

Electronic Access

An electronic copy of this document may be downloaded by using a computer, modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202)512-1661. Internet users may reach the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's web site at: <http://www.access.gpo.gov/nara>.

Background

The FHWA, in cooperation with the Idaho Transportation Department, will prepare an environmental impact statement (EIS) on proposed transportation improvements to the Highway 75 corridor from the intersection with Highway 20 (Timmerman Junction) north to Ketchum, Idaho. The EIS process will include identification of issues, development of the project's purpose and need, and identification and evaluation of a range of multi modal transportation alternatives as well as project mitigation measures.

A series of public scoping meetings will be held in Hailey and Ketchum Idaho to ensure that the full range of issues related to this proposed action are identified. Notices of specific meeting times and places will be placed in local newspapers. In addition, public meetings and consultation with Federal, State and local agencies will also be held. Comments and suggestions are invited from all interested parties. Comments or questions can be directed to the contacts listed in the caption **FOR FURTHER INFORMATION CONTACT**.

Authority: 23 U.S.C. 315; 23 CFR 1.48.

Issued on: September 28, 2000.

Stephen A. Moreno,
Division Administrator.

[FR Doc. 00-25435 Filed 10-3-00; 8:45 am]

BILLING CODE 4910-22-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 2000-8014; Notice 1]

Mercedes-Benz USA, Receipt of Application for Decision of Inconsequential Noncompliance

Mercedes-Benz, U.S.A., L.L.C., Montvale, New Jersey (MBUSA), has determined that a limited number of model year 2000 Mercedes-Benz CL500 vehicles were produced and sold with upper beam headlamps that do not meet the photometric requirements mandated

by Federal Motor Vehicle Safety Standard (FMVSS) No. 108, "Lamps, Reflective Devices, and Associated Equipment." A number of Mercedes-Benz CL500 vehicles were produced with upper beam headlamps that exceed the photometric limits of FMVSS 108.

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Mercedes-Benz has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

This notice of receipt of this application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

Mercedes-Benz CL500 vehicles are equipped with Xenon headlamps. The lamps are a type of lighting technology that replaces the filament of the light bulb with a capsule of gas, in this case Xenon. When high voltage is applied, the Xenon gas is ignited to produce an arc of light. The amount of light produced is greater than a standard halogen bulb, while consuming less power, and more closely approximating the color temperature of natural daylight. When the lower beams of the Mercedes-Benz CL500 are illuminated, the Xenon lamps are illuminated and, through the use of a mechanical flap, are directed at an angle that optimizes illumination of road surfaces in front of the vehicle. In lower-beam mode the Xenon lamps meet all photometric requirements outlined in FMVSS 108. When the upper beam headlamps are activated, the mechanical flap alters the angle of the Xenon lamp illumination to provide higher angle illumination. In 613 Model Year 2000 CL500 vehicles, in addition to the Xenon lamp, a separate H7 lamp was improperly wired to illuminate at the same time the mechanical flap was activated to increase the Xenon light angle. In upper-beam mode, the Xenon and H7 lamp combination emit 89,000 candela of light and 12,731 candela of light at test points H,V and 4D-V respectively. This measurement exceeds the maximum photometric requirements of FMVSS 108 by approximately 20 percent.

MBUSA does not believe that the foregoing noncompliance will impact motor vehicle safety for the following reasons:

(1) Only a very limited number of Mercedes-Benz CL500 vehicles were produced containing the foregoing noncompliance (613 units). This number represents only minimal

percentage of all vehicles operating in the United States.

(2) Upper beam headlamps are not legal in States for operation in the presence of oncoming traffic. Therefore, the higher output upper beam headlamps will likely not even be noticed by other drivers or vehicle occupants. Moreover, MBUSA believes that the approximately 20% increase in upper beam headlamp output in affected CL500's is indistinguishable to occupants of oncoming vehicles.

(3) With regards to the driver of the affected vehicles, MBUSA believes that the increase in output for upper beam headlamps may actually enhance vehicle safety in that drivers will have a greater view down the road thereby providing earlier warning of obstacles in the vehicle's intended path of travel.

MBUSA has not received, nor is the Company aware of, any complaints, accidents or injuries caused by the higher output upper beam headlamps.

Interested persons are invited to submit written data, views, and arguments on the application described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation, Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below. Comment closing date: November 3, 2000.

(49 U.S.C. 301118, 301120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: September 28, 2000.

Stephen R. Kratzke,

Associate Administrator for Safety Performance Standards.

[FR Doc. 00-25436 Filed 10-3-00; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Actions on Exemption Applications

AGENCY: Research and Special Programs Administration, DOT

ACTION: Notice of actions on Exemption Applications.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given of the actions on exemption applications in May–August 2000. The modes 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 Exemptions. It should be noted that some of the

sections cited were those in effect at the time certain exemptions were issued.

Issued in Washington, DC, on September 28, 2000.

