

copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope. FMCSA will consider all comments and material received during the comment period.

## II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from certain Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted and determines whether granting the exemption would likely maintain a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305(a)). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

## III. Applicant's Request

Arbert Ibraimi requests a one-year exemption from the ELD requirements in 49 CFR 395.8(a)(1)(i). Under section 395.8(a)(1)(i) most drivers that operate CMVs in interstate commerce are required to use an ELD to record their HOS. The applicant asserts that he is running a new business operating a single CMV as an owner-operator and has limited funds to support the purchase of an ELD. The applicant states that he would use the funds saved from not implementing an ELD in the single CMV to monitor the safety of operations and to incorporate safety management controls into his operation.

A copy of Arbert Ibraimi's application for exemption is available for review in the docket for this notice.

## IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on Arbert Ibraimi's application for an

exemption from the ELD requirement under 49 CFR 395.8(a). All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the Addresses section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### Solicitation of Applications for the Award of One Tanker Security Program Operating Agreement

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice of application period for the Tanker Security Program (TSP).

**SUMMARY:** The Maritime Administration (MARAD) requests applications from eligible candidates for one TSP operating agreement. The Tanker Security Program is comprised of a fleet of active, commercially viable, militarily useful, and privately owned product tank vessels. The fleet provides for national defense and other security requirements and maintains a United States presence in international commercial shipping. This solicitation for applications provides, among other things, application criteria and a deadline for submitting applications for the enrollment of one vessel into the TSP.

**DATES:** Applications for enrollment must be received no later than April 30, 2024. Applications should be submitted to the address listed in the **ADDRESSES** section below.

**ADDRESSES:** Applications may be submitted electronically to [sealiftsupport@dot.gov](mailto:sealiftsupport@dot.gov) or in hard copy to the Tanker Security Program, Maritime Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Application forms are available

upon request or may be downloaded from MARAD's website at [www.maritime.dot.gov](http://www.maritime.dot.gov) under National Security/Strategic Sealift/Tanker Security Program.

#### FOR FURTHER INFORMATION CONTACT:

David Hatcher, Director, Office of Sealift Support, Maritime Administration, Telephone (202) 366-0688. For legal questions, call Joseph Click, Office of Chief Counsel, Division of Maritime Programs, Maritime Administration, (202) 366-5882.

**SUPPLEMENTARY INFORMATION:** Section 53402(a) of Title 46, United States Code, requires that the Secretary of Transportation (Secretary), in consultation with the Secretary of Defense (SecDef), establish a fleet of active, commercially viable, militarily useful, privately-owned product tank vessels to meet national defense and other security requirements. The TSP provides a stipend to tanker operators of U.S.-flagged vessels that meet certain qualifications. Payments to participating operators are limited to \$6 million per ship, per fiscal year and are subject to annual appropriations. Participating operators are required to make their commercial transportation resources available upon request of the SecDef during times of war or national emergency.

#### Application Criteria

Section 53403(b)(2)(A) of Title 46, United States Code, and MARAD's implementing regulation at 46 CFR 294.9, direct the Secretary in consultation with the SecDef to consider applicant vessel qualifications and give priority to applications based on the following criteria:

- (1) Vessel capabilities, as established by SecDef;
- (2) Applicant's record of vessel ownership and operation of tanker vessels; and
- (3) Applicant's citizenship, with preference for Section 50501 Citizens.

#### Vessel Requirements

Acceptable vessels for a TSP Operating Agreement must meet the requirements of 46 U.S.C. 53402(b) and 46 CFR 294.9. The Commander, USTRANSCOM, has provided vessel suitability standards for eligible TSP vessels for use during the application selection process. The following suitability standards, consistent with the requirements of 46 U.S.C. 53402(b)(5), will apply to vessel applications:

- Medium Range (MR) tankers between 30,000–60,000 deadweight tons, with fuel cargo capacity of 230,000 barrels or greater;

- Deck space and size to accept installation of Consolidation (CONSOL) stations, two on each side for a total of four stations;

- Ability to accommodate up to an additional 12 crew for CONSOL, security, and communication crew augmentation;

- Communication facilities capable of integrating secure communications equipment;

- Does not engage in commerce or acquire any supplies or services if any proclamation, Executive order, or statute administered by Office of Foreign Assets Control (OFAC), or if OFAC's regulations at 31 CFR Chapter V, would prohibit such a transaction by a person subject to the jurisdiction of the United States, except as authorized by the OFAC in the Department of the Treasury;

- Operate in the Indo-Pacific region;
- Maximum draft of no more than 44 feet. Preference will be given to vessels that can transport the most fuel at the shallowest draft;

- Sustained service speed of at least 14 knots, with higher speeds preferred;
- Carry only clean refined products;

- and
- Double-hulled and capable of carrying more than two separated grades of refined petroleum products with double valve protection between tanks.

