

## Commitment

Any U.S.-flag vessel operator desiring to receive priority consideration in the award of DOD peacetime contracts must commit no less than 50 percent of its total U.S.-flag militarily useful capacity in Stage III of the VISA program. Participants operating vessels in international trade and desiring to bid on DOD peacetime contracts will be required to provide commitment levels to meet DOD-established Stages I and/or II minimum percentages of the participant's militarily useful, oceangoing U.S.-flag international trading fleet capacity on an annual basis. USTRANSCOM and MARAD will coordinate to ensure that the amount of sealift assets committed to Stages I and II will not have an adverse national economic impact. To minimize domestic commercial disruption, participants operating vessels exclusively in the domestic Jones Act trades are not required to commit the capacity of those U.S. domestic trading vessels to VISA Stages I and II. Overall VISA commitment requirements are based on annual enrollment.

In order to protect a U.S.-flag vessel operator's market share during contingency activation, VISA allows participants to join with other vessel operators in Carrier Coordination Agreements (CCAs) to satisfy commercial or DOD requirements. VISA provides a defense against antitrust laws in accordance with the DPA. CCAs must be submitted to MARAD for coordination with the Department of Justice for approval, before they can be utilized.

## Compensation

In addition to receiving priority in the award of DOD peacetime cargo, a participant will receive compensation during contingency activation. During enrollment, each participant may choose a compensation methodology which is commensurate with risk and service provided. The compensation methodology selection will be completed with the appropriate DOD agency.

## Enrollment

New applicants may enroll by obtaining a VISA application package (Form MA-1020 (OMB Approval No. 2133-0532)) from the Deputy Director, Office of Sealift Support, at the address indicated below. Form MA-1020 includes instructions for completing

and submitting the application, blank VISA Application forms and a request for information regarding the operations and U.S. citizenship of the applicant company. A copy of the March 16, 2005 VISA will also be provided with the package. This information is needed in order to assist MARAD in making a determination of the applicant's eligibility. An applicant company must provide an affidavit that demonstrates that the company is qualified to document a vessel under 46 U.S.C., section 12102, and that it owns, or bareboat charters and controls, oceangoing, militarily useful vessel(s) for purposes of committing assets to the VISA program. As previously mentioned, VISA applicants must return the completed VISA application documents to MARAD not later than May 31, 2005. Once MARAD has reviewed the application and determined VISA eligibility, MARAD will sign the VISA application document which completes the eligibility phase of the VISA enrollment process.

After VISA eligibility is approved by MARAD and USTRANSCOM, approved applicants are required to execute a joint VISA Enrollment Contract (VEC) with the DOD [Military Surface Deployment and Distribution Command (SDDC) and the Military Sealift Command (MSC)] which will specify the participant's Stage III commitment for the period October 1, 2005 through September 30, 2006. Once the VEC is completed, the applicant completes the DOD contracting process by executing a Drytime Contingency Contract (DCC) with MSC (for Charter Operators) and if applicable, a VISA Contingency Contract (VCC) with SDDC (for Liner Operators).

*For Additional Information and Applications Contact:* Frances M. Olsen, Deputy Director, Office of Sealift Support, U.S. Maritime Administration, Room 7307, 400 Seventh Street, SW., Washington, DC 20590. Telephone (202) 366-2260. Fax (202) 493-2180. Other information about the VISA can be found on MARAD's Internet Web page at <http://www.marad.dot.gov>.

(Authority: 49 CFR 1.66)

By order of the Maritime Administrator.

Dated: April 26, 2005.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Office of Hazardous Materials Safety; Notice of Delays in Processing of Exemption Applications

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

**ACTION:** List of application delayed more than 180 days.

**SUMMARY:** In accordance with the requirements of 49 U.S.C. 5117(c), PHMSA is publishing the following list of exemption applications that have been in process for 180 days or more. The reason(s) for delay and the expected completion date for action on each application is provided in association with each identified

#### FOR FURTHER INFORMATION CONTACT:

Delmer Billings, Office of Hazardous Materials Exemptions and Approvals, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001, (202) 366-4535.

#### Key to "Reason for Delay"

1. Awaiting additional information from applicant
2. Extensive public comment under review
3. Application is technically complex and is of significant impact or precedent-setting and requires extensive analysis
4. Staff review delayed by other priority issues or volume of exemption applications

#### Meaning of Application Number Suffixes

- N—New application  
M—Modification request  
X—Renewal  
PM—Party to application with modification request

Dated: Issued in Washington, DC, on April 26, 2005.