J. Suzanne Hedgepeth,

Director, Office of Hazardous Materials Exemptions and Approvals.

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
Modification Exemptions				
8723–M	DOT–E 8723	Austin Powder Company, Cleveland, OH.	49 CFR 172.101, 173.242, 173.62, 176.83, 177.848.	To modify the exemption to allow for an additional tote bin packaging for the transportation in commerce of bulk shipments of certain blasting agents.
9830–M	DOT–E 9830	Worthington Cylinder Corporation, Columbus, OH.	49 CFR 173.201, 173.202, 173.203, 173.302(a), 173.304(a), 173.304(d), 175.3.	To modify the exemption to allow for the transportation of Class 3 and Division 6.1 materials in non-DOT specification stainless steel cylinders designed in part with DOT Specification 4BA cylinders.
10555–M	DOT–E 10555	Pacific Scientific, HTL/KIN-Tech Division, Duarte, CA.	49 CFR 173.304(a)(1), 175.3	To modify the exemption to allow for the transportation of an additional Division 2.2 material in an alternative non-DOT specification cylinder.
10595–M	DOT–E 10595	Allied Universal Corp., Miami, FL	49 CFR 176.67(i), (j)	To modify the exemption to allow for the transportation of Class 8 materials in tanks cars, to remain standing with unloading connections attached when no product is being transferred.
10704–M	DOT–E 10704	Puritan-Bennett Medical Gases (Mallinckrodt, Inc.), Overland Park, KS.	49 CFR 173.302(a), Part 172, Part 172, Subpart C, E & F, Part 174, Part 177.	To modify the exemption to allow for calibration and functional checks of medical analyzers or monitors; lower minimum burst pressure to 340 psig.
10832–M	DOT–E 10832	Autoliv ASP, Inc., Ogden, UT	49 CFR 173.56(b), 173.61(b), Part 172, Subpart D, E.	To modify the exemption to include two additional manufacturing sites for the transportation for disposal of unapproved waste explosive materials used in passive restraint systems.
11327–M	DOT–E 11327	Phoenix Services Limited Partnership, Pasadena, MD.	49 CFR 172.101 Column (8b), (8c), 173.197.	To modify the exemption to include changes to the packaging system for the transportation of regulated medical waste in non-DOT specification dual packaging.
11327–M	DOT–E 11327	Phoenix Services Limited Partnership, Pasadena, MD.	49 CFR 172.101 Column (8b), (8c), 173.197.	To modify the exemption to allow for the use of an additional container design type for the transportation of regulated medical waste.
11406–M	DOT–E 11406	Conf. of Radiation Control Program Directors, Inc., Frankfort, KY.	49 CFR 173.22(a)(1), 177.842, Part 172, Subparts C, D, E, F, G, H, Part 173, Subparts B, I, Part 174, Subpart K.	To modify the exemption to revise approval provisions and documentation required for shipments of waste or recycled materials, Class 7.
11548–M	DOT–E 11548	Lyondell Chemical Co/Equistar Chemicals, LP, Houston, TX.	49 CFR 173.187, 173.211, 173.212, 173.213.	To modify the exemption to allow for the transportation of additional Division 4.1 and Division 4.2 materials in DOT Specification cylinders except Specification 8 and 3HT.
11722–M	DOT–E 11722	CITERGAS, S.A., Civray, FR	49 CFR 173.302	To modify the exemption to permit new construction of the non-DOT specification spherical pressure vessels and additions to the product list.

