### TABLE 2—REQUESTED DOCUMENTATION TO REISSUE APPROVALS IN DIFFERENT SCENARIOS—Continued

| Total Purchase | Company A buys 100% of Company B. Both companies hold EX approvals. Company B will now operate under Company A’s name. Company A wants to use Company B’s EX approvals. Company A buys less than 100% of Company B’s assets. Company A wants to use Company B’s EX approvals. | Yes | Yes | Yes | Yes (sales agreement) | No. |
| Partial Purchase (Assets). | X Corporation has three subsidiaries that are distinct legal entities: • X LLC, • X Inc., and • X LP. X Corporation wants to use X Inc.’s EX approvals. | N/A. Reissuing of EX numbers is not permitted. Each of the four companies (one parent and three subsidiaries) needs EX approvals for covered activities. Each of these entities is a separate “person” based on the definition PHMSA uses. The term “person” refers to each separate legal entity, such as a corporation, partnership, association, or LLC, or LP. This means that a separately incorporated subsidiary (or LLC or LP) must apply for their own approval if it engages in activities that require an EX approval, even when a parent company already holds an EX approval. |
| New Additional, U.S. Facility. | New Primary, U.S. Facility. Company X changes “principal place of business” to new U.S. facility, and therefore must submit an application to amend its EX approval. | No | Yes | Yes | No | No. |
| New Primary, U.S. Facility. | Additional Facility Abroad. Company X purchases an additional manufacturing plant location outside of the United States. | N/A. All manufacturing locations outside of the U.S. are required to apply for their own EX approvals. |
| Additional Facility Abroad. | New Name, Same Legal Structure. Company X changes its name to “Company Y,” but does not change the legal structure or ownership of the company. | No | Yes | Yes | No | No. |
| New Name, Same Legal Structure. | New Name, New Legal Structure. Company X, LLC changes its name to “Company X, Inc.” indicating a change in legal structure. Company X, Inc. wants to use Company X, LLC’s approval. | Yes | Yes | Yes | No | No. |
| New Name, New Legal Structure. | Bankruptcy …… Debtor holds an EX approval with PHMSA and goes into bankruptcy. | N/A. EX approvals are non-transferable and cannot be treated as assets in the event of a bankruptcy. |

### DEPARTMENT OF TRANSPORTATION

**Pipeline and Hazardous Materials Safety Administration**

**Hazardous Materials: Notice of Applications for New Special Permits**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), 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, 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 November 7, 2019.

**ADDRESSES:** 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.


**SUPPLEMENTARY INFORMATION:** Copies of the applications are available for inspection in the Records Center, East Building, PHH–30, 1200 New Jersey Avenue Southeast, Washington DC or at [http://regulations.gov](http://regulations.gov).

This notice of receipt of applications for special permit 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 October 2, 2019.

Donald P. Burger, Chief, General Approvals and Permits Branch.
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, 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 October 23, 2019.

Addresses: 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.


Supplementary Information: Copies of the applications are available for inspection in the Records Center, East Building, PHH–30, 1200 New Jersey Avenue Southeast, Washington DC or at http://regulations.gov.

This notice of receipt of applications for special permit 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 October 02, 2019.

Donald P. Burger,
Chief, General Approvals and Permits Branch.