

## Commitment

Any U.S.-flag vessel operator desiring to receive priority consideration in the award of DOD peacetime contracts must commit no less than 50 percent of its total U.S.-flag militarily useful capacity in Stage III of the VISA program. Participants operating vessels in international trade and desiring to bid on DOD peacetime contracts will be required to provide commitment levels to meet DOD-established Stages I and/or II minimum percentages of the participant's militarily useful, oceangoing U.S.-flag international trading fleet capacity on an annual basis. USTRANSCOM and MARAD will coordinate to ensure that the amount of sealift assets committed to Stages I and II will not have an adverse national economic impact. To minimize domestic commercial disruption, participants operating vessels exclusively in the domestic Jones Act trades are not required to commit the capacity of those U.S. domestic trading vessels to VISA Stages I and II. Overall VISA commitment requirements are based on annual enrollment.

In order to protect a U.S.-flag vessel operator's market share during contingency activation, VISA allows participants to join with other vessel operators in Carrier Coordination Agreements (CCAs) to satisfy commercial or DOD requirements. VISA provides a defense against antitrust laws in accordance with the DPA. CCAs must be submitted to MARAD for coordination with the Department of Justice for approval, before they can be utilized.

## Compensation

In addition to receiving priority in the award of DOD peacetime cargo, a participant will receive compensation during contingency activation. During enrollment, each participant may choose a compensation methodology which is commensurate with risk and service provided. The compensation methodology selection will be completed with the appropriate DOD agency.

## Enrollment

New applicants may enroll by obtaining a VISA application package (Form MA-1020 (OMB Approval No. 2133-0532)) from the Deputy Director, Office of Sealift Support, at the address indicated below. Form MA-1020 includes instructions for completing

and submitting the application, blank VISA Application forms and a request for information regarding the operations and U.S. citizenship of the applicant company. A copy of the March 16, 2005 VISA will also be provided with the package. This information is needed in order to assist MARAD in making a determination of the applicant's eligibility. An applicant company must provide an affidavit that demonstrates that the company is qualified to document a vessel under 46 U.S.C., section 12102, and that it owns, or bareboat charters and controls, oceangoing, militarily useful vessel(s) for purposes of committing assets to the VISA program. As previously mentioned, VISA applicants must return the completed VISA application documents to MARAD not later than May 31, 2005. Once MARAD has reviewed the application and determined VISA eligibility, MARAD will sign the VISA application document which completes the eligibility phase of the VISA enrollment process.

After VISA eligibility is approved by MARAD and USTRANSCOM, approved applicants are required to execute a joint VISA Enrollment Contract (VEC) with the DOD [Military Surface Deployment and Distribution Command (SDDC) and the Military Sealift Command (MSC)] which will specify the participant's Stage III commitment for the period October 1, 2005 through September 30, 2006. Once the VEC is completed, the applicant completes the DOD contracting process by executing a Drytime Contingency Contract (DCC) with MSC (for Charter Operators) and if applicable, a VISA Contingency Contract (VCC) with SDDC (for Liner Operators).

*For Additional Information and Applications Contact:* Frances M. Olsen, Deputy Director, Office of Sealift Support, U.S. Maritime Administration, Room 7307, 400 Seventh Street, SW., Washington, DC 20590. Telephone (202) 366-2260. Fax (202) 493-2180. Other information about the VISA can be found on MARAD's Internet Web page at <http://www.marad.dot.gov>.

(Authority: 49 CFR 1.66)

By order of the Maritime Administrator.  
Dated: April 26, 2005.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Office of Hazardous Materials Safety; Notice of Delays in Processing of Exemption Applications

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

**ACTION:** List of application delayed more than 180 days.

**SUMMARY:** In accordance with the requirements of 49 U.S.C. 5117(c), PHMSA is publishing the following list of exemption applications that have been in process for 180 days or more. The reason(s) for delay and the expected completion date for action on each application is provided in association with each identified

#### FOR FURTHER INFORMATION CONTACT:

Delmer Billings, Office of Hazardous Materials Exemptions and Approvals, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001, (202) 366-4535.

#### Key to "Reason for Delay"

1. Awaiting additional information from applicant
2. Extensive public comment under review
3. Application is technically complex and is of significant impact or precedent-setting and requires extensive analysis
4. Staff review delayed by other priority issues or volume of exemption applications

#### Meaning of Application Number Suffixes

- N—New application  
M—Modification request  
X—Renewal  
PM—Party to application with modification request

Dated: Issued in Washington, DC, on April 26, 2005.

**R. Ryan Posten,**

*Exemptions Program Officer, Office of Hazardous Materials Safety Exemptions & Approvals.*