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
11749-M	DOT-E 11749	Union Tank Car Company, East Chicago, IN.	49 CFR 172.203(a), 172.302(c), 180.509(e).	To modify the exemption to change the requirements for shippers holding party status and the need for them to maintain a copy of the exemption at their facilities.
11749-M	DOT-E 11749	Union Tank Car Company, East Chicago, IN.	49 CFR 172.203(a), 172.302(c), 180.509(e).	To modify the exemption to allow for the use of acoustic emission for specific areas of a tank car in conjunction with other non-destructive test methods for structural integrity inspections.
11761-M	DOT-E 11761	Westvaco Corporation, Richmond, VA.	49 CFR 172.302(c), 173.31(d)(1)(vi).	To modify the exemption to allow for the transportation of additional Class 8 materials in certain DOT specification and AAR specification tank cars; to allow relief from the marking requirements.
11761-M	DOT-E 11761	Vulcan Chemicals, Birmingham, AL.	49 CFR 172.302(c), 173.31(d)(1)(vi).	To modify the exemption to eliminate the marking requirements of certain DOT specifications and AAR specifications tank cars containing a residue of Class 8 materials.
11777-M	DOT-E 11777	Autoliv ASP, Inc., Ogden, UT	49 CFR 173.301(h), 173.302	To modify the exemption to authorize a design change to allow for side wall attachment studs on a non-DOT specification pressure vessel.
12132-M	DOT-E 12132	Carleton Technologies, Inc., Orchard Park, NY.	49 CFR 173.302(a)(1), 175.3, 178.35, 178.65.	To modify the exemption to allow for a design change of the hermetically sealed high pressure gas cylinder containing Division 2.2 argon gas.
12189-M	DOT-E 12189	Automotive Recyclers Association, Fairfax, VA.	49 CFR 173.166(c)(5)	To modify the exemption to allow for rail freight and cargo vessel as authorized modes of transportation for shipments of air bag modules or seat belt pretensioners.
12221-M	DOT-E 12221	Advanced Technology Materials, Inc. (ATMI), Danbury, CT.	49 CFR 173.192, 173.302, 173.304.	To modify the exemption to authorize non-DOT specification containers to be constructed of stainless steel; smaller initial capacity size for specific lab containers; and the inclusion of Division 2.2, 6.1 and additional Division 2.3 materials.
12378-M	DOT-E 12378	Federal Express Corporation, Memphis, TN.	49 CFR 172.203(a), 172.301(c), 175.33.	To modify the exemption to eliminate the recordkeeping requirements outlines in the exemption for the transportation of dry ice not meeting the exceptions identified in Section 175.10.
12378-M	DOT-E 12378	Federal Express, Memphis, TN	49 CFR 172.203(a), 172.301(c), 175.33.	To modify the exemption to indicate applicability to companies under subcontract operating under exclusive use for Federal Express for the transportation in commerce of dry ice by cargo aircraft only.
12399-M	DOT-E 12399	BOC Gases, Murray Hill, NJ	49 CFR 173.34(e)(1), 173.34(e)(14), 173.34(e)(15)(vi), 173.34(e)(3), 173.34(e)(4), 173.34(e)(8).	To modify the exemption to amend the equipment performance and test procedure language authorizing the use of an alternative test method for certain DOT Specification 3AL cylinders for the transportation of compressed gases.

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
12447-M	DOT-E 12447	Akzo Nobel Coatings, Inc., Norcross, GA.	49 CFR 172.407(c)(1)	To reissue the exemption originally issued on an emergency basis authorizing the use of hazard warning labels that do not conform with the specifications in the HMR.
12448-M	DOT-E 12448	Onyx Environmental Services, L.L.C., Flanders, NJ.	49 CFR 173.304(a)(2)	To reissue the exemption originally issued on an emergency basis for the transportation of anhydrous ammonia in DOT specification cylinders.
12463-M	DOT-E 12463	Washington State Ferries, Seattle, WA.	49 CFR 172.101 Column (10), 172.301(c), 172.302(c), 173.302(a).	To reissue the exemption originally issued on an emergency basis for the transportation of oxygen, refrigerated liquid, in insulated cylinders or insulated cargo tanks aboard passenger vessels.
12106-N	DOT-E 12106	Air Liquide America Corporation, Houston, TX.	49 CFR 173.24(g), 173.314(o)	To authorize the venting of a DOT-specification 105A400W tank car used for the transportation of carbon dioxide, Division 2.2. (mode 2)
12205-N	DOT-E 12205	Independent Chemical Corp., Glendale, NY.	49 CFR 177.848	To authorize the transportation in commerce of Division 4.2 and Class 8 material inside poly bags within plastic lined UN 1G/Y fiber drums to be transported exempt from segregation criteria. (mode 1)
12292-N	DOT-E 12292	Westway Trading Corporation, New Orleans, LA.	49 CFR 179.12	To authorize the one-time transportation in commerce of a loaded non-hazardous material railcars containing broken interior steam coils. (mode 2)
12297-N	DOT-E 12297	Applied Companies, Valencia, CA	49 CFR 173.302	To authorize the transportation in commerce of non-DOT specification cylinders for aircraft use constructed of stainless steel with a psi maximum service pressure that exceeds the requirement for use in transportation Division 2.2 material. (mode 4)
12325-N	DOT-E 12325	Lifeline Technologies, Inc., Sharon Hill, PA.	49 CFR 172.302(c), 174.67(i), (j) ..	To authorize an alternative monitoring system during unloading of various hazardous materials without the physical presence of an unloader. (mode 2)
12341-N	DOT-E 12341	Space Systems/Loral, Palo Alto, CA.	49 CFR 173.302	To authorize the transportation in commerce of non-DOT Specification cylinders pressurized to a low storage pressure with Division 2.2 material. (modes 1, 4)
12350-N	DOT-E 12350	BAC Technologies, Ltd, West Liberty, OH.	49 CFR 173.302(a), 173.304(a), 173.34, 175.3.	To authorize the manufacture, marking and sale of non-DOT specification fiber reinforced plastic full composite cylinders for the transportation in commerce of certain compressed gases. (modes 1, 2, 3, 4, 5)
12356-N	DOT-E 12356	Memorial Healthcare System, Pembroke Pines, FL.	49 CFR 172.101 Columns (8b), (8c), 173.197.	To authorize the transportation in commerce of Regulated medical waste, Division 6.1, in polyethylene bags overpacked in non-DOT specification bulk bins. (mode 1)
12370-N	DOT-E 12370	Eurotainer US, Inc., Somerset, NJ	49 CFR 173.242(c)	To authorize the transportation in commerce of Division 4.2 and 6.1 hazardous materials in IM-101 portable tanks. (modes 1, 2, 3)

