

With this information, BNSF should be able to uniformly address any necessary manufacturer bulletins and updates at the same time while gathering software and hardware information.

The software development time, the time it has taken to gather manufacturer information, the training time, the time for field personnel to gather information, the time for resolution of differences, and the time needed for verification of modification levels, all place BNSF's timeline to comply with 49 CFR 236.18(b) significantly beyond the required date of June 6, 2008. To that extent, BNSF requests a waiver for relief from the June 6, 2008, deadline established by 49 CFR 236.18(b), and asserts that it will need a 12-month extension to allow for the complete implementation of their SMCP no later than June 5, 2009. BNSF does identify specific milestones of an intended percentage of completion during the 12-month extension period.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. All communications concerning these proceedings should identify the appropriate Docket Number (Docket Number FRA-2008-0034) and may be submitted by one of the following methods:

- *Web site:* <http://www.regulations.gov>.

Follow the online instructions for submitting comments.

- *Fax:* 202-493-2251.

• *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.

• *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the

comment period and specify the basis for their request.

Communications received within 30 days of the date of this notice will be considered by FRA before final action being taken. Comments received after this period will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the DOT Docket Management Facility, 1200 New Jersey Avenue, SE., Room W12-140, in Washington, DC. All documents in the public docket are also available for inspection and copying on the Internet at <http://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78).

Issued in Washington, DC on April 16, 2008.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Office of Hazardous Materials Safety; Notice of Applications for Modification of Special Permit**

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

**ACTION:** List of Applications for Modification of Special Permit.

**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. 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. Request of modifications of special permits (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) are described in footnotes to the application number. Application numbers with the suffix "M" denote a modification request. Their applications have been separated from the new application for special permits to facilitate processing.

**DATES:** Comments must be received on or before May 7, 2008.

*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://dms.dot.gov>.

This notice of receipt of applications for modification of 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 April 14, 2008.

**Delmer F. Billings,**

*Director, Office of Hazardous Materials, Special Permits and Approvals.*

**MODIFICATION SPECIAL PERMITS**

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
8495-M .....	.....	Kidde Aerospace, Wilson, NC.	49 CFR 173.304(a)(1); 178.47; 175.3.	To modify the special permit to authorize the use of stainless steel in the manufacture of pressure vessels
12412-M .....	RSPA006827	Maumee Valley Bottlers, Inc., Napoleon, OH.	49 CFR 177.834(h); 172.203(a); 172.302(c).	To modify the special permit to authorize the transportation in commerce of IBCs equipped with pressure hoses without draining those hoses
13583-M .....	RSPA0418507	Structural Composites Industries, Pomona, CA.	49 CFR 178.35 .....	To modify the special permit to authorize an alternative pressure test

MODIFICATION SPECIAL PERMITS—Continued

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
14562-M .....	PI-11MSA080046	The Lite Cylinder Company, Franklin, TN.	49 CFR 173.304a(a) ..	To modify the special permit to authorize an increase in the water capacity of Lite's cylinders and to authorize an alternative drop test

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Office of Hazardous Materials Safety; 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 May 22, 2008.

*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://dms.dot.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 April 15, 2008.

**Delmer F. Billings,**

*Director, Office of Hazardous Materials, Special Permits and Approvals.*

NEW SPECIAL PERMITS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permits thereof
14671-N .....	.....	SGL Carbon LLC, Charlotte, NC.	49 CFR 173.240 .....	To authorize the transportation of Class 9 hazardous materials in an open flat-bed railcar. (mode 2)
14676-N .....	.....	Pacific Bio-Material Management, Inc. dba Pacific Scientific Transport, Fresno, CA.	49 CFR 173.196(b); 173.196(e)(2)(ii).	To authorize the transportation in commerce of certain Category A infectious substances in specially designed packaging (freezers). (mode 1)
14677-N .....	.....	Axiom Inc., Maple Plains, N/IN.	49 CFR 173.213 .....	To authorize the transportation in commerce of Celluloid sheet, Division 4.1, in a non-DOT specification fiberboard box. (mode 1)
14678-N .....	.....	LND, Inc., Oceanside, NY	49 CFR 172.101, Co. 9; 173.306; 175.3.	To authorize the transportation in commerce of non-DOT specification containers (neutron detectors) containing boron trifluoride. (mode 1)
14679-N .....	.....	Southwest Airlines Dallas, TX.	49 CFR 175.10 (a)(17) .....	To authorize the transportation in commerce of spare lithium ion batteries for use in electronic devices used by the crew as part of their job function within an aircraft cabin. (mode 5)
14680-N .....	.....	Arkema, Inc., Philadelphia, PA.	49 CFR 177.834(i)(3) .....	To authorize the use of video cameras and monitors to observe the loading and unloading operations meeting the definition of "loading incidental to movement" or "unloading incidental to movement" as those terms are defined in § 171.8 of the Hazardous Materials Regulations from a remote control station in place of personnel remaining within 25 feet of a cargo tank motor vehicle. (mode 1)