

CTA states its belief that the missing markings do not impact the operational safety of the tires. CTA adds that the subject tire sidewalls contain the correct markings for the Load Index and load capacities for single and dual fitments and that “there is no higher load tire specified for size 245/70R17 in the [Tire and Rim Association] yearbook or the European Tyre and Rim Technical Organization, thus the tires could not mistakenly be placed in an overloaded application.”

CTA contends that the granting of a petition submitted by Michelin North America Incorporated describes a similar noncompliance to the one affecting the subject tires and therefore, supports the granting of its petition. *See* Michelin North America, Incorporated, Grant of Petition for Decision of Inconsequential Noncompliance, 78 FR 30963 (May 23, 2013).

CTA also says that the subject tires were installed on “pre-serial production vehicles” that were not sold to end consumers or released into the replacement tire market. Additionally, CTA says that all remaining CTA inventory will be destroyed and that “no additional tires will be manufactured or sold with the noncompliance.”

CTA concludes that the subject noncompliance is inconsequential as it relates to motor vehicle safety and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

In response to email correspondence from NHTSA on November 7, 2022, CTA clarified that Rivian owned, controlled, and operated the subject vehicles and the tires were sent to

Toyota Arizona Proving Grounds for Prototype vehicle testing.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject tires that CTA no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve equipment distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after CTA notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

Otto G. Matheke III,
Director, Office of Vehicle Safety Compliance.
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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Hazardous Materials: Notice of Actions on Special Permits

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, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein.

DATES: Comments must be received on or before May 20, 2024.

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.

FOR FURTHER INFORMATION CONTACT: Donald Burger, Chief, Office of Hazardous Materials Safety General Approvals and Permits Branch, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington, DC 20590-0001, (202) 366-4535.

SUPPLEMENTARY INFORMATION: Copies of the applications are available for inspection in the Records Center, East Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington DC.

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 April 5, 2024.

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

Application number	Applicant	Regulation(s) affected	Nature of the special permits thereof
SPECIAL PERMITS DATA—Granted			
10427-M	Astrotech Space Operations LLC.	173.61(a), 173.301(g), 173.302(a).	To modify the special permit to authorize additional hazardous materials and to increase the height in paragraph 7.b.(3)(viii) to 70 feet.
11379-M	ZF Passive Safety Systems US Inc.	173.302(a)(1), 173.301(a)	To modify the special permit to authorize reduced frequency of cylinder burst testing.
12116-M	Proserv UK Ltd	173.201, 173.301(f), 173.302a, 173.304a.	To modify the special permit to authorize an additional cylinder.
14981-M	Eclipse Aerospace, Inc	173.335(a)	To modify the special permit to authorize an additional packaging.
20567-M	Omni Tanker Pty. Ltd	107.503(b), 107.503(c), 172.102(c)(3), 173.241, 173.242, 173.243, 178.345-1, 178.347-1, 178.348-1.	To modify the special permit to authorize additional drawings and packaging specifications.
20936-M	CO2 Exchange LLC	171.2(k), 172.200, 172.300, 172.700(a), 172.400, 172.500.	To modify the special permit to authorize different hazard communication information on a package marking and different reoffering provisions in paragraph 8.b.

Application number	Applicant	Regulation(s) affected	Nature of the special permits thereof
21470-M	Honeywell Intellectual Properties Inc.	178.35(e), 178.44(a), 178.44(b), 178.44(c), 178.44(d), 178.44(e), 178.44(f)(1), 178.44(f)(2), 178.44(g), 178.44(h), 178.44(j)(1), 178.44(j)(2), 178.44(j)(3), 178.44(k), 178.44(l), 178.44(m), 178.44(n), 178.44(o), 178.44(p), 178.44(p)(1), 178.44(p)(2), 178.44(p)(2)(i), 178.44(p)(2)(ii), 178.44(p)(3), 178.44(p)(4), 178.44(q), 178.44(r)(1), 178.44(r)(2), 178.44(s).	To modify the special permit to remove drawing revision letters and allow incorporation of Class II Engineering Changes to improve manufacturing yield.
21510-N	ENK Co. Ltd	173.302a(b)(2), 173.302a(b)(3), 173.302a(b)(4), 173.302a(b)(5), 180.205(c), 180.205(f), 180.205(i), 180.209(a), 180.213, 180.205(g).	To authorize the transportation in commerce of certain gases in DOT 3AA, 3AA, or 3T cylinders. The cylinders are re-tested by acoustic emission and ultrasonic examination (AE/UE) described in paragraph 7. below in place of the internal visual inspection and the hydrostatic retest required in § 180.205.
21541-N	S. C. Johnson & Son, Inc	178.33-7	To authorize the manufacture, mark, sale, and use of non-DOT specification containers conforming with all regulations applicable to a DOT specification 2P inner metal receptacle except for wall thickness, for the transportation in commerce of certain Division 2.1 aerosols.
21664-N	Champion Container Corporation.	173.158(f)(3)	To authorize the manufacture, mark, sale, and use of UN 4G specification packagings for the transport of nitric acid where the inner packagings are not further individually overpacked in tightly closed metal packagings.
21669-N	Versum Materials US, LLC	173.302a(b)(5)	To authorize the one-time transportation of a cylinder pressurized to 110% of its marked service pressure, similar to DOT SP-6530.
21671-N	PPI Supplies LLC	107.105(c)(2), 107.105(c)(3), 107.105(c)(4), 107.105(c)(7), 107.105(c)(8), 107.105(c)(14).	To authorize the transportation in commerce of certain used DOT Specification 3AL cylinders that contain carbon dioxide with alternative hazard communication.
21672-N	High Performance Helicopters Corp.	172.101(j), 172.301(c)	To authorize the transportation in commerce of gasoline by 14 CFR Part 133 cargo-only aircraft (rotorcraft external load operations) in which hazardous materials are attached to or suspended from the aircraft in remote areas of the U.S. only when other means of transportation are impracticable.
21675-N	Zoox, Inc	173.185(a)(1), 173.220(d)	To authorize the transportation in commerce aboard cargo-only aircraft of battery-powered vehicles containing prototype and low production lithium ion batteries for testing.
21685-N	Kit Helicopter Operations LLC	172.101(j), 172.200, 172.301(c), 175.75, 178.1.	To authorize the transportation in commerce of certain hazardous materials by 14 CFR Part 133 Rotorcraft External Load Operations transporting hazardous materials attached to or suspended from an aircraft in remote areas of the US only, without being subject to hazard communication requirements, quantity limitations and certain loading and stowage requirements.
21687-N	Scientific Design Company, Inc.	173.213	To authorize the transportation in commerce of waste hazardous substances in non-DOT specification packaging.
21706-N	Call2Recycle, Inc	172.401(a), 172.102(c), 172.303(a), 173.159(f), 173.159a(c)(2), 173.159a(d)(1).	To authorize the manufacture, mark, sale, and use of UN 1A2 metal drums for the transportation in commerce of cells and batteries, including those contained in or packed with equipment, for disposal or recycling purposes.
21730-N	Janssen Pharmaceutica	172.101(j)	To authorize the transportation in commerce of certain Division 4.2 materials exceeding the quantity limitations by air.