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
12383-N	DOT-E 12383	Sealift Inc., Oyster Bay, NY	49 CFR 176.116(e)(3)	To authorize the transportation in commerce of Class 1 explosives onboard cargo vessel to be exempt from stowage requirements. (mode 3)
12385-N	DOT-E 12385	Maine Yankee Atomic Power Co., Wiscasset, ME.	49 CFR 173.403, 173.427(a)	To authorize the transportation in commerce of steam generators and pressurizer packages containing radioactive components. (modes 1, 3)
12386-N	DOT-E 12386	Maine Yankee Atomic Power Co., Wiscasset, ME.	49 CFR 173.411, 173.427(a)(1), 173.465.	To authorize the transportation in commerce of an atomic power station reactor pressure vessel. (modes 1, 2)
12388-N	DOT-E 12388	Mountain Safety Research, Seattle, WA.	49 CFR 173.304(d)(3)(ii), 178.33 ..	To authorize the transportation in commerce of a non-DOT specification container conforming to DOT specification 2P, except for size, testing requirements, and markings, for use in transporting Division 2.1 material. (modes 1, 2, 3, 4)
12390-N	DOT-E 12390	Industrial Metals, Beaumont, TX ..	49 CFR 172.203(a), 173.242	To authorize the transportation in commerce of IM-101 portable tanks equipped with alternative relief valve for use in transporting Class 3 material. (modes 1, 3)
12396-N	DOT-E 12396	United States Alliance, Houston, TX.	49 CFR 173.302(a), 173.34(d), 175.3.	To authorize the transportation in commerce of a non-DOT specification cylinder as part of a specifically designed device for space flight for use in transporting Nitrogen, Division 2.2. (modes 1, 4)
12398-N	DOT-E 12398	Praxair, Danbury, CT	49 CFR 173.34(d), 178.35(e)	To authorize the transportation in commerce of DOT 3A and 3AA cylinders equipped with alternative relief devices for use in transporting Division 2.2 material. (modes 1, 2)
12399-N	DOT-E 12399	BOC Gases, Murray Hill, NJ	49 CFR 173.34(e)(1), 173.34(e)(14), 173.34(e)(15)(vi), 173.34(e)(3), 173.34(e)(4), 173.34(e)(8).	To authorize the use of ultrasonic inspection as an alternative retest method for DOT Specification 3AL cylinders. (modes 1, 2, 3)
12402-N	DOT-E 12402	Taylor-Wharton, Huntsville, AL	49 CFR 172.203(a), 172.301(c), 178.35(f)(2)(i), 178.39(e).	To authorize the manufacture, marking and sale of non-DOT specification cylinders (comparable to DOT Specification 3BN cylinders) equipped with an alternative bottom plug for use in transporting presently authorized hazardous materials. (modes 1, 2, 3, 4, 5)
12407-N	DOT-E 12407	Qual-X, Inc., Powell, OH	49 CFR 173.403, 173.410, 173.412, 173.465, 173.466.	To authorize the transportation in commerce of a specially designed device containing Class 7 hazardous materials. (mode 1)
12411-N	DOT-E 12411	International Fuel Cells, South Windsor, CT.	49 CFR 173.212	To authorize the transportation in commerce of dry metal catalysts classified as, Self-heating, solid, inorganic, n.o.s., Division 4.2, in non-DOT specification packaging. (modes 1, 3, 4)
12414-N	DOT-E 12414	Med-Flex, Inc., Mt. Holly, NJ	49 CFR 172.101 Columns (8b), (8c), 173.197.	To authorize the transportation in commerce of solid regulated medical waste in non-DOT specification packaging consisting of a bulk outer packaging and non-bulk inner packagings. (mode 1)

