/SG/AC.10/c.3/2010/30) requesting a change to Special Provision 239 of the UN Model Regulations to be considered at the upcoming meeting in Geneva June 21-30 2010. This change would allow additional types of sodium battery chemistries to be shipped under UN3292, Batteries, containing sodium. Currently the DOT regulations in 49 CFR § 173.189, ICAO Special Provision A94 and Special Provision 239 of the UN Model Regulations are specific to batteries with chemistries containing sodium, sulphur, and polysulfides only. These regulations do not make allowance for newer battery chemistry technologies to be shipped, such as those containing a corrosive electrolyte consisting of sodium tetrachloroaluminate (a corrosive solid, PGIII) as the secondary electrolyte. We are requesting a special permit to allow batteries containing sodium tetrachloroaluminate (a corrosive solid, PGIII) to be shipped under the DOT regulations via ground, air, and water. (modes 1, 2, 3, 4).
15034-N .....	Saima Avandero, Fiumicino (Rome), It.	49 CFR—Special Provision USG-05.	Requesting the permit for carrying explosive on a cargo aircraft on behalf of the Italian Ministry of Defence for the "Red Flag" Exercise (mode 4).
15039-N .....	Boehike Bottled Gas Corp., Cedarburg, WI.	49 CFR Parts 106, 107 and 171-180.	Applying for DOT-SP 13341 for Boehlke Bottled Gas Corp. Member of NPGA (mode 1).
15049-N .....	Hernco Fabrication & Services, Midland, TX.	49 CFR—We are requesting that Special Permit SP-13027 be renewed. The current form of this special permit is accurate and unchanged..	We are requesting that Special Permit SP-13027 be renewed.
15057-N .....	Department of Forestry and Fire Protection, McClellan, CA.	49 CFR Parts 106, 107, 171-180.	Renewal for DOT-SP 9198 (mode 4).
15064-N .....	Ouachita Railroad, El Dorado, AR.	49 CFR 107.109 .....	Requesting a DOT-SP 7616 for the Ouachita Railroad (mode 2).
14958-N .....	.....	49 CFR.	
15008-N .....	NOVEL Chemical Solutions, Crete, NE.	49 CFR 172.301 .....	NCS need the DOT-SP 172.301 for shipping nonbulk packages of hazardous good (research chemicals) to pharmaceutical companies. (modes 1, 3, 4, 5).
15035-N .....	Drexel Chemical, Memphis, TN.	49 CFR 107.109 .....	Special Permit to carry Aluminum phosphide in limited Quantities by private motor vehicles without a placarded.

[FR Doc. 2010-20910 Filed 8-24-10; 8:45 am]

BILLING CODE 4909-60-M

**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 (PHMSA), DOT.

**ACTION:** List of applications for modification of 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 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 modification 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 application for special permits to facilitate processing.

**DATES:** Comments must be received on or before September 9, 2010.

*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, East Building, PHH-30, 1200 New Jersey Avenue, SE., Washington, DC or at <http://regulations.gov>.

This notice of receipt of applications for modification of special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5 117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on August 19, 2010.

**Donald Burger,**  
*Chief, Special Permits and Approvals Branch.*

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
<b>MODIFICATION SPECIAL PERMITS</b>				
8453-M .....	.....	R&R Trucking, Inc., Duenweg, MO.	49 CFR 173.1 14a .....	To modify the special permit to add an additional Division 5.1 hazardous material.
10656-M .....	.....	The Conference of Radiation Control Program Directors, Inc., Frankfort, KY.	49 CFR 172.203(d); Part 172, Subparts C, D, E, F, G.	To modify the special permit add 49 CFR Part 172 Subpart I as it pertains to security plans to the list of regulations exempted in paragraph 4.
11406-M .....	.....	Conference of Radiation Control Program Directors, Inc. 174, Frankfort, KY.	49 CFR Part 172, Subparts C, D, E, F, G, H; Part 173, Subparts B, I; Subpart K; 177.842.	To modify the special permit add 49 CFR Part 172 Subpart I as it pertains to security 173.22(a)(1); Part plans to the list of regulations exempted in paragraph 4.
12463-M .....	.....	Washington State Dept./ Washington State Ferries, Seattle, WA.	49 CFR 172.101 Column (10); 172.301(c); 172.302(c); 173.302(a).	To modify the special permit to add a new vessel.
12930-M .....	.....	Roeder Cartage Company, Inc., Lima, OH.	49 CFR I 80.407(c),(e) and (f).	To modify the special permit to add an additional Class 8 hazardous material and two additional trailers.
13112-M .....	.....	Conax Florida Corporation, St. Petersburg, FL.	49 CFR 173.302; 175.3	To modify the special permit to change a drawing number; to lower the temperature range for the safety device and pressure relief system; and change the maximum service pressure, the minimum test pressure and the minimum burst pressure.
132 13-M .....	.....	Washington State Ferries, Seattle, WA.	49 CFR 172.101(10a) ....	To modify the special permit to add a new vessel.
1331 3-M .....	.....	Washington State Ferries Inc., Seattle, WA.	49 CFR 172.101(10a) ....	To modify the special permit to add of a new vessel.
14466-M .....	.....	Arctic Circle Air Service, Fairbanks, AK.	49 CFR 172.101 Column (9B).	To modify the special permit to add an additional Division 1.1D hazardous material.
14849-M .....	.....	Rechargeable Battery Recycling Corporation, Atlanta, GA.	49 CFR 172.200, 172.300, 172.400.	To modify the special permit to authorize cargo vessel shipments from Puerto Rico and Guam.
14854-M .....	.....	Airgas, Inc., Radnor, PA .....	49 CFR 180.209 .....	To modify the special permit to waive the requirement to have each shipping paper the notation "DOT-SP 14954".