

## MODIFICATION SPECIAL PERMITS—Continued

| Application No. | Docket No. | Applicant                                   | Regulation(s) affected                     | Nature of special permit thereof   |
|-----------------|------------|---|--|--|
| 13027-M .....   | 12451      | Hernco Fabrication & Services, Midland, TX. | 49 CFR 173.241; 173.242                    | To modify the special permit to authorize the transportation in commerce of additional Division 3 and 8 hazardous materials in non-DOT specification portable tanks.   |
| 13207-M .....   | 15068      | BEI, Honolulu, HI .....                     | 49 CFR 173.32(f)(5) .....                  | To modify the exemption to authorize the use of additional DOT Specification IM 101 steel portable tanks that do not conform to the filling density requirements for the transportation of a Class 8 material. |
| 13235-M .....   | 15238      | Airgas-SAFECOR, Cheyenne, WY.               | 49 CFR 172.203(a); 177.834(h).             | To modify the special permit to authorize filling and discharging of a horizontally mounted DOT specification 4L cylinder with liquid oxygen, refrigerated liquid without removal from the vehicle.            |
| 14205-M .....   | 21733      | The Clorox Company, Pleasanton, CA.         | 49 CFR 173.306(a)(1) and 173.306(a)(3)(v). | To modify the special permit to authorize the transportation in commerce of aerosol products containing Division 2.1 gases.  |
| 14282-M .....   | .....      | R&R Trucking, Incorporated, Galt, MO.       | 49 CFR 173.835(g) .....                    | To modify the special permit to remove the marking requirements of § 172.203(c).   |
| 14327-M .....   | 24248      | The Colibri Group, Inc., Providence, RI.    | 49 CFR 173.21, 173.308, 175.33.            | To modify the special permit to authorize the transportation in commerce of any approved lighter when packaged in special travel containers and transported in checked luggage by passenger aircraft.          |

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## DEPARTMENT OF TRANSPORTATION

## Pipeline and Hazardous Materials Safety Administration

## Office of Hazardous Materials Safety; Notice of Application for Special Permits

**AGENCY:** Pipeline and Hazardous Materials Safety Administration, 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 (40 CFR part 107, subpart B), 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 July 17, 2006.

*Address Comments to:* 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:** 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 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 June 12, 2006.

**R. Ryan Posten,**

*Chief, Special Permits Program, Office of Hazardous Materials, Special Permits & Approvals.*

## NEW SPECIAL PERMITS

| Application No. | Docket No. | Applicant                                      | Regulation(s) affected             | Nature of special permits thereof  |
|-----------------|------------|--|------------------------------------|--|
| 14334-N .....   | .....      | Rohm and Haas Chemicals LLC, Philadelphia, PA. | 49 CFR 177.834(i)(1) and (3).      | To authorize the use of video cameras and monitors to observe the loading and unloading operations meeting the definition of "loading incidental to movement" or "unloading incidental to movement" as those terms are defined in § 171.8 of the Hazardous Materials Regulations from a remote control station in place of personnel remaining within 25 feet of a cargo tank motor vehicle. (mode 1). |
| 14355-N .....   | .....      | Honeywell International Inc., Morristown, NJ.  | 49 CFR 173.31(b)(3); 173.31(b)(4). | To authorize the transportation in commerce of nine DOT Specification 112 tank cars without head and thermal protection for use in transporting certain Division 2.2 material by extending the date for retrofitting beyond July 1, 2006. (mode 2).  |

## NEW SPECIAL PERMITS

| Application No. | Docket No. | Applicant                                   | Regulation(s) affected     | Nature of special permits thereof  |
|-----------------|------------|---|----------------------------|--|
| 14356-N .....   | .....      | Albermarle Corporation,<br>Baton Rouge, LA. | 49 CFR 173.181 .....       | To authorize the transportation in commerce of Division 4.2 organometallic liquids in non-DOT specification pressure vessels designed and constructed in accordance with the ASME Code (similar to DOT Specification 4BW) when transported by highway and rail. (modes 1, 2).                                |
| 14358-N .....   | .....      | Vi-Jon Laboratories Inc.,<br>St. Louis, MO. | 49 CFR Parts 171-180 ..... | To authorize the transportation of limited quantities of ethyl alcohol solutions, not to exceed 70%, in non-DOT specification packaging consisting of polyethylene inner containers overpacked in strong outside fiberboard boxes with no hazard communication by highway, rail and vessel. (modes 1, 2, 3). |

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Pipeline Safety: Submission of Public Awareness Programs

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation.