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
12415-N	DOT-E 12415	Canberra Industries, Meriden, CT	49 CFR 173.302, 175.3	To authorize the manufacture, mark, sale and use of non-DOT specification containers described as hermetically-sealed electron tube devices for use in transporting various Division 2.2 material. (modes 1, 2, 3, 4, 5)
12423-N	DOT-E 12423	Reagent Chemical & Research, Inc., Houston, TX.	49 CFR 172.203(a), 179.13	To authorize the transportation in commerce of DOT 111A100W5 tank cars that exceed the authorized load capacity for use in transporting hydrochloric acid, Class 8. (mode 2)
12429-N	DOT-E 12429	National Aeronautics & Space Administration (NASA), Washington, DC.	49 CFR 172.203(a), 172.301(c), 173.309.	To authorize the transportation of carbon dioxide in flight certified, cylindrical portable fire extinguishers used as part of a specially designed device for the Space Station Program. (mode 1)
12431-N	DOT-E 12431	TITEQ Corp., Palmdale, CA	49 CFR 172.302, 173.304, 175.3	To authorize the manufacture, marking, and sale of a reusable non-DOT specification, welded stainless steel cylinder for use in transportation of certain Division 2.2 materials. (modes 1, 2, 4, 5)
12432-N	DOT-E 12432	Toxco Inc., Anaheim, CA	49 CFR 171.14(a)(1)	To authorize the transportation in commerce of Class 8 material in non-UN packaging after October 1, 2001 that was filled prior to October 1, 1991. (mode 1)
12437-N	DOT-E 12437	Stericycle, Inc., Atlanta, GA	49 CFR 172.101 Columns (8b), (8c), 173.197.	To authorize the transportation in commerce of non-DOT specification steel roll-off containers as outer packagings for use in transporting medical waste in dual packaging. (mode 1)
12442-N	DOT-E 12442	Cryogenic Vessel Alternatives, La Porte, TX.	49 CFR 176.76(g)(1), 178.318	To authorize the transportation in commerce of liquid nitrogen, cryogenic liquid, Division 2.2 in insulated portable tanks by cargo vessel for delivery to oil and gas production facilities. (modes 1, 3)
12449-N	DOT-E 12449	Chlorine Service Company, Kingswood, TX.	49 CFR 173.314	To authorize the manufacture, marking and sale of a non-DOT specification pressure vessel for use in transporting compressed gases classed in Division 2.1 and 2.2. (modes 1, 2, 3)
12450-N	DOT-E 12450	Chlorine Service Company, Kingswood, TX.	49 CFR 173.314	To authorize the manufacture, marking and sale of a non-DOT specification pressure vessel for use in transporting chlorine, Division 2.3. (modes 1, 2, 3)
12452-N	DOT-E 12452	CA Dept. of Health Services, Berkeley, CA.	49 CFR 172.301(a), 172.301(b), 172.301(c), 173.196, Subpart C of Part 172.	To authorize the transportation in commerce of biological specimens classed as infectious substance (Etiologic agent) in specially designed packagings inside mechanical freezers. (mode 1)
12483-N	DOT-E 12483	Security Disposal Inc., Waycross, GA.	49 CFR 172.101 Columns (8b), (8c), 173.197.	To authorize the transportation in commerce of solid regulated medical waste, Division 6.2, in a non-DOT specification packaging consisting of a bulk outer packaging and non-bulk inner packagings. (mode 1)

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
12492-N	DOT-E 12492	Honeywell International Inc., Morristown, NJ.	49 CFR 173.304(a)(1)	To authorize the transportation in commerce of liquefied gas, n.o.s., Division 2.2 in DOT-3AL 1800 cylinders. (modes 1, 2, 3)

Emergency Exemptions

EE 8178-M	DOT-E 8178	NASA, Washington, DC	49 CFR 173.302(a), 173.34(d), 175.3.	Request for emergency mod to extend the life cycle of the primary oxygen bottles to 25 years or 375 pressurizations. (modes 1, 4)
EE 9275-P	DOT-E 9275	Blissworld, Brooklyn, NY	49 CFR Parts 100-199	To become a party to exemption 9275. (modes 1, 2, 3)
EE 9791-M	DOT-E 9791	Pressed Steel Tank Co., Inc., Milwaukee, WI.	49 CFR 173.301(h), 173.302(a), 173.34(a)(1).	Request for authorization for an additional grade of steel used in the manufacture of non-DOT spec. cylinders. (mode 1)
EE 10926-M	DOT-E 10926	Radcal Corporation, Monrovia, CA	49 CFR 173.302, 173.34(d), 175.3	To modify the exemption to authorize the manufacture, marking, sale and use of non-DOT specification radiation monitors without a safety relief device, which have passed an additional drop test procedure, for the transportation of argon, compressed. (modes 1, 4, 5)
EE 11103-M	DOT-E 11103	Space Systems/Loral, Palo Alto, CA.	49 CFR 107.302	To modify the exemption to allow for an alternate landing site for the GOES weather satellite containing non-DOT specification spherical containers pressurized with certain Division 2.2 materials. (mode 1)
EE 12453-M	DOT-E 12453	EQ-The Environmental Quality Company, Wayne, MI.	49 CFR 172.302(c), 173.24b(d)(2), 173.26.	Extended exemption to provide for shipment of two additional overloaded rail cars. (mode 2)
EE 12458-N	DOT-E 12458	Bimax Inc., Cockeysville, MD	49 CFR 172.301(c), 173.227(c) ...	Request for an emergency exemption to transport non-DOT specification drums containing a div. 6.1 material. (mode 1)
EE 12459-N	DOT-E 12459	Alaska Pacific Powder Co., Olympia, WA.	49 CFR 172.101 Column (9), 175.320(a).	Request for an emergency exemption to transport explosives by air. (mode 4)
EE 12462-N	DOT-E 12462	Rinchem Company, Albuquerque, NM.	49 CFR 173.24	Request for an emergency exemption for a one-time movement of sulfuric acid contained in a leaking tote (bulk) container. (mode 1)
EE 1244-N	DOT-E 12463	Washington State Ferries, Seattle, WA.	49 CFR 172.101 Column (10), 172.301(c), 172.302(c), 173.302(a).	Request for an emergency exemption for the movement of oxygen in insulated cylinders or cargo tanks on passenger vessels. (mode 3)
EE 12464-N	DOT-E 12463	DPC Enterprises, Inc., Houston, TX.	49 CFR 173.24(b), 179.300-12(b), 179.300-13(a), 179.300-14.	Request for a one-time emergency exemption to transport a leaking ton container fitted with a "B" kit. (mode 1)
EE 12467-N	DOT-E 12467	Allied Universal Corp., Miami, FL	49 CFR 173.34(d)	Request for an emergency exemption for a one-time transport of a leaking cylinder that has been fitted with a chlorine institute A kit. (mode 1)
EE 12478-N	DOT-E 12478	American Reclamation Group, LLC, Anchorage, AK.	49 CFR 172.101 Columns (9b), 172.301(c), 173.27(c)(2).	Request for an emergency exemption for the one-time transportation in commerce of hydrogen peroxide aqueous solution by cargo aircraft, which is forbidden. (mode 1)

