

## NEW EXEMPTION

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
14036-N .....	.....	Roche Diagnostics Corporation Indianapolis, IN.	49 CFR 173.56(b); (e)(3); (e)(4) and (i).	To authorize the transportation in commerce of unapproved Class 1 explosive materials in PG I performance level UN Standard packing. (mode 1).
14037-N .....	.....	Air Products and Chemicals, Inc. Allentown, PA.	49 CFR 173.301(f)(3); 180.205(c)(4).	To authorize the transportation in commerce of hydrogen chloride, anhydrous in DOT specification seamless steel cylinders equipped with CG-4 pressure relief devices set at 3,360 psig. (modes 1, 2, 3).
14038-N .....	.....	Dow Chemical Company Midland, MI.	49 CFR 172.203(a), 173.26 and 179.13.	To authorize the transportation in commerce of Class 8 hazardous materials in DOT specification 111A100W6 tank car tanks that exceed the maximum allowable gross weight on rail (263,000 lbs.). (mode 2).
14039-N .....	.....	Chlorine Service Company Kingwood, TX.	49 CFR 178.245-1(a) .....	To authorize the manufacture, marking, sale and use of certain DOT Specification 51 steel portable tanks or UN steel portable tanks conforming with Section VIII, Division 2 of the ASME Code instead of Section VIII, Division 1, for the transportation in commerce of Division 2.1 and 2.2 materials. (modes 1, 2, 3).
14040-N .....	.....	Clean Harbors Environmental Services, Inc. San Diego, CA.	49 CFR 173.304(d) .....	To authorize the one-time transportation in commerce of foreign cylinders for disposal. (mode 1).

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## DEPARTMENT OF TRANSPORTATION

## Research and Special Programs Administration

## Office of Hazardous Materials Safety; Notice of Applications for Modification of Exemption

**AGENCY:** Research and Special Programs Administration, DOT.

**ACTION:** List of applications for modification of exemption.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions 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. 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. Request of modifications of exemptions (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. Their applications have been separated from the new application for exemption to facilitate processing.

**DATES:** Comments must be received on or before December 28, 2004.

**ADDRESS COMMENTS TO:** Record Center, Research and Special Programs 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 exemption 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>.

This notice of receipt of applications for modification of exemption 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 December 6, 2004.

**R. Ryan Posten,**

*Exemptions Program Officer, Office of Hazardous Materials Exemptions & Approvals.*

## MODIFICATION EXEMPTIONS

Application No.	Docket No.	Applicant	Regulation(s) affected	Modification of exemption	Nature of exemption thereof
7774-M .....	.....	Pipe Recovery Systems, Inc. Houston, TX.	49 CFR 172.301(c); 173.228(a); 175.3.	7774	To modify the exemption to extend the length of the non-DOT specification nonrefillable seamless cylinder to 84 inches.
8826-M .....	.....	Phoenix Air Group, Inc. Cartersville, GA.	49 CFR 172.101; 172.204(c)(3); 173.27; 175.30(a)(1); 175.320(b).	8826	To modify the exemption to provide relief from certain reporting requirements during operation of cargo only aircraft when transporting explosives.

## MODIFICATION EXEMPTIONS—Continued

Application No.	Docket No.	Applicant	Regulation(s) affected	Modification of exemption	Nature of exemption thereof
9969-M .....		Kin-Tek Laboratories, Inc. La Marque, TX.	49 CFR Subparts C, E and F of Part 172.	9969	To modify the exemption to authorize an alternative diffusing end to the non-DOT specification inner receptacle.
11388-M .....		Nalco Company (formerly ONDEO Nalco Company) Naperville, IL.	49 CFR 173.243 .....	11388	To modify the exemption to authorize the transportation of additional Class 3 materials in DOT Specification 57 portable tanks.
11537-M .....		ChemStation International, Inc. Dayton, OH.	49 CFR 177.834(h) .....	11537	To modify the exemption to authorize the transportation of a Class 3 and additional Class 8 material and use of an alternative monitoring method for the DOT Specification UN31H2 or UN31HA1 IBCs without removing the IBC from the vehicle on which it is transported.
11654-M .....		Celanese Ltd. (formerly Celanese Chemicals) Dallas, TX.	49 CFR 172.203(a); 173.31(c)(1); 179.13.	11654	To modify the exemption to authorize the transportation of an additional Class 3 material in DOT Class 105S tank cars.
11769-M .....		Los Angeles Chemical Company South Gate, CA.	49 CFR 177.834(h) .....	11769	To modify the exemption to authorize the transportation of an additional Division 5.1 material in UN Intermediate Bulk Containers (IBCs) without removing the IBC from the vehicle.
13192-M .....	RSPA-03-14315	Pollution Control Industries, Inc. East Chicago, IN.	49 CFR 173.12(b) .....	13192	To modify the exemption to provide additional relief from the stowage and segregation requirements for all hazardous materials shipped in a lab pack.
13488-M .....	RSPA-04-17301	FABER INDUSTRIES SPA (U.S. Agent: Kaplan Industries, Maple Shade, NJ).	49 CFR 173.301(a)(1); 173.301(a)(2); 173.302a(a)(1) and 178.37.	13488	To modify the exemption to authorize the use of an alternative size Charpy V-notch specimen and relief from the flawed burst test requirements for non-DOT specification cylinders.
13577-M .....	RSPA-04-18710	Scott Medical Products, a division of Scott Specialty Gases, Inc. Plumsteadville, PA.	49 CFR 173.306(a)(3)(ii); 173.306(a)(3)(v).	13577	To modify the exemption to authorize the use of an alternative valve neck closure for the non-DOT specification inside metal containers.
13976-M .....	RSPA-04-19464	Osmose Utilities Services, Inc. Buffalo, NY.	49 CFR 172.504(a) .....	13976	To reissue the exemption originally issued on an emergency basis for the transportation of certain UN Standard combination packages which contain a Division 6.1 material in utility vehicles that are not placarded.

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## DEPARTMENT OF VETERANS AFFAIRS

### Advisory Committee on Chiropractic Care Implementation; Notice of Establishment

As required by Section 9(a)(2) of the Federal Advisory Committee Act, the Department of Veterans Affairs (VA) hereby gives notice of the establishment of the Advisory Committee on Chiropractic Care Implementation. The Secretary of Veterans Affairs has determined that establishing the

Committee is both necessary and in the public interest.

The Committee will monitor and oversee activities to establish a chiropractic health program within VA, and it will advise the Secretary on the implementation and evaluation of that program. Much of the Committee's work will focus on carrying out the VA-endorsed recommendations of the Chiropractic Advisory Committee, an advisory committee whose statutory authority will expire on December 31, 2004. The Chiropractic Advisory Committee has been operational since 2002, has held its final meeting and has submitted its final report to the Secretary.

The Advisory Committee on Chiropractic Care Implementation will

review critical issues that affect program implementation, recommend program enhancements and provide guidance on long range planning. The Committee will include members of the chiropractic care profession and such other members as the Secretary considers appropriate.

The Advisory Committee on Chiropractic Care Implementation will meet periodically through 2005 and will be terminated no later than December 31, 2005.

Dated: December 6, 2004.

By Direction of the Secretary.

**E. Philip Riggins,**

*Committee Management Officer.*

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