**ACTION:** Notice; Issuance of Advisory Bulletin.

**SUMMARY:** This document tells certain pipeline operators how to submit their written public awareness programs for review. Regulations issued in 2005 provide details about the content of the programs and establish completion dates. The 2002 amendment to the pipeline safety law requires pipeline operators to submit these programs for review and PHMSA has a clearinghouse approach for reviewing interstate and many intrastate operators. This document ensures operators know where and when to submit their programs.

**FOR FURTHER INFORMATION CONTACT:** Blaine Keener by phone at (202) 366-0970, or by e-mail at [blaine.keener@dot.gov](mailto:blaine.keener@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Pipeline Safety Improvement Act of 2002 amended 49 U.S.C. 60116 to require pipeline operators to evaluate and update their existing public education programs and to submit the updated programs to PHMSA or the State pipeline safety agency that regulates the intrastate pipelines in the State. PHMSA issued a final rule on May 19, 2005 (70 FR 28833) delineating

what the updated programs, now called public awareness programs, must contain. You can find the final rule in the pipeline safety code at 49 CFR 192.616 and 49 CFR 195.440. The final rule requires most operators to develop public awareness programs by June 20, 2006 and to submit the programs for review upon request. There is an extended compliance time for certain very small petroleum gas and master meter operators. An operator distributing petroleum gas to fewer than 25 customers or distributing gas through a master meter to fewer than 25 customers has until June 20, 2007 to prepare a program. In addition, PHMSA is reconsidering the public awareness requirements applicable to all master meter operators and operators distributing petroleum gas by pipeline as a secondary business. We intend to initiate rulemaking in the near future to extend the date for compliance and provide alternative public awareness programs for these master meter and petroleum gas operators.

This advisory bulletin provides guidance to operators of pipelines (other than operators distributing gas through master meters or distributing petroleum gas by pipeline as an incidental part of business) about submitting public awareness programs for initial review.

PHMSA has decided to have a team review written public awareness programs of interstate operators centrally instead of through the pipeline safety inspection staff located in its five regions. PHMSA has offered, and most State agencies have elected, to have this team review public awareness programs of intrastate operators. The work of the Public Awareness Program Clearinghouse review team is guided by review criteria developed by pipeline safety staff from PHMSA and State pipeline safety agencies. The review team will compare programs with American Petroleum Institute Recommended Practice 1162 (RP 1162),

on which the public awareness regulation is based. If the review team finds deviation from the baseline elements, the review team will refer the issue to the applicable PHMSA regional office or State pipeline safety agency. In addition to the baseline elements, RP 1162 contains supplemental program elements to enhance pipeline safety awareness in areas where operators determine increased risk. The review team will document operator use of supplemental elements to identify trends and foster improvements.

There are exceptions to the centralized review process. The State pipeline safety agencies in Connecticut, the District of Columbia, Illinois, Maryland, Montana, South Dakota, Virginia, and Wyoming have decided to conduct independent reviews of the public awareness programs of at least some intrastate operators. Unless otherwise directed by the State pipeline safety agency, an operator described below submits its program to the address provided by October 8, 2006:

A gas distribution operator in Connecticut: Mr. Philip Sher, Supervisor of Technical Analysis, Connecticut Department of Public Utility Control, 10 Franklin Square, New Britain, CT 06051.

A gas distribution pipeline operator in the District of Columbia: Ms. Delvone Nicholson-Meade, Program Manager, Pipeline Safety, District of Columbia Public Service Commission, 1333 H Street, NW., Suite 700 East Tower, Washington, DC 20005.

A gas distribution pipeline operator serving less than 20,000 customers in Illinois: Mr. Rex Evans, Manager, Pipeline Safety, Illinois Commerce Commission, 527 E Capitol Avenue, Springfield, IL 62701.

An intrastate pipeline operator in Maryland: Mr. John Clementson, Assistant Chief Engineer, Maryland Public Service Commission, 6 Saint Paul Street, Baltimore, MD 21202-6806.