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
EE 12480-N	DOT-E 12480	Allied Universal Corp., Miami, FL	49 CFR 173.24(b), 179.300-12(b), 179.300-13(a), 179.300-14.	Request for an emergency exemption for the one-time transportation of a leaking ton container fitted with a chemical B kit to prevent leakage during transportation. (mode 1)
EE 12482-N	DOT-E 12482	Chemical Waste Management Co., Sulphur, LA.	49 CFR 172.302(c), 173.24b(d)(2), 173.26.	Request for an emergency exemption for the one-time transportation of 3 overweight gondola rail cars. (mode 2)
EE 12484-N	DOT-E 12484	Safety Kleen, Columbia, SC	49 CFR 173.244(c)	Request for an emergency exemption to transport 2 storage tanks containing sodium. The tanks are not an authorized packaging. (mode 1)
EE 12486-N	DOT-E 12486	International Paper, Griffin, GA	49 CFR 172.203(a), 172.301(a)(1), 172.303(c), 178.503(a)(6).	Request for an emergency exemption to use existing stock of mis-marked UN bags that contain ammonium nitrate fertilizer. (mode 1)
EE 12487-N	DOT-E 12487	DPC Industries, Houston, TX	49 CFR 173.24(b), 179.300-12(b), 179.300-13(a), 179.300-14.	Request for an emergency exemption for the one-time transportation of a leaking multi-unit tank car tank containing chlorine, that has been fitted with a chemical "B" kit. (mode 1)
EE 12488-N	DOT-E 12488	JCI Jones Chemicals, Inc., Charlotte, NC.	49 CFR 173.24(b), 179.300-12(b), 179.300-13(a), 179.300-14.	Request for an emergency exemption for the one time transportation in commerce of a leaking tank car tank that is equipped with a Chemical B kit to prevent leakage during transportation. (mode 1)
EE 12489-N	DOT-E 12489	Solvay Interlox, Houston, TX	49 CFR 173.24(d)(2)	Request for an emergency exemption for the one-time transportation of an over-loaded tank car tank that exceeds the weight limitation for that car. (mode 2)
EE 12490-N	DOT-E 12490	Hydrite Chemical, Lake Zurich, IL	49 CFR 172.302(c), 173.24b, 173.26.	Request for a one-time authorization to ship a leaking ton cylinder fitted with an A Kit. (mode 1)
EE 12498-N	DOT-E 12498	Cook Inlet Pipe Line Co., Anchorage, AK.	49 CFR 172.101 Column (9b), 172.301(c), 173.27(c)(2).	Request for an emergency exemption for the one-time transportation in commerce of a 5.1 material by aircraft. The quantity limitations and chemical concentration exceed those in the HMR. (mode 4)
EE 12499-N	DOT-E 12499	M&M Service Co., Carlinville, IL ...	49 CFR 173.315(k)(6)	Request for an emergency exemption to transport liquefied petroleum gas in a non-DOT specification cargo tank. (mode 1)
EE 12500-N	DOT-E 12500	National Propane Gas Association, Washington, DC.	49 CFR 173.315(a), 178.245-4(e)	To authorize the one-time one-way transportation of non-DOT specification portable tanks containing residual amounts of liquefied petroleum gas for the purpose of requalification and recertification. (modes 1, 3)
EE 12501-N	DOT-E 12501	Northland Services, Inc., Seattle, WA.	49 CFR 178.245-4(e)	Request for an emergency exemption to transport propane in DOT spec. 51 tanks that technically do not meet the definition of the spec. (mode 3)
EE 12503-N	DOT-E 12503	Chemical Waste Management, Sulphur, LA.	49 CFR 172.302(c), 173.24b(d)(2), 173.26.	Request for an emergency exemption to transport 3 over-loaded gondola cars. (mode 2)

