

| Application No. | Applicant | Regulation(s) affected | Nature of the special permits thereof |
|-----------------|----------------------------------|--------------------------------|--|
| 21504-N | Construction Helicopters, Inc .. | 172.101(j), 173.27(b)(2) | To authorize the transportation in commerce of Division 1.1, 1.2, 1.3 and 1.4 explosives, which are forbidden or exceed quantities authorized for transportation aboard cargo-only aircraft. |

Special Permits Data—Denied

| | | | |
|---------------|--|-------------------------|--|
| 21090-M | Shijiazhuang Enric Gas Equipment Co., Ltd. | 180.205 | To modify the special permit to authorize an additional location. |
| 21418-N | Kronebusch Industries LLC | 178.33a-1 | To authorize the transportation in commerce of fire extinguishers where the pressure receptacle does not conform to 49 CFR 173.309. |
| 21436-N | Contrivance Incorporated | 180.211(c)(2)(ii) | To authorize the transportation in commerce of certain DOT 4L cylinders to be repaired without leak testing before and after assembly of the outer insulated jacket. |

Special Permits Data—Withdrawn

[FR Doc. 2023-11302 Filed 5-25-23; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Hazardous Materials: Notice of Applications for Modification to 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, notice is hereby given that the Office of Hazardous Materials Safety

has received the application described herein.

DATES: Comments must be received on or before June 12, 2023.

ADDRESSES: 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: Donald Burger, Chief, Office of Hazardous Materials Safety General Approvals and Permits Branch, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington, DC 20590-0001, (202) 366-4535.

SUPPLEMENTARY INFORMATION: 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.

Copies of the applications are available for inspection in the Records Center, East Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington DC or at <http://regulations.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 May 5, 2023.
Donald P. Burger,
Chief, General Approvals and Permits Branch.

SPECIAL PERMITS DATA

| Application No. | Applicant | Regulation(s) affected | Nature of the special permits thereof |
|-----------------|---|--|--|
| 7835-M | Versum Materials US, LLC | 172.301(c), 177.848(d) | To modify the special permit to authorize DOT-SP 15267 packagings. (mode 1). |
| 9232-M | Department of Defense U.S. Army Military Surface Deployment & Distribution Command. | 172.1, 175.1 | To modify the special permit to remove paragraph 7.c.(10). (modes 4, 5). |
| 11379-M | ZF Passive Safety Systems US Inc. | 173.302(a)(1), 173.301(a) | To modify the special permit to authorize reduced frequency of cylinder burst testing. (modes 1, 2, 3, 4, 5). |
| 15343-M | Desert Air Transport, Inc | 172.101(j), 173.242 | To modify the special permit to authorize an additional packaging (mode 4). |
| 15642-M | Linde Gas & Equipment Inc ... | 172.203(a), 180.205(c), 180.209(a), 180.209(b), 180.209(b)(1)(iv). | To modify the special permit to extend the initial periodic re-qualification period of DOT 3AL and DOT-SP 12440 cylinders from 5 years to 10 years and to authorize certain newly manufactured DOT 3AL cylinders to be used in dedicated dry-gas service. (modes 1, 2, 3, 4, 5). |
| 16279-M | Stericycle, Inc | 173.196(a) | To modify the special permit to authorize the transportation in commerce of the Marburg virus. (modes 1, 3). |
| 20251-M | Salco Products Inc | 172.203(a), 178.345-1, 180.413. | To modify the special permit to authorize additional manway configurations. (mode 1). |

SPECIAL PERMITS DATA—Continued

| Application No. | Applicant | Regulation(s) affected | Nature of the special permits thereof |
|-----------------|--------------------------|-------------------------------------|--|
| 21360–M | ABG Bag, Inc | 173.12(b)(2)(ii)(C), 178.707(d) | To modify the special permit to authorize Division 5.2 hazardous materials. (mode 1). |
| 21460–M | Amerex Corporation | 173.309(c), 172.203(a), 172.301(c). | To modify the special permit to remove the requirement that the special permit be provided to the air carrier and to authorize a copy of the special permit to be accessible electronically through a QR code directly applied to each extinguisher in lieu of having a paper copy of the special permit be maintained at each facility where the extinguishers are offered or reoffered. (modes 1, 2, 3, 4, 5). |

[FR Doc. 2023–11301 Filed 5–25–23; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2022–0033 (Notice No. 2023–05)]

Hazardous Materials: Adjusting Registration and Fee Assessment Program; Notice of Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: PHMSA’s Office of Hazardous Materials Safety will hold a public meeting to solicit input on potential adjustments to the statutorily mandated hazardous materials registration and fee assessment program. The potential adjustment of fees may be necessary to fund PHMSA’s national emergency preparedness grant programs at the newly authorized level in accordance with the Infrastructure Investment and Jobs Act of 2021.

