

concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

#### Request for Comments

FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31315 and 31136(e). However, FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by February 6, 2006.

FMCSA believes that the requirements for a renewal of an exemption under 49 U.S.C. 31315 and 31136(e) can be satisfied by initially granting the renewal and then requesting and evaluating, if needed, subsequently comments submitted by interested parties. As indicated above, the agency previously published notices of final disposition announcing its decision to exempt these 17 individuals from the vision requirement in 49 CFR 931.41(b)(10). That final decision to grant the exemption to each of these individuals was based on the merits of each case and only after careful consideration of the comments received to its notices of applications. Those notices of applications stated in detail the qualifications, experience, and medical condition of each applicant for an exemption from the vision requirements. That information is available by consulting the above cited **Federal Register** publications.

Interested parties or organizations possessing information that would otherwise show that any, or all of these drivers, are not currently achieving the statutory level of safety should immediately notify FMCSA. The agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31315 and 31136(e), FMCSA will take immediate steps to revoke the exemption of a driver.

Issued on: December 28, 2005.

**Larry W. Minor,**

*Director, Office of Bus and Truck Standards and Operations.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2005-23198]

#### Pipeline Safety: Mechanical Damage Technical Workshop

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

**ACTION:** Notice of workshop.

**SUMMARY:** PHMSA and the National Association of Pipeline Safety Representatives (NAPSR) are hosting this workshop to address pipeline safety issues with mechanical damage. Several pipeline industry trade associations are participating in the development of the workshop agenda. Mechanical damage from third party intrusion and latent defects caused during pipeline construction remains a leading cause of major incidents. This workshop will provide a forum to share information on mechanical damage among pipeline operators, state agencies, technical experts, and the public. Participants will discuss and learn about prevention, detection, and characterization technologies for mechanical damage. This information will aid PHMSA in coordinating actions to address the problems mechanical damage poses in operating natural gas and hazardous liquid pipelines.

**DATES:** PHMSA will hold the meeting on Tuesday, February 28, 2006, from 8 a.m. to 4:30 p.m. and Wednesday, March 1, 2006, from 9 a.m. to 4:30 p.m.

**ADDRESSES:** PHMSA will hold the meeting at the Houston Marriott Westchase, 2900 Briar Park Drive, Houston, Texas 77042. The telephone number for hotel reservations is (713) 978-7400 or 1-(800) 452-5110.

**FOR FURTHER INFORMATION CONTACT:** Please contact Robert Smith at (202) 366-3814, or [robert.w.smith@dot.gov](mailto:robert.w.smith@dot.gov), regarding the subject matter of this notice. For information regarding hotel accommodations for individuals with disabilities, please contact the hotel staff at (713) 978-7400.

#### SUPPLEMENTARY INFORMATION:

*Who Should Attend:* PHMSA urges Federal and State pipeline safety regulators and operators of natural gas transmission and distribution, and hazardous liquid pipelines to attend. Workshop attendees will discuss and see existing and future technology used to prevent, detect and characterize mechanical damage.

*Registration with PHMSA:* To facilitate meeting planning, advance

registration is strongly encouraged. Please visit the Meeting Registration and Document Commenting webpage (<http://primis.phmsa.dot.gov/meetings/>) where PHMSA will post details about the meeting.

*Hotel Registration:* PHMSA has reserved a room rate of \$92.00 per night for the first 100 reservations for both Monday, February 27 and Tuesday, February 28, 2006. Mention the Department of Transportation/PHMSA or the Mechanical Damage Technical Workshop when speaking with the hotel. The hotel must receive reservations by attendees on or before, February 13, 2006.

*Background:* PHMSA and NAPSR are hosting this workshop to address pipeline safety issues with mechanical damage. Several pipeline industry trade associations are participating in the development of the workshop agenda. The participating trade associations are the American Gas Association, Association of Oil Pipe Lines, American Public Gas Association, American Petroleum Institute, Common Ground Alliance, Interstate Natural Gas Association of America, In Line Inspection Association and the Pipeline Research Council International. The results of this workshop and the information shared will further research on mechanical damage and document the state of current damage prevention, detection and characterization technology.

Mechanical damage from third party intrusion and latent defects caused during pipeline construction remains a leading cause of major pipeline incidents. Mechanical damage defect types are commonly identified as denting, metal loss, metal deformation, and cracking. Several existing technologies are in practice to prevent, detect and characterize damage to pipelines. Regulators, operators, and commercial vendors have varying levels of confidence in these technologies. Several organizations fund or conduct research addressing mechanical damage technology. Organizations developing mutual technology goals will lead to aligning resources, better synergy, and better dissemination of information about new technologies. This will promote pipeline safety across the industry. The workshop aims to identify confidence levels with existing technologies, build research synergy, and gauge the state of our efforts to address mechanical damage.

Issued in Washington, DC, on December 30, 2005.

