

MODIFICATION SPECIAL PERMITS

Application number	Docket number	Applicant	Regulation(s) affected	Nature of special permit thereof
11470-M		Veolia ES Technical Solutions, L.L.C., Flanders, NJ.	49 CFR 172.301(a)(2)	To modify the special permit to authorize revising the marking requirements.
12396-M		National Aeronautics & Space Administration, Washington, DC.	49 CFR 173.34(d); 173.302(a); 175.3.	To modify the special permit to authorize rail freight, cargo vessel, and passenger aircraft as additional modes of operation.
13998-M		3AL Testing Corp., Centennial, CO.	49 CFR 172.203(a); 172.302a(b)(2), (4)(5); 180.205(f)(g); 180.209(a), (b)(1)(iv).	To modify the special permit to authorize the ultrasonic examination of ISO 9809-2 cylinders, and the removal of Gulf Coast Hydrostatic Tests as an agent.
14227-M		Aluminum Tank Industries, Inc., Winter Haven, FL.	49 CFR 177.834(h), 178.700	To modify the special permit to authorize pumps and hoses attached to discharge outlets during transportation if certain requirements are met.
14562-M		The Lite Cylinder Company, Franklin, TN.	49 CFR 173.304a(a)(1)	To modify the special permit to authorize the maximum service pressure be raised to 400 psi, for nonflammable refrigerant gases only, for their smallest unit.
14656-M		PurePak Technology Corporation, Chandler, AZ.	49 CFR 173.158(f)(3)	To modify the special permit to authorize a 2.6 liter capacity square plastic bottle and to allow use of a 500 ml round plastic bottle.
14808-M		Amro Alfa Metalomecanica SA, Portugal.	49 CFR 178.51(b), (f)(1) and (2) and (g).	To modify the special permit to authorize an additional 2.1 material.
15468-M		Prism Helicopters Inc., Wasilla, AK.	49 CFR 172.101 Column (9B).	To modify the special permit to authorize the transportation beyond the state of Alaska.

[FR Doc. 2012-22781 Filed 9-18-12; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Notice of Delays in Processing of Special Permits Applications

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

ACTION: List of Applications 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 special permit 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 application.

FOR FURTHER INFORMATION CONTACT: Ryan Paquet, Director, Office of Hazardous Materials Special Permits and Approvals, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH-30, 1200 New Jersey Avenue Southeast, 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 special permit applications

Meaning of Application Number Suffixes

- N—New application
- M—Modification request
- R—Renewal Request
- P—Party To Exemption Request

Issued in Washington, DC, on September 10, 2012.

Donald Burger, Chief, General Approval and Permits.

Application No.	Applicant	Reason for delay	Estimated date of completion
<b>Modification to Special Permits</b>			
14372-M	Kidde Aerospace and Defense, Wilson, NC	3	10-31-2012
<b>New Special Permit Applications</b>			
15334-N	Floating Pipeline Company Incorporated, Halifax, Nova Scotia	3	09-30-2012
15558-N	3M Company St. Paul, MN	4	10-31-2012
15569-N	Vexxel Composites, LLC, Brigham City, UT	4	09-30-2012
15669-N	U.S. Department of Defense, Scott Air Force Base, IL	4	09-30-2012
15552-N	POLY-COAT SYSTEMS, INC. Liverpool, TX	4	10-31-2012

Application No.	Applicant	Reason for delay	Estimated date of completion
<b>Party to Special Permits Application</b>			
14372-P .....	L'Hotelier France .....	3	10-31-2012
13548-P .....	Interstate Battery System of The Redwoods Eureka, CA .....	4	10-31-2012

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**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[Docket No. AB 6 (Sub-No. 485X)]

**BNSF Railway Company—  
Abandonment Exemption—in McKinley  
County, N.M.**

BNSF Railway Company (BNSF) has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon 5.11 miles of rail line located between milepost 14.50 and milepost 19.61, north of Defiance, in McKinley County, N.M. (the Line). The Line traverses United States Postal Service Zip Code 87319.

BNSF has certified that: (1) No local traffic has moved over the line for at least two years; (2) no overhead traffic has moved over the line for at least two years; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of a complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad*—

*Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, these exemptions will be effective on October 19, 2012, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by October 1, 2012. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by October 9, 2012, with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to applicant's representative: Karl Morell, Ball Janik LLP, Suite 225, 655 Fifteenth St. NW., Washington, DC 20005.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

<sup>1</sup>The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Serv. Rail Lines*, 5 I.C.C. 2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup>Each OFA must be accompanied by the filing fee, which is currently set at \$1,600. See *Regulations Governing Fees for Servs. Performed in Connection with Licensing and Related Servs.—2012 Update*, EP 542 (Sub-No. 20) (STB served July 27, 2012).

BNSF has filed a combined environmental and historic report that addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) on September 24, 2012. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1 (800) 877-3339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), BNSF shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by filing of a notice of consummation by September 19, 2013, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: September 14, 2012.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Derrick A. Gardner,**  
*Clearance Clerk.*

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