

unauthorized entrants; and ensuring the reliability and durability of the device.

As required by 49 U.S.C. 33106 and 49 CFR 543.6(a)(4) and (5), the agency finds that Nissan has provided adequate reasons for its belief that the antitheft device will reduce and deter theft. This conclusion is based on the information Nissan provided about its antitheft device, much of which is confidential. This confidential information included a description of reliability and functional tests conducted by Nissan for the antitheft device and its components.

For the foregoing reasons, the agency hereby grants in full Nissan's petition for exemption for the vehicle line from the parts-marking requirements of 49 CFR part 541. The agency notes that 49 CFR part 541, appendix A-I identifies those lines that are exempted from the theft prevention standard for a given model year. Advance listing, including the release of future product nameplates, is necessary in order to notify law enforcement agencies of new models exempted from the parts-marking requirements of the Theft Prevention Standard. Therefore, since Nissan has been granted confidential treatment for the nameplate of its vehicle, the confidential status of the nameplate will be protected until, but no later than, June 1, prior to the model year of its introduction into the marketplace. At that time, Appendix A-I will be revised to reflect the nameplate of Nissan's exempted vehicle line.

If Nissan decides not to use the exemption or this line, it must formally notify the agency, and, thereafter, the line must be fully marked as required by 49 CFR 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if Nissan 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. Section

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, § 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 which § 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: May 12, 1998.

**L. Robert Shelton,**

*Associate Administrator for Safety Performance Standards.*

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration Office of Hazardous Materials Safety

#### Notice of Applications for Exemptions

**AGENCY:** Research and Special Programs Administration, Office of Hazardous Materials Safety, DOT.

**ACTION:** List of Applicants for Exemptions.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the applications described herein. Each mode of transportation for which a particular exemption 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 June 18, 1998.

**ADDRESS COMMENTS TO:** Dockets Unit, Research and Special Programs Administration, Room 8421, DHM-30, 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 exemption application number.

#### FOR FURTHER INFORMATION CONTACT:

Copies of the applications (See Docket Number) are available for inspection at the New Docket Management Facility, PL-401, at the U.S. Department of Transportation, Nassif Building, 400 7th Street, SW, Washington, DC 20590.

This notice of receipt of applications for new exemptions is published in accordance with Part 107 of the Hazardous Materials Regulations Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on May 14, 1998.

**J. Suzanne Hedgepeth,**

*Director, Office of Hazardous Materials, Exemptions and Approvals.*

## NEW EXEMPTIONS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
12063-N .....	RPSA-1998-3827	The Hydrocarbon Flow Specialist, Inc., Morgan City, LA.	49 CFR 172.102, SP T-18.	To authorize the transportation in commerce of Hydrofluoric Acid solutions, Class 8, in IM 101 tanks equipped with valve to allow for bottom discharge. (Modes 1, 3.)
12064-N .....	RPSA-1998-3830	Occident Chemical Corp., Webster, TX.	49 CFR 180.509(e) .....	To authorize the requalification of tank cars using acoustic emission testing. (Mode 2.)
12065-N .....	RPSA-1998-3831	International Flavors & Fragrances Inc., Hazlet, NJ.	49 CFR 173.120(c)(ii) ...	To authorize the use of a specially designed device to obtain flashpoint data for fragrance formulas. (Modes 1, 2, 3, 4, 5.)
12066-N .....	RPSA-1998-3834	KMG Bernuth Inc., Houston, TX.	49 CFR 173.35(b) .....	To authorize the reuse of flexible IBCs for use in transporting pentachlorophenol, Division 6.1. (Mode 1.0)

## NEW EXEMPTIONS—Continued

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
12067-N .....	RPSA-1998-3833	United Parcel Service Co., Louisville, KY.	49 CFR 171.2(a), 173.3(a), 173.301(e), 173.302(a), 173.34(a)(1)&(e).	To authorize the transportation in commerce of compressed gases, n.o.s., Division 2.2 in non-DOT specification cylinders used as part of an aircraft components. (Mode 1.)
12068-N .....	RPSA-1998-3850	United States Sea Launch GP, L.L.C., Long Beach, CA.	49 CFR 173.56, 173.60	To authorize the shipment of a rocket motor and components which have not been examined and approved as required in specially designed packagings and shipping configurations. (Modes 1, 3, 4.)
12069-N .....	RPSA-1998-3829	Compagnie Des Containers Reservoirs, Paris, FR.	49 CFR 173.32b(b) .....	To authorize an alternative visual inspection schedule for certain DOT Specification IM 101 portable tanks used in dedicated service for the transportation in commerce of methylthiopropionic aldehyde (4-thiopentanal), Division 6.1. (Modes 1, 2, 3.)
12072-N .....	RPSA-1998-3838	Consani Engineering (Pty) Ltd., South Africa.	49 CFR 178.245-1(a) ...	To manufacture, mark and sale DOT Specification 51 ISO tank containers designed in accordance with Section VIII Division 2 of the ASME code for use in transporting Division 2.1, 2.2 and 2.3 material. (Modes 1, 2, 3.)
12073-N .....	RPSA-1998-3840	Patriotic Fireworks, North East, MD.	49 CFR 173.56(j) .....	To authorize the transportation in commerce of certain approved Division 1.3G fireworks devices in specially designed packagings to be offered for transportation as Division 1.4G fireworks. (Modes 1, 2.)
12074-N .....	RPSA-1998-3841	Van Hool NV B-2500 Lier, Koningshooikt, BE.	49 CFR 178-245-1(a) ..	To manufacture, mark and sale DOT Specification steel portable tanks designed, constructed and stamped in accordance with Division 2 of Section VIII of the ASME B&PV Code for use in transporting Division 2.1 and 2.2 material. (Modes 1, 2, 3.)
12076-N .....	RPSA-1998-3839	The Valvoline Co., Lexington, KY.	49 CFR 172.101 .....	To authorize the transportation in commerce of automotive starting fluids products with alternative shipping name in order to use existing stock. (Mode 1.)

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## DEPARTMENT OF TRANSPORTATION

Research and Special Programs  
Administration, Office of Hazardous  
Materials SafetyNotice of Applications for Modification  
of Exemption**AGENCY:** Research and Special Programs  
Administration, Office of Hazardous  
Materials Safety, DOT.**ACTION:** List of Applications for  
Modification of Exemptions.**SUMMARY:** In accordance with the  
procedures governing the application  
for, and the processing of, exemptions

from the Department of Transportation's Hazardous Materials 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 modifications of exemptions (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 applications for exemptions to facilitate processing.

**DATES:** Comments must be received on or before June 3, 1998.**ADDRESS COMMENTS TO:** Dockets Unit,  
Research and Special Programs  
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 exemption number.

**FOR FURTHER INFORMATION:** Copies of the applications are available for inspection in the Dockets Unit, Room 8426, Nassif Building, 400 7th Street SW, Washington, DC.

Application No.	Docket No.	Applicant	Modification of exemption
10672-M .....	.....	Burlington Packaging, Inc., Brooklyn, NY (See Footnote 1) .....	10672
11352-M .....	.....	PepsiCo, Inc., Arlington, TX (See Footnote 2) .....	11352
11396-M .....	.....	Laidlaw Environmental Services Inc., Columbia, SC (See Footnote 3) .....	11396
11624-M .....	.....	Laidlaw Environmental Services Inc., Columbia, SC (See Footnote 4) .....	11624
11686-M .....	.....	Bridgeview, Inc., Morgantown, PA (See Footnote 5) .....	11686