

complied with specified requirements for each test.

As an additional method of reliability and security, Maserati stated that a shaft lock module is also part of the SKIS. This unit is designed to work in conjunction with the RFHub module to control a locking bolt that engages any slot in the steering shaft to prevent shaft rotation whenever there is not a valid key present. The monitoring provisions for the shaft lock module are designed to resist unauthorized tampering. The module cannot be removed from the steering column while the lock bolt is in the locked position. The shaft lock module cannot be adjusted or repaired and if faulty or damaged, it must be replaced as an assembly.

Maserati stated that based on MY 2010 theft data published by NHTSA, its vehicles which have had antitheft and immobilizer systems installed have experienced extremely low to zero theft rates. Maserati also stated that because it had previously been a small vehicle manufacturer that produced and sold a low volume of vehicle units, its vehicles had been exempted from the parts-marking requirements. However, Maserati informed the agency that its immobilizer antitheft device has been equipped on its vehicles as standard equipment since MY 2007 and believes that its advanced technology antitheft devices are and will continue to be more effective in deterring vehicle theft than the parts-marking requirements. Theft rate data reported in **Federal Register** notices published by the agency show that the theft rate for the Quattroporte vehicle line, using an average of three MYs' data (2008–2010), is 0.6120, which is significantly lower than the median theft established by the agency. Maserati believes these low theft rates demonstrate the effectiveness of the immobilizer device.

Based on the supporting evidence submitted by Maserati on its device, the agency believes that the antitheft device for the Quattroporte vehicle line is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard (49 CFR 541). The agency concludes that the device will provide the five types of performance listed in § 543.6(a)(3): promoting activation; attracting attention to the efforts of an unauthorized person to enter or move a vehicle by means other than a key; preventing defeat or circumvention of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device.

Pursuant to 49 U.S.C. 33106 and 49 CFR 543.7(b), the agency grants a petition for exemption from the parts-marking requirements of Part 541 either in whole or in part, if it determines that, based upon substantial evidence, the standard equipment antitheft device is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of Part 541. The agency finds that Maserati has provided adequate reasons for its belief that the antitheft device for the Maserati Quattroporte vehicle line is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard (49 CFR Part 541). This conclusion is based on the information Maserati provided about its device.

For the foregoing reasons, the agency hereby grants in full Maserati's petition for exemption for the Maserati Quattroporte vehicle line from the parts-marking requirements of 49 CFR Part 541. The agency notes that 49 CFR Part 541, Appendix A–1, identifies those lines that are exempted from the Theft Prevention Standard for a given model year. 49 CFR Part 543.7(f) contains publication requirements incident to the disposition of all Part 543 petitions. Advanced listing, including the release of future product nameplates, the beginning model year for which the petition is granted and a general description of the antitheft device is necessary in order to notify law enforcement agencies of new vehicle lines exempted from the parts-marking requirements of the Theft Prevention Standard.

If Maserati decides not to use the exemption for this line, it must formally notify the agency. If such a decision is made, the line must be fully marked according to the requirements under 49 CFR Parts 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if Maserati wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Part 543.7(d) states that a Part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, Part 543.9(c)(2) provides for the submission of petitions "to modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption."

The agency wishes to minimize the administrative burden that Part 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting Part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes, the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify.

**Authority:** 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: April 18, 2013.

**Christopher J. Bonanti,**

*Associate Administrator for Rulemaking.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Actions on Special Permit Applications

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

**ACTION:** Notice of actions on Special Permit Applications.

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**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 (49 CFR Part 107, Subpart B), notice is hereby given of the actions on special permits applications in (March to March 2013). The mode 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 Special Permits. It should be noted that some of the sections cited were those in effect at the time certain special permits were issued.

Issued in Washington, DC, on April 9, 2013.