**Stacey L. Gerard,**

*Associate Administrator for Pipeline Safety.*

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BILLING CODE 4910-60-P

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2004-19857]

#### Pipeline Safety: Public Meeting on Operator Qualifications

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

**ACTION:** Notice of availability of materials from public meeting; request for comments.

**SUMMARY:** This notice announces the availability of materials, including a revised concept paper, presented at the public meeting on operator qualification programs on December 15, 2005. PHMSA is preparing a report to Congress on the status and results of these programs to ensure the qualifications of individuals performing safety tasks on pipelines. Participants at the meeting discussed progress on operator qualification programs to help PHMSA prepare the report to Congress. Participants also discussed the potential for strengthening operator qualification programs. PHMSA requests public comment on these matters.

**DATES:** Submit comments on the progress on operator qualification programs by January 20, 2006. Submit comments on the potential for strengthening operator qualification programs by February 10, 2006.

**ADDRESSES:** You may file written comments by mail or deliver them to the Dockets Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. The Dockets Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays. You also may file written comments to the docket electronically by logging onto the following Internet Web address: <http://dms.dot.gov>. Click on "Help & Information" for instructions on how to file a document electronically. All written comments should reference docket number PHMSA-2004-19857. Anyone who would like confirmation of mailed comments must include a self-addressed stamped postcard.

*Privacy Act Statement:* Anyone may search the electronic form of all

comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Barbara Betsock at (202) 366-4361 or [Barbara.Betsock@dot.gov](mailto:Barbara.Betsock@dot.gov).

**SUPPLEMENTARY INFORMATION:** The Pipeline Safety Improvement Act of 2002 directs PHMSA to file a report to Congress on the status and results of the operator qualification programs by December 17, 2006. To complete this report on time, PHMSA requests comments on the progress of these programs.

In addition, PHMSA is considering additional action to strengthen operator qualification programs. PHMSA announced the December 15, 2005, public meeting in a **Federal Register** notice on October 28, 2005 (70 FR 62161). Before the meeting, PHMSA posted a concept paper on its Web page (<http://ops.dot.gov>). Based on discussions during the public meeting and during a meeting of PHMSA's pipeline safety advisory committees on December 13, 2005, PHMSA posted a revised concept paper. PHMSA requests comments on the approach to strengthening operator qualification programs outlined in this revised concept paper.

Issued in Washington, DC, on December 29, 2005.

**Stacey L. Gerard,**

*Associate Administrator for Pipeline Safety.*

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BILLING CODE 4910-60-P

## DEPARTMENT OF THE TREASURY

### Departmental Offices; Interim Guidance Concerning the Terrorism Risk Insurance Extension Act of 2005

**AGENCY:** Departmental Offices, Department of the Treasury.

**ACTION:** Notice.

**SUMMARY:** This notice provides interim guidance to insurers, policyholders, state insurance regulators and the public concerning recent statutory amendments to the Terrorism Risk Insurance Act of 2002 (Pub. L. 107-297, 116 Stat. 2322). In particular, this notice provides interim guidance on the types of commercial property and casualty insurance covered by the Act, the requirements to satisfy the Act's mandatory availability ("make

available") provision and on the operation of the new "Program Trigger" provision in section 103(e)(1)(B) of the Act.

**DATES:** This notice is effective immediately and will remain in effect until superceded by regulations or by subsequent notice.

**FOR FURTHER INFORMATION CONTACT:** Howard Leikin, Deputy Director, Terrorism Risk Insurance Program or David J. Brummond, Legal Counsel, Terrorism Risk Insurance Program (202-622-6770).

**SUPPLEMENTARY INFORMATION:** This notice provides interim guidance to assist insurers and policyholders in understanding certain requirements of the Terrorism Risk Insurance Act of 2002 as amended by the Terrorism Risk Insurance Extension Act of 2005 (Pub. L. 109-144, 119 Stat. 2660) pending the issuance of regulations by the Department of the Treasury. The interim guidance contained in this notice may be relied upon by insurers in complying with these statutory requirements prior to the issuance of regulations, but is not the exclusive means of compliance. This interim guidance remains in effect until superceded by regulations or subsequent notice.

#### I. Background

On November 26, 2002, the President signed into law the Terrorism Risk Insurance Act of 2002 (Pub. L. 107-297) (TRIA or the Act). The Act became effective immediately. It established a temporary Terrorism Risk Insurance Program (TRIP or the Program) of shared public and private compensation for insured commercial property and casualty losses resulting from an act of terrorism, as defined in the Act. The Act was scheduled to expire on December 31, 2005.

On December 22, 2005, the President signed into law the Terrorism Risk Insurance Extension Act of 2005 (Extension Act), which extends TRIA through December 31, 2007. In doing so, the Extension Act adds Program Year 4 (January 1-December 31, 2006) and Program Year 5 (January 1-December 31, 2007) to the Program. In addition, the Extension Act made other significant changes to TRIA that include:

- A revised definition of "Insurer Deductible" that adds new Program Years 4 and 5 to the definition. The insurer deductible is set as the value of an insurer's direct earned premium for commercial property and casualty insurance (as now defined in the Act) over the immediately preceding calendar year multiplied by 17.5 percent