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
EE 12505-N	DOT-E 12505	Allied Universal Corp., Miami, FL	49 CFR 173.34(d)	Request for a one-time emergency exemption to transport a leaking ton cylinder containing chlorine that has been equipped with a Chlorine Institute Emergency A kit. (mode 1)
EE 12507-N	DOT-E 12507	DPC Industries, Inc., Houston, TX	49 CFR 172.302(c), 173.24(b), 179.300-12(b), 179.300-13(a), 179.300-14.	Request for emergency exemption to transport a leaking ton cylinder equipped with a chemical B kit. (mode 1)
EE 12508-N	DOT-E 12508	BASF, Mt. Olive, NJ	49 CFR 172.101 Column (7) special provision B6, 172.102(c)(3).	Request for a one-time authorization to transport a class 8 material in a UN IBC, which is not an authorized packaging for the material. (mode 1)
EE 12509-N	DOT-E 12509	U.S. Department of Defense, Washington, DC.	49 CFR 172.101 col. 10A	Request for an emergency exemption to authorize the US DOD to stow palletized cargo of a class 4.2 in an under deck forecandle location instead of on deck. (mode 3)
EE 12510-N	DOT-E 12510	DPC Enterprises, LP, Houston, TX	49 CFR 173.34(d)	To authorize the emergency one-time transportation in commerce of a DOT specification 3A480 cylinder containing chlorine. (mode 2)
EE 12511-N	DOT-E 12511	IMCO Recycling, Inc., Irving, TX ..	49 CFR 173.24b(d)(2), 173.26	To authorize the emergency transportation in commerce of a rail box car transporting Aluminum Remelting By Products that exceed the maximum gross weight on rail by 3,600 pounds. (mode 2)
EE 12512-N	DOT-E 12512	Alaska Airlines, Seattle, WA	49 CFR 172.203(a), 172.301(c), 172.303(a), 172.401(a)(1) and (2).	Request for an emergency exemption to conduct compliance testing of Alaska Airlines; hazardous materials acceptance, storage, and handling procedures. (mode 4)
EE 12513-N	DOT-E 12513	Sterling Chemicals Inc., Texas City, TX.	49 CFR 172.302(c), 173.24b(d)(2), 173.26.	Request for an emergency exemption to authorize the transportation of an overloaded rail car. (mode 2)
EE 12514-N	DOT-E 12514	SMI Steel, Cayce, SC	49 CFR 172.302(c), 173.24b(d)(2), 173.26.	Request for an emergency exemption to transport an overloaded hopper rail car. (mode 2)
EE 12524-N	DOT-E 12524	EQ—The Environmental Quality Company, Wayne, MI.	49 CFR 172.302(c), 173.24b(d)(2), 173.26.	Request for an emergency exemption to transport an overloaded gondola rail car. (mode 2)
EE 12528-N	DOT-E 12528	Permagas, Lake Stevens, WA	49 CFR 178.245-4(e), 450.3(a)(2)	To authorize the transportation in commerce of an MC-330 tank welded into a 40ft intermodal container for use in transporting propane, Division 2.1 to remote areas. (modes 1, 3)
EE 12529-N	DOT-E 12529	BP Chemicals Inc., Naperville, IL	49 CFR 172.302(c), 173.24b(d)(2), 173.26.	Request for an emergency exemption to transport an overweight rail car. (mode 2)
EE 12543-N	DOT-E 12543	JCI Jones Chemicals, Inc., Jacksonville, FL.	49 CFR 1 2 3	To authorize emergency transportation in commerce of a DOT 3A 480 Specification container that contains Chlorine that is leaking at the value to be transported with an approved A-Kit. (mode 1)

