

*Intended Commercial Use Of Vessel: "Private Vessel Charters, Passengers Only"*

*Geographic Region: "Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, California, Oregon, Washington, and Alaska (excluding waters in Southeastern Alaska and waters North of a line between Gore Point to Cape Suckling [including the North Gulf Coast and Prince William Sound])."*

The complete application is given in DOT docket MARAD-2013-0106 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR Part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

#### Privacy Act

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).

By Order of the Maritime Administrator.  
Dated: September 16, 2013.

**Christine Gurland,**

*Acting Secretary, Maritime Administration.*

[FR Doc. 2013-23183 Filed 9-23-13; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2013-0210, Notice No. 13-16]

#### Safety Advisory: Unauthorized Marking of Compressed Gas Cylinders

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

**ACTION:** Safety Advisory Notice.

**SUMMARY:** PHMSA is issuing this safety advisory to notify the public of the unauthorized marking of high pressure compressed gas cylinders by Beauchesne Fire Equipment located at 21 Freeman St. Attleboro Falls, MA.

**FOR FURTHER INFORMATION CONTACT:** Chris Michalski, Senior Hazardous Materials Investigator, Eastern Region, Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 820 Bear Tavern Road, Suite 306, West Trenton, NJ 08034. Telephone: (609) 989-2256, Fax: (609) 989-2277 or, via email: [chris.michalski@dot.gov](mailto:chris.michalski@dot.gov)

**SUPPLEMENTARY INFORMATION:** Agents from the U.S. DOT Inspector General's Office in Cambridge, MA, with assistance from a PHMSA investigator from the Eastern Region Field Operations Office, recently conducted an investigation into allegations that Beauchesne Fire Equipment (BFE) represented high pressure DOT specification and special permit cylinders as requalified in accordance with the Hazardous Materials Regulations (HMR; 49 CFR Part 171-180) without conducting the required hydrostatic testing. The investigation revealed that BFE marked approximately 5,900 high pressure compressed gas cylinders with test dates and Qualifier Identification Number (RIN) H557 in 2011 and 2012 without conducting the prescribed hydrostatic testing of these cylinders.

On May 14, 2013, Aaron Beauchesne, the owner of BFE, pleaded guilty in the U.S. District Court, District of Massachusetts to violating the Federal hazardous materials transportation law (49 U.S.C. 5101-5128) relating to testing and requalification of compressed gas cylinders.

A cylinder requalification consisting of a visual inspection and a hydrostatic test, conducted as prescribed in the HMR, is used to verify the structural integrity of a cylinder. If the requalification is not performed in

accordance with the HMR, a cylinder with compromised structural integrity may be returned to service when it is not safe or authorized for use. Extensive property damage, serious personal injury, or death could result from rupture of a cylinder.

On September 18, 2013, PHMSA terminated the RIN Approval H557 issued to Beauchesne Fire Equipment. Any cylinder stamped with the RIN H557 with a test date in 2011 or 2012 should be considered unsafe and not authorized to be filled with hazardous material unless the cylinder is first properly visually examined and hydrostatically tested by an individual or company authorized to requalify DOT specification cylinders. Cylinders described in this safety advisory that are filled with an atmospheric gas should be vented or otherwise safely discharged. Cylinders that are filled with a material other than an atmospheric gas should not be vented, but instead should be safely discharged. Prior to refilling, the cylinders must be taken to a DOT-authorized cylinder requalifier to ensure their suitability for continued service. A list of authorized requalifiers may be obtained at this Web site: <http://www.phmsa.dot.gov/hazmat/regs/sp-a/approvals/cylinders>.

Issued in Washington, DC, on September 18, 2013.

**R. Ryan Posten,**

*Deputy Associate Administrator for Hazardous Materials Safety.*

[FR Doc. 2013-23104 Filed 9-23-13; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2013-0195, Notice No. 13-12]

#### Safety Advisory: Unauthorized Filling of Compressed Gas Cylinders

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

**ACTION:** Safety Advisory Notice.

**SUMMARY:** This is to notify the public that PHMSA has confirmed that Komer Carbonic Corp., 12120 Cloverdale Street, Detroit, MI 48021, improperly filled and offered for transportation high pressure compressed gas cylinders (DOT Specification 3A, 3AA and 3AL) without verifying that they met the appropriate safety requirements for continued use. The US DOT PHMSA was alerted on July 5, 2013 and verified on July 9, 2013 that Komer Carbonic