| Application No.                   | Applicant   | Reason for delay | Estimated date of completion |
|-----------------------------------|---|------------------|------------------------------|
| 13183-N .....                     | Becton Dickinson, Sandy, UT .....   | 4                | 06-30-2005                   |
| 13188-N .....                     | General Dynamics, Lincoln, NE .....   | 4                | 06-30-2005                   |
| 13422-N .....                     | Puritan Bennett, Plainfield, IN .....   | 3                | 05-31-2005                   |
| 13266-N .....                     | Luxfer Gas Cylinders, Riverside, CA .....                                     | 4                | 06-30-2005                   |
| 13314-N .....                     | Sunoco Inc., Philadelphia, PA .....   | 4                | 05-31-2005                   |
| 13309-N .....                     | OPW Engineered Systems, Lebanon, OH .....                                     | 4                | 06-30-2005                   |
| 13295-N .....                     | Taylor-Wharton, Harrisburg, PA .....  | 4                | 06-30-2005                   |
| 13281-N .....                     | The Dow Chemical Company, Midland, MI .....                                   | 4                | 06-30-2005                   |
| 13302-N .....                     | FIBA Technologies, Inc., Westboro, MA .....                                   | 4                | 05-31-2005                   |
| 14010-N .....                     | Varsal, LLC, Warminster, PA .....   | 4                | 06-30-2005                   |
| 14007-N .....                     | Scientific Cylinder International, LLC, Lakewood, CO .....                    | 4                | 07-31-2005                   |
| 13999-N .....                     | Kompozit-Praha s.r.o., Dysina u Plzne, Czech Republic, CZ .....               | 4                | 05-31-2005                   |
| 14008-N .....                     | Air Products & Chemicals, Inc., Allentown, PA .....                           | 4                | 05-31-2005                   |
| 13958-N .....                     | Department of Defense, Fort Eustis, VA .....                                  | 1                | 06-30-2005                   |
| 13957-N .....                     | T.L.C.C.I, Inc., Franklin, TN .....   | 4                | 05-31-2005                   |
| 13858-N .....                     | US Ecology Idaho, Inc. (USEI), Grand View, ID .....                           | 1                | 06-30-2005                   |
| 13582-N .....                     | Linde Gas LLC (Linde), Independence, OH .....                                 | 4                | 06-30-2005                   |
| 13563-N .....                     | Applied Companies, Valencia, CA .....   | 4                | 06-30-2005                   |
| 13547-N .....                     | CP Industries, McKeesport, PA .....   | 4                | 06-30-2005                   |
| 13346-N .....                     | Stand-By-Systems, Inc., Dallas, TX .....                                      | 1                | 06-30-2005                   |
| 13347-N .....                     | ShipMate, Inc., Torrance, CA .....  | 4                | 06-30-2005                   |
| 13341-N .....                     | National Propane Gas Association, Washington, DC .....                        | 1                | 05-31-2005                   |
| <b>Modification to Exemptions</b> |   |                  |                              |
| 7277-M .....                      | Structural Composites Industries, Pomona, CA .....                            | 4                | 05-31-2005                   |
| 10878-M .....                     | Tankcon FRP Inc., Boishriand, Qc .....  | 1, 3             | 05-31-2005                   |
| 11579-M .....                     | Dyno Nobel, Inc., Salt Lake City, UT .....                                    | 4                | 05-31-2005                   |
| 13488-M .....                     | FABER INDUSTRIES SPA, (U.S. Agent: Kaplan Industries, Maple Shade, NJ .....   | 4                | 06-30-2005                   |
| 9969-M .....                      | Kin-Tek Laboratories, Inc., La Marque, TX .....                               | 4                | 05-31-2005                   |
| 13344-M .....                     | Precision Technik, Atlanta, GA .....  | 4                | 06-30-2005                   |
| 12988-M .....                     | Air Products & Chemicals, Inc., Allentown, PA .....                           | 4                | 05-31-2005                   |
| 12783-M .....                     | CryoSurgery, Inc., Nashville, TN .....  | 4                | 05-31-2005                   |
| 11526-M .....                     | BOC Gases Americas, Murray Hill, NJ .....                                     | 4                | 05-31-2005                   |
| 12284-M .....                     | The American Traffic Safety Services, Assn. (ATSSA), Fredericksburg, VA ..... | 1                | 05-31-2005                   |
| 10319-M .....                     | Amtrol, Inc., West Warwick, RI .....  | 4                | 05-31-2005                   |
| 6263-M .....                      | Amtrol, Inc., West Warwick, RI .....  | 4                | 05-31-2005                   |
| 11241-M .....                     | Rohm and Haas Co., Philadelphia, PA .....                                     | 1                | 05-31-2005                   |
| 7280-M .....                      | Department of Defense, Ft. Eustis, VA .....                                   | 4                | 05-31-2005                   |
| 10915-M .....                     | Luxfer Gas Cylinders (Composite Cylinder Division), Riverside, CA .....       | 1                | 05-31-2005                   |
| 10019-M .....                     | Structural Composites Industries, Pomona, CA .....                            | 4                | 05-31-2005                   |
| 12022-M .....                     | Taylor-Wharton (Gas & Fluid Control Group), Harrisburg, PA .....              | 4                | 06-30-2005                   |
| 8162-M .....                      | Structural Composites Industries, Pomona, CA .....                            | 4                | 05-31-2005                   |
| 8718-M .....                      | Structural Composites Industries, Pomona, CA .....                            | 4                | 05-31-2005                   |
| <b>Renewal of Exemptions</b>      |   |                  |                              |
| 9649-M .....                      | U.S. Department of Defense, Fort Eustis, VA .....                             | 1                | 05-31-2005                   |

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**DEPARTMENT OF TRANSPORTATION****Pipeline and Hazardous Materials Safety Administration****[Docket No. PHMSA-05-21019 (Notice No. 05-03)]****Hazardous Materials: Regulations for the Safe Transport of Radioactive Material (TS-R-1) and Advisory Material for the IAEA Regulations for the Safe Transport of Radioactive Materials (TS-G-1.1); Request for Comments****AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.**ACTION:** Request for written comments.

**SUMMARY:** PHMSA will accept written comments pertaining to 28 proposed changes to the International Atomic Energy Agency's (IAEA) Regulations for the Safe Transport of Radioactive Materials, TS-R-1, scheduled for revision in the year 2007 as well as written comments on the proposed changes to the Advisory Material for the IAEA Regulations for the Safe Transport of Radioactive Materials, TS-G-1.1.

**DATES:** Written comments must be received by July 1, 2005. Comments received after this date will be considered if it is practical to do so.