DATES: The meeting will be held virtually on June 28, 2023, from 1:00 p.m. until 4:00 p.m. Eastern Standard Time. Requests to attend the meeting must be received by June 21, 2023. Requests for accommodations for a disability must be received by June 21, 2023. Persons requesting to speak during the meeting must submit a written copy of their remarks to DOT by June 21, 2023. Requests to submit written materials to be reviewed during the meeting must be received no later than June 21, 2023.

ADDRESSES: The meeting will be held virtually at the following: https://usdot.zoomgov.com/meeting/register/vJItde2gqzgtGcv6ewzeLw34nzwwtO_IY68.

FOR FURTHER INFORMATION CONTACT: Yul B. Baker Jr., Standards and Rulemaking

Division, Office of Hazardous Materials Safety, 202–366–8553, PHMSA, East Building, PHH10, 1200 New Jersey Avenue SE, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

I. Background

The Pipeline and Hazardous Materials Safety Administration (PHMSA) is considering an adjustment to our statutorily mandated registration and fee assessment program for persons who offer for transportation or transport certain categories and quantities of hazardous materials. PHMSA conducts a national hazardous materials registration program under the mandate in 49 U.S.C. 5108 for a person who offers¹ for transportation (*i.e.*, shippers) or transports certain hazardous materials in intrastate, interstate, or foreign commerce. The registration program implements the mandate for persons to file a registration statement with the Secretary of Transportation—as delegated to PHMSA—and collects registration and processing fees from persons required to file a registration statement (hereafter referred to as “registrants”) to fund the Emergency Preparedness (EP) grants. EP grants support hazardous materials emergency response planning and training activities by states, local governments, and Native American tribes. EP grants also fund nonprofit organizations to provide “train-the-trainer” programs for hazardous materials emergency response training and hazardous materials employee training. Additionally, EP grants support the development of the Emergency Response Guidebook (ERG) that assists emergency responders in determining appropriate response measures and provides funds for grantee monitoring and technical assistance. Congress recognized in the Infrastructure Investment and Jobs Act of 2021² (IIJA) (as evidenced by increased authorization levels for the EP Grant

Program), and as congressional testimony was reinforced in the aftermath of the 2023 Norfolk Southern train derailment in East Palestine, Ohio, there is an increasing need for Federal support for first responders, particularly responders to hazardous materials related incidents, such as are supported through the EP grants.

To raise additional revenue to meet the increasing needs for the EP Grant Program, PHMSA has discretion to require additional persons to register—beyond those who offer, and transport certain categories and quantities of hazardous materials listed in 49 U.S.C. 5108(a)(1)—and to set the annual registration fee between the statutorily mandated minimum and maximum amounts. *See* 49 U.S.C. 5108(b), 5116, and 5128(b). PHMSA may currently set an annual registration fee between a minimum of \$250 and maximum of \$3,000. In the HM–208J Advanced Noticed of Proposed Rulemaking (ANPRM),³ PHMSA presented a fee scenario table and options to solicit feedback from stakeholders on potential methods and any alternative methods to achieve the increased funding. PHMSA presented nine options for consideration, grouped between a scenario where the maximum fee remains \$3,000 per year, and an alternative scenario where Congress increases the maximum fee. The options included:

If registration fees remain at a maximum \$3,000 per year, PHMSA is considering the following options for comment:

1. Keep the existing registration requirements (see 49 CFR 107.601) and raise the registration fee for large businesses from \$2,575 to \$3,000.
2. Keep the existing registration requirements and apply a nominal fee (*e.g.*, \$25) for each facility or geographic location from which a registered person (*i.e.*, a company) offers for transportation, or transports, certain hazardous materials.

¹ Defined in 49 CFR 171.8.

² Public Law 117–58.

³ 87 FR 57859 (Sept. 22, 2022).