#### National Security Requirements

The applicant chosen to receive a TSP Operating Agreement will be required to enter into an Emergency Preparedness Agreement (EPA) in accordance with 46 U.S.C. 53407, or such other agreement as may be approved by the Secretaries. The current EPA approved by the Secretary and SecDef is the Voluntary Tanker Agreement (VTA), publicly available for review at 87 FR 67119 (November 7, 2022).

#### Documentation

A vessel chosen to receive the TSP Operating Agreement must be documented as a U.S.-flag vessel under 46 U.S.C. chapter 121 to operate under the Operating Agreement. An applicant proposing a vessel registered under the laws of a foreign country at the time of application must demonstrate the vessel owner's intent to have the vessel documented under U.S. law and must demonstrate that the vessel is U.S.-registered by the time the applicant enters into a TSP Operating Agreement for the vessel. Proof of U.S. Coast Guard vessel documentation and inspection and all relevant charter and management agreements for a chosen vessel must be approved by MARAD before the vessel will be eligible to

operate under a TSP Operating Agreement and receive TSP payments.

#### Vessel Operation

A vessel selected for award of a TSP Operating Agreement must be operated in foreign commerce, in mixed foreign commerce and domestic trade of the United States permitted under a registry endorsement issued under 46 U.S.C. 12111, or between U.S. ports and those points identified in 46 U.S.C. 55101(b), or in foreign-to-foreign commerce, and must not otherwise operate in the coastwise trade of the United States. Further, no vessel may operate under a TSP Operating Agreement while it is also operating under charter to the U.S. Government for a period that, together with options, exceeds 180 continuous days.

#### Protection of Confidential Commercial or Financial Information

If the application includes information that the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: (1) Note on the front cover that the submission "Contains Confidential Commercial or Financial Information (CCFI)"; (2) mark each affected page "CCFI"; and (3) highlight or otherwise denote the CCFI portions. MARAD will protect such information from disclosure to the extent allowed under applicable law. In the event MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under that procedure will be exempt from disclosure under FOIA.

#### Award of Operating Agreements

MARAD will make every effort to expedite the review of applications and the award of a TSP Operating Agreement. MARAD, however, does not guarantee the award of a TSP Operating Agreement in response to applications submitted under this Notice. If no awards are made, or an application is not selected for an award, the applicant will be provided with a written reason for why the application was denied.

(Authority: 46 U.S.C. chapter 534, 49 CFR 1.92 and 1.93, 46 CFR 294)

By order of the Maritime Administrator.

**T. Mitchell Hudson, Jr.**

*Secretary, Maritime Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2023-0071]

#### Pipeline Safety: Request for Special Permit; DTM Gas Storage Company

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA); U.S. Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** PHMSA is publishing this notice to solicit public comments on a request for special permit received from the DTM Gas Storage Company (DTM). The special permit request is seeking relief from compliance with certain requirements in the Federal pipeline safety regulations. At the conclusion of the 30-day comment period, PHMSA will review the comments received from this notice as part of its evaluation to grant or deny the special permit request.

**DATES:** Submit any comments regarding this special permit request by April 1, 2024.

**ADDRESSES:** Comments should reference the docket number for this special permit request and may be submitted in the following ways:

- *E-Gov Website:* <http://www.Regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency.

- *Fax:* 1-202-493-2251.

- *Mail:* Docket Management System: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Docket Management System: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

*Instructions:* You should identify the docket number for the special permit request you are commenting on at the beginning of your comments. If you submit your comments by mail, please submit two (2) copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at <http://www.Regulations.gov>.

**Note:** There is a privacy statement published on <http://www.Regulations.gov>. Comments, including any personal