**R. Ryan Posten,**

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

Application No.	Applicant	Reason for delay	Estimated date of completion
13183-N	Becton Dickinson, Sandy, UT	4	06-30-2005
13188-N	General Dynamics, Lincoln, NE	4	06-30-2005
13422-N	Puritan Bennett, Plainfield, IN	3	05-31-2005
13266-N	Luxfer Gas Cylinders, Riverside, CA	4	06-30-2005
13314-N	Sunoco Inc., Philadelphia, PA	4	05-31-2005
13309-N	OPW Engineered Systems, Lebanon, OH	4	06-30-2005
13295-N	Taylor-Wharton, Harrisburg, PA	4	06-30-2005
13281-N	The Dow Chemical Company, Midland, MI	4	06-30-2005
13302-N	FIBA Technologies, Inc., Westboro, MA	4	05-31-2005
14010-N	Varsal, LLC, Warminster, PA	4	06-30-2005
14007-N	Scientific Cylinder International, LLC, Lakewood, CO	4	07-31-2005
13999-N	Kompozit-Praha s.r.o., Dysina u Plzne, Czech Republic, CZ	4	05-31-2005
14008-N	Air Products & Chemicals, Inc., Allentown, PA	4	05-31-2005
13958-N	Department of Defense, Fort Eustis, VA	1	06-30-2005
13957-N	T.L.C.C.I, Inc., Franklin, TN	4	05-31-2005
13858-N	US Ecology Idaho, Inc. (USEI), Grand View, ID	1	06-30-2005
13582-N	Linde Gas LLC (Linde), Independence, OH	4	06-30-2005
13563-N	Applied Companies, Valencia, CA	4	06-30-2005
13547-N	CP Industries, McKeesport, PA	4	06-30-2005
13346-N	Stand-By-Systems, Inc., Dallas, TX	1	06-30-2005
13347-N	ShipMate, Inc., Torrance, CA	4	06-30-2005
13341-N	National Propane Gas Association, Washington, DC	1	05-31-2005

**Modification to Exemptions**

7277-M	Structural Composites Industries, Pomona, CA	4	05-31-2005
10878-M	Tankcon FRP Inc., Boisbriand, Qc	1, 3	05-31-2005
11579-M	Dyno Nobel, Inc., Salt Lake City, UT	4	05-31-2005
13488-M	FABER INDUSTRIES SPA, (U.S. Agent: Kaplan Industries, Maple Shade, NJ	4	06-30-2005
9969-M	Kin-Tek Laboratories, Inc., La Marque, TX	4	05-31-2005
13344-M	Precision Technik, Atlanta, GA	4	06-30-2005
12988-M	Air Products & Chemicals, Inc., Allentown, PA	4	05-31-2005
12783-M	CryoSurgery, Inc., Nashville, TN	4	05-31-2005
11526-M	BOC Gases Americas, Murray Hill, NJ	4	05-31-2005
12284-M	The American Traffic Safety Services, Assn. (ATSSA), Fredericksburg, VA	1	05-31-2005
10319-M	Amtrol, Inc., West Warwick, RI	4	05-31-2005
6263-M	Amtrol, Inc., West Warwick, RI	4	05-31-2005
11241-M	Rohm and Haas Co., Philadelphia, PA	1	05-31-2005
7280-M	Department of Defense, Ft. Eustis, VA	4	05-31-2005
10915-M	Luxfer Gas Cylinders (Composite Cylinder Division), Riverside, CA	1	05-31-2005
10019-M	Structural Composites Industries, Pomona, CA	4	05-31-2005
12022-M	Taylor-Wharton (Gas & Fluid Control Group), Harrisburg, PA	4	06-30-2005
8162-M	Structural Composites Industries, Pomona, CA	4	05-31-2005
8718-M	Structural Composites Industries, Pomona, CA	4	05-31-2005

**Renewal of Exemptions**

9649-M	U.S. Department of Defense, Fort Eustis, VA	1	05-31-2005
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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

[Docket No. PHMSA-05-21019 (Notice No. 05-03)]

**Hazardous Materials: Regulations for the Safe Transport of Radioactive Material (TS-R-1) and Advisory Material for the IAEA Regulations for the Safe Transport of Radioactive Materials (TS-G-1.1); Request for Comments**

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

**ACTION:** Request for written comments.

**SUMMARY:** PHMSA will accept written comments pertaining to 28 proposed changes to the International Atomic Energy Agency's (IAEA) Regulations for the Safe Transport of Radioactive Materials, TS-R-1, scheduled for revision in the year 2007 as well as written comments on the proposed changes to the Advisory Material for the IAEA Regulations for the Safe Transport of Radioactive Materials, TS-G-1.1.

**DATES:** Written comments must be received by July 1, 2005. Comments received after this date will be considered if it is practical to do so.