

is available on the World Wide Web at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-2307.

**SUPPLEMENTARY INFORMATION:** Title V of Pub. L. 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

**Vessel Proposed for Waiver of the U.S.-Build Requirement**

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* AMISTAD. *Owner:* Seaway Inc.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* "34 ft. length, 10.2 ft. Breadth, 7.0 Ft. Depth, 12 Gross, 11 Net Tons. The vessel displaces 19,000 lbs."

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* "I intend to use the vessel for carrying six or fewer passengers for hire in the Chesapeake Bay and tributaries."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1967. *Place of construction:* Yokosuka, Japan.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to*

*the applicant:* "This waiver will have no negative impact on other commercial passenger vessel operators. While there are a number of wooden sailing vessels offering cruises operating out of the northern Chesapeake Bay, I believe they are larger passenger vessels, carrying more than 12 passengers."

I hope the waiver will have positive impact on the larger industry in the area. By expanding the availability of sailing trips to smaller groups, it should help increase the local market for sailing cruises. In addition, I have listed the vessel with the State of Maryland's Department of National Resources as an "Historical Watercraft". As the vessel was designed by a Maryland Naval Architect, I wish to focus my passengers on the local tradition of wooden sailing vessels."

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* "This waiver should have a positive impact on U.S. Shipyards, as repairs and renovations to this vessel will be made in the U.S. For example, I recently hired a local builder of wooden boats to do some repair and maintenance work on the vessel's hull. In addition, although the vessel was built in Japan, it's designer is a local Naval Architect."

Dated: July 15, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

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**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs Administration**

**Office of Hazardous Materials Safety; Notice of Applications for Modification of Exemption**

**AGENCY:** Research and Special Programs Administration, 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. Applications numbers with the suffix "M" denote a modification request. These applications have separated from the new applications for exemptions to facilitate processing.

**DATES:** Comments must be received on or before August 5, 2002.

**ADDRESS COMMENTS TO:** Records Center, 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 CONTACT:**

Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 4th Street SW., Washington, DC or at <http://dms.dot.gov>.

This notice is receipt of applications for modification of exemptions 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 July 12, 2002.

**R. Ryan Posten,**

*Exemptions Program Officer, Office of Hazardous Materials, Exemptions and Approvals.*

Application No.	Docket No.	Applicant	Modification of Exemption
7657-M .....		Welker Engineering Company, Sugar Land, TX (See Footnote 1) .....	7657
8232-M .....		National Refrigerants, Inc., Philadelphia, PA (See Footnote 2) .....	8232
10389-M .....		Great Lakes Chemical Corporation, El Dorado, AR (See Footnote 3) .....	10389
10789-M .....		Allied Universal Corporation, Miami, FL (See Footnote 4) .....	10789
11099-M .....		AMKO A Service Company, Gnadenhutten, OH (See Footnote 5) .....	11099
11202-M .....		Newport News Shipbuilding & Dry Dock Company, Newport News, VA (See Footnote 6).	11202
11537-M .....		Interstate Chemical Company, Inc., Hermitage, PA (See Footnote 7) .....	11537
11650-M .....		Autoliv ASP, Inc., Ogden, UT (See Footnote 8) .....	11650

Application No.	Docket No.	Applicant	Modification of Exemption
11753-M .....		Ashland, Inc., Columbus, OH (See Footnote 9) .....	11753
11970-M .....	RSPA-97-2993	ExxonMobil Chemical Company, Houston, TX (See Footnote 10) .....	11970
12690-M .....	RSPA-01-9656	Air Liquide America Corporation, Houston, TX (See Footnote 11) .....	12690
12750-M .....	RSPA-01-10121	Questar, Inc., North Canton, OH (See Footnote 12) .....	12750
12844-M .....	RSPA-01-10753	Delphi Automotive Systems, Troy, MI (See Footnote 13) .....	12844
12855-M .....	RSPA-01-10914	Kraton Polymers U.S. LLC, Belpre, OH (See Footnote 14) .....	12855
12917-M .....	RSPA-02-12038	Northwest Ohio Towing & Recovery, Inc., Beavertown, OH (See Footnote 15) .....	12917
12981-M .....		Airgas, Inc., Cheyenne, WY (See Footnote 16) .....	12981

(1) To modify the exemption to authorize the transportation of additional Division 2.1 and 2.2 materials in non-DOT specification stainless steel cylinders.

(2) To modify the exemption to authorize the transportation of a Division 2.2 material in non-DOT specification portable tanks.

(3) To modify the exemption to authorize the transportation of a Division 6.1 and additional Class 8 material in tank cars.

(4) To modify the exemption to authorize the retest period from 2 to 5 years for non-DOT specification fully open-head steel salvage cylinders and the use of a 3AA480 cylinder for the transportation of Division 2.3 materials.

(5) To modify the exemption to authorize retesting of DOT Specification 3A and 3AA cylinders by acoustic emission (AE) and ultrasonic examination (UE) method for the transportation of Division 2.1 and 2.2 materials.

(6) To modify the exemption to authorize the transportation of Division 5.2, 6.1 and additional Division 5.1 materials across a public road via motor vehicle.

(7) To modify the exemption to authorize the transportation of an additional Class 8 material in an intermediate bulk container (IBC) that is securely mounted to a flatbed trailer.

(8) To modify the exemption to authorize an additional design qualification of the non-DOT specification pressure vessel sidewall opening for the transportation of Division 2.2 materials.

(9) To modify the exemption to authorize the use of a 300 kpa rated container for the transportation of a Class 8 material.

(10) To modify the exemption to authorize the use of alternative size non-DOT specification steel portable tanks for the transportation of a Division 4.2 material.

(11) To modify the exemption to authorize cargo vessel as an additional mode for the transportation of a Division 2.3 material in DOT Specifications 3AA steel cylinders.

(12) To modify the exemption to authorize an additional 11HH2 Rigid Combination Intermediate Bulk Container (IBC) marking code for use as outer packaging for lab pack applications transporting various Class and Division materials.

(13) To modify the exemption to authorize relief from the requirement for each non-DOT specification pressure vessel longitudinal weld seam to be 100% radiographically inspected for the transportation of Division 2.2 materials.

(14) To reissue the exemption originally issued on an emergency basis for the transportation of non-DOT specification pressure vessels containing a Class 3 material.

(15) To reissue the exemption originally issued on an emergency basis for the transportation of Class 3 materials in non-DOT specification cargo tanks (aviation refuelers).

(16) To reissue the exemption originally issued on an emergency basis for the transportation of a Division 2.2 material in DOT Specification MC-330 and MC-331 cargo tank motor vehicles with an alternate means to shut down the flow of product.

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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, 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 August 19, 2002.

**ADDRESS COMMENTS TO:** Records Center, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comment 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 or at <http://dms.dot.gov>.

This notice of receipt of applications for new exemptions 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 July 12, 2002.

**R. Ryan Posten,**

*Exemptions Program Officer, Office of Hazardous Materials, Exemptions and Approvals.*