SPECIAL PERMITS DATA—Denied

21662-N	Tank Traders Missouri	180.215	To authorize the transportation in commerce of propane cylinders where the visual inspection record is created in an alternative manner.
21665-N	Weilert Enterprises, Inc	178.935(c)(1)	To authorize the manufacture, mark, sale, and use of UN 50D plywood large packagings each with a volumetric capacity greater than 3,000 L for the transportation in commerce of the hazardous materials authorized by this special permit.

Application number	Applicant	Regulation(s) affected	Nature of the special permits thereof
21699-N	Alloy Products Corp	178.69	To authorize the manufacture, mark, sale, and use of UN specification drums intended for use as pressure vessels.

SPECIAL PERMITS DATA—Withdrawn

21689-N	FIBA Technologies, Inc	178.35(b)	To authorize the use of statistical sampling for cylinder manufacturing in lieu of chemical analyses being conducted in the United States.
21712-N	Apple Inc	172.101(j), 172	To authorize the transportation in commerce of lithium batteries exceeding 35 kg by cargo-only aircraft.
21719-N	ERCO Worldwide (USA) Inc ...	172.302(c), 173.26, 173.314(c), 179.13(b).	To authorize the transportation in commerce of tank cars containing chlorine in quantities that exceed the specified limits.
21732-N	Post Warehouse Corp	173.224(b), 173.224(b)	To authorize the one-time transportation in commerce of N,N'-dinitrosopentamethylenetetramine (self-reactive material, Type C), in concentrations that exceed those authorized in 49 CFR 173.224(b) Self-Reactive Materials Table, for the purpose of disposal.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Hazardous Materials: Notice of Applications for Modification to Special Permits

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, notice is hereby given that the Office of Hazardous Materials Safety

has received the application described herein.

DATES: Comments must be received on or before May 3, 2024.

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.

FOR FURTHER INFORMATION CONTACT: Donald Burger, Chief, Office of Hazardous Materials Safety General Approvals and Permits Branch, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington, DC 20590-0001, (202) 366-4535.

SUPPLEMENTARY INFORMATION: 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.

Copies of the applications are available for inspection in the Records Center, East Building, PHH-13, 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 April 5, 2024.

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

SPECIAL PERMITS DATA

Application No.	Applicant	Regulation(s) affected	Nature of the Special Permits thereof
11107-M	Pacific Scientific Energetic Materials Company (California).	173.51(a), 173.54	To modify the special permit to remove names of specific authorized carriers and to update the length of the tray. (mode 1).
11818-M	Raytheon Company	172.101(j), 172.101(j)(1), 173.301(f), 173.302a(a)(1), 173.304a(a)(2).	To modify the special permit to authorize an additional hazardous material and to authorize the military-grade system to be designed and analyzed to MIL-STD-810. (modes 1, 3, 4).
15583-M	Northern Air Cargo, LLC	172.101(j)(1), 172.301(c), 173.62(c).	To modify the special permit to authorize an additional hazardous material. (mode 4).
16318-M	Technical Chemical Company	173.304(d), 173.167(a), 173.302(a), 173.306(i).	To modify the special permit to authorize an additional hazardous material. (modes 1, 2, 3, 4, 5).
20418-M	Hanwha Cimarron LLC	173.302(a), 173.304	To modify the special permit to authorize an extended service life program. (modes 1, 2, 3).
20952-M	Capella Space Corp	173.185(a)(1), 173.301(f)(1), 173.302a(a)(1), 178.35(e).	To modify the special permit to reference DOT-SP 21479 and DOT-SP 11818. (modes 1, 4).
21136-M	Hanwha Cimarron LLC	173.302(a)	To modify the special permit to authorize an extended service life program. (modes 1, 2, 3).
21491-M	Hanwha Cimarron LLC	173.302(a)	To modify the special permit to authorize an extended service life program. (modes 1, 2, 3).