Denials

6611-M	Request by Gardner Cryogenics Lehigh Valley, PA to modify the exemption to provide for design changes of a non-DOT specification vacuum insulated portable tank manufactured in accordance with ASME Code criteria resulting in an increase of the Maximum Allowable Working Pressure for the transportation of a nonflammable cryogenic liquid denied May 16, 2000.
6765-M	Request by Gardner Cryogenics Lehigh Valley, PA to modify the exemption to provide for design changes of the non-DOT specification portable tanks manufactured in accordance with the ASME Code criteria resulting in an increase of the Maximum Allowable Working Pressures for the transportation of a Division 2.1 and a Division 2.2 material denied May 16, 2000.
10480-M	Request by Gardner Cryogenics Lehigh Valley, PA to modify the exemption to provide for design changes of a non-DOT specification portable tank manufactured in accordance with ASME Code criteria resulting in an increase of the Maximum Allowable Working Pressures; the addition of a 6700 gallon liquid helium tank denied May 16, 2000.
10821-M	Request by BFI Waste Systems of North America, Inc. Atlanta, GA to modify the exemption to relieve the marking requirements of inner packages, inside roll off containers, when transporting regulated medical waste from a single offeror denied May 16, 2000.
11826-M	Request by Spectra Gases, Inc. Branchburg, NJ to modify the exemption to authorize additional Division 2.2 materials transported in DOT-3AL aluminum cylinders denied July 28, 2000.
12155-M	Request by S&C Electric Company Chicago, IL to modify the exemption to authorize an alternative pressure vessel constructed of spirally-wound fiberglass for the transportation of certain Division 2.2 materials denied August 17, 2000.

[FR Doc. 00-25426 Filed 10-3-00; 8:45 am]

BILLING CODE 4909-60-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration (RSPA)

[Notice No. 00-11]

AGENCY: Research and Special Programs Administration, DOT.**ACTION:** Advisory Notice.

SUMMARY: Until recently, Q3 Comdyne, Inc. held four exemptions authorizing the manufacture, mark and sale of non-DOT specification fiber reinforced plastic (FRP) full composite (FC) cylinders. Recently, RSPA (we) was informed that Q3 Comdyne, Inc., is no longer in business. We are issuing this advisory notice to (1) provide information concerning the current requirements for transportation of the cylinders under exemption, and (2) inform the owners and users of these cylinders of the actions we have taken to date and plan to take in the future.

FOR FURTHER INFORMATION CONTACT: Sherrie Nelson, Office of Hazardous Materials Exemptions and Approvals, RSPA, Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590-0001, Telephone (202) 366-4535.

SUPPLEMENTARY INFORMATION: Recently, RSPA was notified by Q3 Comdyne, Inc. that it is no longer in business. Q3 Comdyne, Inc. was the grantee of four exemptions (E-9716, E-10823, 10256, and E-10905) authorizing the manufacture, mark, and sale (MMS) of FRP cylinders. After receiving several applications for renewal from cylinder owners and users and in light of Q3 Comdyne's current business status, we have modified DOT E-9716 and 10256 by converting them from MMS exemptions to "offeror" exemptions. The exemption change permits the continued use of the Comdyne exemption cylinders. Determination of

whether party status is required on any of these exemptions is based on the following criteria: (1) A person filling and offering a cylinder for transportation in commerce would be required to have party status; (2) A person only reoffering a cylinder without modifying or changing the cylinder or its contents would not require party status. The requirements for exemption renewal are applicable to both the grantee and persons holding party status in accordance with 49 CFR 107.109. A fire department filling and offering a cylinder, containing a hazardous material, for transportation that is not in commerce is not required to have party status to the exemption. However, we do recommend each person who uses an exemption package maintain a current copy of the exemption. Current copies of DOT-E 9716 and 10256 are available on the HazMat Safety Homepage at <http://hazmat.dot.gov>.

Issued in Washington, DC on September 28, 2000.

Robert A. McGuire,

Associate Administrator for Hazardous Materials Safety.

[FR Doc. 00-25448 Filed 10-3-00; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33936]

Lapeer Industrial Railroad Company-Acquisition and Operation Exemption-Adrian & Blissfield Rail Road Company

Lapeer Industrial Railroad Company (LIRR), a noncarrier, has filed a notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 1.34 miles of rail line owned by Adrian & Blissfield Rail Road Company (ADBF). The line, known as the "Lapeer Spur," is part of Grand Trunk Western Railroad Incorporated's (GTW) Lapeer Subdivision at Lapeer, in Lapeer

County, MI, and runs between milepost 56.28 and milepost 57.62. LIRR will also acquire the right to operate approximately .88 miles of rail line which ADBF currently leases from GTW, known as the "Flint Subdivision" at Lapeer, in Lapeer County, MI. The leased line is part of GTW's second main line, and runs between milepost 289.90 and milepost 290.78.¹ LIRR certifies that its projected revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier, and further certifies that its projected annual revenues will not exceed \$5 million.

The transaction is expected to be consummated on or shortly after September 28, 2000.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33936, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Kenneth J. Bisdorf, 2301 West Big Beaver Road, Suite 600, Troy, MI 48064-3329.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: September 26, 2000.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 00-25244 Filed 10-2-00; 8:45 am]

BILLING CODE 4915-00-P

¹ See Adrian & Blissfield Rail Road Company-Acquisition Exemption-Grand Trunk Western Railroad Incorporated, STB Finance Docket No. 33747 (STB served June 3, 1999).