**Donald Burger,**

*Chief, Special Permits and Approvals Branch.*

S.P No.	Applicant	Regulation(s)	Nature of special permit thereof
<b>MODIFICATION SPECIAL PERMIT GRANTED</b>			
14951-M .....	Hexagon Lincoln, Inc., Lincoln, NE.	49 CFR 173.302a .....	To modify the special permit to authorize an alternative fire protection system.
11624-M .....	Clean Harbors Environmental Services, Inc., Norwell, MA.	49 CFR 173.173(b)(2) .....	To modify the special permit to authorize an additional packaging.
14848-M .....	Corning Incorporated, Corning, NY.	49 CFR 172.202, 172.301, 172.400, 172.504 and 177.834(h).	To modify the special permit to authorize liquefied nitrogen without requiring shipping papers, labeling or placarding.
<b>NEW SPECIAL PERMIT GRANTED</b>			
15743-N .....	Midwest Cylinder, Inc., Cleves, OH.	49 CFR 180.211(c)(2)(i) .....	To authorize the repair of certain DOT 4L cylinders without requiring pressure testing. (mode 1).
15769-N .....	KMG Chemicals, Houston, TX	49 CFR 172.102 Table 2 IP2	To authorize the transportation of solid pentachlorophenol on flatbed trailers. (mode 1)
15773-N .....	Roche Molecular Systems, Inc., Branchburg, NJ.	49 CFR 173.242(e)(1) .....	To authorize the transportation in commerce of PG II corrosive materials described as Potassium Hydroxide Solution, UN 1814 and Sodium Hydroxide Solution, UN 1824 in a UN 50G Fiberboard Large Packaging. (modes 1, 2, 3)
15804-N .....	ThermoFisher Scientific, LLC, Pittsburgh, PA.	49 CFR 172.101, HMT Column (7), and 107.102 Special Provision N5.	To authorize the transportation in commerce of dry titanium powder in glass packaging. (modes 1, 2, 3)
<b>EMERGENCY SPECIAL PERMIT GRANTED</b>			
15428-M .....	National Aeronautics and Space Administration (NASA), Washington, DC.	49 CFR Part 172 and 173 .....	To modify the special permit to authorize additional hazardous materials, add an additional transport fixture and add cargo vessel as a mode of transportation. (modes 1, 3)
15816-N .....	Air Transport International, Little Rock, AR.	49 CFR 172.101 Column (9B)	To authorize the one-time transportation in commerce of certain explosives that are forbidden for transportation by cargo only aircraft. (mode 4)
15819-N .....	Air Transport International, Little Rock, AR.	49 CFR 172.101 Column (9B)	To authorize the one-time transportation in commerce of certain explosives that are forbidden for transportation by cargo only aircraft. (mode 4)
15831-N .....	Space Exploration Technologies Corp., Hawthorne, CA.	49 CFR Part 172 and 173 .....	To authorize the transportation in commerce of certain hazardous material as part of the Dragon space capsule without requiring shipping papers, marking and labeling. (modes 1, 3)
15835-N .....	Environment First, Inc., Jeffersonville, IN.	49 CFR 173.315 .....	To authorize the one time transportation in commerce of a Division 2.2 material (1,1,1,2-Tetrafluoroethane) in a non-DOT specification IMO Type 5 portable tank. (mode 1)
15840-N .....	Airgas USA, LLC Cheyenne, WY.	49 CFR 173.3(e) .....	To authorize the transportation in commerce of a DOT Specification 3AA cylinder containing anhydrous ammonia that developed a leak and is equipped with a Chlorine Institute Kit "A" to prevent leakage during transportation. (mode 1)
<b>NEW SPECIAL PERMIT WITHDRAWN</b>			
15808-N .....	U.S. Department of Defense (DOD), Scott AFB, IL.	49 CFR 171.22(e), 172.101 Column (9A), and 173.62.	To authorize the transportation of forbidden explosives by air. (modes 1, 2, 3, 4, 5)
15822-N .....	Thatcher Transportation, Inc., Salt Lake City, UT.	49 CFR 49 CFR Parts 106, 107 and 171-180..	To authorize self requalification of chlorine ton containers. (mode 1)
<b>DENIED</b>			
15709-N .....	Request by Praxair Distribution, Inc. Danbury, CT March 14, 2013. To authorize the transportation in commerce of foreign manufactured cylinders that are not equipped with pressure relief devices.		
15728-N .....	Request by Brenner Tank LLC Fond du Lac, WI March 12, 2013. To authorize the manufacture, mark, sale, and use of non-DOT specification FRP cargo tanks conforming to specification DOT 407, DOT 412, or combination thereof.		

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Notice of Applications for Modification of 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 (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has

received the applications 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. Requests for modification of special permits (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. These applications have been separated from the new application for special permits to facilitate processing.

**DATES:** Comments must be received on or before May 9, 2013.

*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, East Building, PHH-30, 1200 New Jersey Avenue Southeast, Washington DC or at <http://regulations.gov>.

This notice of receipt of applications for modification of 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 9, 2013.

**Donald Burger,**  
*Chief, General Approvals and Permits.*

**MODIFICATION SPECIAL PERMITS**

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
9847-M .....		FIBA Technologies, Inc., Millbury, MA.	49 CFR 180.209(a), 180.205(c), (f), (g), and (i); 173.302a (b) (2), (3), (4), and (5); and 180.213.	To modify the special permit so that the neck thread requirements in paragraph 7.b.(2) are consistent with CGA Pamphlet C-23.
10922-M .....		FIBA Technologies, Inc., Millbury, MA.	49 CFR 172.301a and 180.205 .....	To modify the special permit so that the neck thread requirements in paragraph 7.k. are consistent with CGA Pamphlet C-23.
11952-M .....		U.S. Department of Defense, Scott AFB, IL.	49 CFR 173.306(a) .....	To modify the special permit to authorize a greater maximum weight limit when up to eight metal containers are transported.
13544-M .....		Carlson Logistics Inc., Sacramento, CA.	49 CFR 172.301(a), 172.301(c), and 172.401.	To modify the special permit to authorize that the cylinders be transported on a flat bed, not enclosed and, platform type trailers that are placarded.
14149-M .....		Digital Wave Corporation, Centennial, CO.	49 CFR 172.203(a), 172.301(c), and 180.205.	To modify the special permit to authorize ultrasonic equipment with a five sensor head with sensors positioned to perform all required straight and angle beam examinations in a single pass.
14206-M .....		Digital Wave Corporation, Centennial, CO.	49 CFR 172.203(a), 172.301(c), and 180.205.	To modify the special permit to authorize ultrasonic equipment with a five sensor head with sensors positioned to perform all required straight and angle beam examinations in a single pass.
14453-M .....		FIBA Technologies, Inc., Millbury, MA.	49 CFR 180.209 .....	To modify the special permit so that the neck thread requirements in paragraph 7.b.(1) are consistent with CGA Pamphlet C-23.
14546-M .....		Linde Gas North America LLC, Murray Hill, NJ.	49 CFR 180.209 .....	To modify the special permit to authorize an extended requalification for cylinders referenced in DOT-SP 12440.
14661-M .....		FIBA Technologies, Inc., Millbury, MA.	49 CFR 180.209(a) and 180.209(b) .....	To modify the special permit to authorize new corrosion requirements to be consistent with CGA Pamphlet C-23 and require neck thread requirements to be consistent with CGA Pamphlet C-23.
15028-M .....		Roeder Carriage Company, Inc., Lima, OH.	49 CFR 180.407(c), (e), and (f) .....	To modify the special permit to authorize a DOT specification 407 trailer.