

of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

**Discussion of Comments**

FMCSA received one comment in this proceeding. The comment is considered and discussed below.

Brian Dardar commented in favor of granting the Federal vision exemption to all of the drivers listed in this notice because they have already demonstrated their ability to operate a CMV safely on state highways and a doctor's opinion has supported the applicants.

**Conclusion**

Based upon its evaluation of the 19 exemption applications, FMCSA exempts James W. Bittle (OK), Kenneth C. Caldwell (NY), Paul Claas (WI), Roger A. Duester (TX), Edward A. Egy (OH), Jonathan D. Evans (KY), Kelvin Frandin (KY), Charlene E. Geary (SD), Robert S. Gibson, Jr. (PA), Andrew F. Hill (TX), David N. Hinchcliffe (TX), Michael C. Hoff (WA), Joel M. Hunter (OH), Morris W. Lammert, Jr., (WI) Ray E. Meyers II, (MD), William J. Powell, Jr. (NC), Benny L. Sanchez (CA), Sandeep Singh (CA) and James T. Stalker (OH) from the vision requirement in 49 CFR 391.41(b)(10), subject to the

requirements cited above (49 CFR 391.64(b)).

In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for 2 years unless revoked earlier by FMCSA. The exemption will be revoked if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136 and 31315.

If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: October 16, 2012.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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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.

**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 (September to September 2012).

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 October 15, 2012.

**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>			
6691-M .....	Matheson Tri-Gas, Inc. Basking Ridge, NJ.	49 CFR 180.209(b)(i) .....	To modify the special permit to remove Linde's reference within paragraph 7.b. and add additional operational controls.
15267-M .....	SMI Companies Franklin, LA ..	49 CFR 171.8 .....	To modify the special permit to change the design by removing the 2" nozzles on the top flange.
11629-M .....	U.S. Department of Defense Scott AFB, IL.	49 CFR 106; 107; 171-180 ....	To modify the special permit to authorize the transportation in commerce of additional Division 1.2 and 1.3 hazardous materials.
13102-M .....	Robertshaw Industrial Products dba Invensys Controls Maryville, TN.	49 CFR 173.150(b); 173.222(c); 173.306(a); 173.322.	To modify the special permit to authorize the transportation in commerce of additional Division 2.1 and 3 hazardous materials.
<b>NEW SPECIAL PERMIT GRANTED</b>			
15552-N .....	POLY-COAT SYSTEMS, INC. Liverpool, TX.	49 CFR 173.240, 173.241, 173.242, 173.243 and 172.244.	To authorize the manufacture, marking, sale and use of fiberglass reinforced plastic (GFRP) as the basic material of construction for DOT-412/407 type cargo tanks. (mode 1)
15580-N .....	Wisconsin Central Ltd. Homewood, MN.	49 CFR 174.85 .....	To authorize the positioning of placarded cars without a buffer car. (mode 2)
15660-N .....	Air Products and Chemicals, Inc. Tamaqua, PA.	49 CFR 180.205 and 173.302a.	To authorize a 10-year requalification for DOT-3AL carrying Division 2.1 and 2.2 materials. (modes 1, 2, 3, 4, 5)
15656-N .....	Korean Air Lines Co. Ltd. (KAL) Arlington, VA.	49 CFR 172.101 Column (9B), 172.204(c)(3), 173.27, and 173.30(a)(1).	To authorize the one-time transportation in commerce of certain explosives that are forbidden for transportation by cargo only aircraft. (mode 4)
<b>EMERGENCY SPECIAL PERMIT GRANTED</b>			
14483-M .....	WEW Westerwaekder Eusebwerk Weitefeld Germany.	49 CFR 178.276(b)(1) .....	To modify the special permit to indicate a fillign level is attached to the manhole lid. (modes 1, 2, 3)

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
15710-N .....	USA Jet Airlines, Inc. Belleville, MI, MI.	49 CFR 175.85 .....	To authorize the transportation in commerce of a Duracell 600HD Portable Power Source, containing a non-spillable battery, by passenger aircraft. (mode 5)

**MODIFICATION SPECIAL PERMIT WITHDRAWN**

15448-M .....	U.S. Department of Defense Scott AFB, IL.	49 CFR 172.320, 173.51, 173.56, 173.57 and 173.58.	To modify the special permit to authorize interim hazard classification of Class 4 and 5 materials, and to allow that Ammunition and Explosives (AE) containing Class 1 may be classified as other than Class 1 dependent on the characteristics of the AE.
1428-M .....	IDQ operating Inc. Tarrytown, NY.	49 CFR 173.304(d) .....	To modify the special permit to authorize the wording in paragraph 8.a to be changed from package to packaging would allow the containers to be shipped back to the manufacturer for recycling as a Consumer Commodity ORM-D.

**NEW SPECIAL PERMIT WITHDRAWN**

15669-N .....	U.S. Department of Defense Scott Air Force Base, IL.	49 CFR 172.101, Column 1; 176.65; 176.84(c)(2); and 176.136.	To authorize alternate stowage of Class 1 ammunition on United States Navy Container Ships. (mode 3)
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**DENIED**

15504-N .....	Request by FIBA Technologies, Inc Millbury, MA September 07, 2012 To authorize the manufacture, marking, sale and use of non-DOT specification cylinders for the transportation in commerce of certain compressed gases.		
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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Notice of Application for Special Permits**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), 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 (49 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 November 23, 2012.

*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 SE., 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 October 15, 2012.

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

**NEW SPECIAL PERMITS**

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
15712-N .....	.....	Air Transport International, Little Rock, AR.	49 CFR 172.101 Column (9B); 172.204(c)(3); 173.27(b)(2)(3); 175.30(a)(1).	To authorize the air transportation in commerce of certain explosives which are forbidden for shipment by cargo-only aircraft. (mode 4)
15713-N .....	.....	Bulk Tank International, Guanajuato, Mexico.	49 CFR 178.345-2; 178.346-2; 178.347-2; 178.348-2.	To authorize the manufacture, marking, sale and use of DOT 400 series cargo tanks using alternative materials of construction, specifically duplex stainless steels. (mode 1)
15716-N .....	.....	Department of Energy, Washington, DC.	49 CFR 49 CFR § 173.310	To authorize the transportation in commerce of boron trifluoride in radiation detectors. (mode 1)
15718-N .....	.....	Siex, Burgos, Spain .....	49 CFR 173.302a and 173.304a.	To authorize the transportation in commerce of Division 2.2 gases in non-DOT specification cylinders. (modes 1, 3)
15719-N .....	.....	Ameripak, Pontiac, MI .....	49 CFR 173.185 .....	To authorize the manufacture, mark, sale and use of UN50D plywood box for the transportation in commerce of lithium batteries. (mode 1)