

those devices in lines for which NHTSA has already granted full exemption.

On the basis of this comparison, MBUSA informed the agency that the C-Line Chassis vehicle line was first introduced as a model year 1994 vehicle. MBUSA stated that based on NHTSA's theft rates from 1994 to 2004, the average theft rate of the C-Line Chassis vehicles without the immobilizer was 1.6437 (CY 1994–1997) and 1.4167 after installation of the immobilizer device. MBUSA concluded that the data indicates that the immobilizer was effective in contributing to the theft rate reduction for its C-Line Chassis vehicles.

Pursuant to 49 U.S.C. 33106 and 49 CFR 543.7(b), the agency grants a petition for an exemption from the parts-marking requirements of part 541 either in whole or in part, if it determines that, based upon substantial evidence, the standard equipment antitheft device is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of part 541. The agency finds that MBUSA has provided adequate reasons for its belief that the antitheft device will reduce and deter theft. This conclusion is based on the information MBUSA provided about its device.

The agency concludes that the device will provide the five types of performance listed in § 543.6(a)(3): Promoting activation; attracting attention to the efforts of unauthorized persons to enter or operate a vehicle by means other than a key; preventing defeat or circumvention of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device. The agency agrees that the device is substantially similar to devices in other vehicles lines for which the agency has already granted exemptions. In addition, the theft rate has reduced since the installation of this device on the line.

For the foregoing reasons, the agency hereby grants in full MBUSA's petition for exemption for the vehicle line from the parts-marking requirements of 49 CFR Part 541. The agency notes that 49 CFR Part 541, Appendix A–1, identifies those lines that are exempted from the Theft Prevention Standard for a given model year. 49 CFR 543.7(f) contains

publication requirements incident to the disposition of all Part 543 petitions. Advanced listing, including the release of future product nameplates, the beginning model year for which the petition is granted and a general description of the antitheft device is necessary in order to notify law enforcement agencies of new vehicle lines exempted from the parts-marking requirements of the Theft Prevention Standard.

If MBUSA decides not to use the exemption for this line, it must formally notify the agency, and, thereafter, the line must be fully marked as required by 49 CFR 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if MBUSA wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.7(d) states that a Part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the anti-theft device on which the line's exemption is based. Further, § 543.9(c)(2) provides for the submission of petitions "to modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption."

The agency wishes to minimize the administrative burden that § 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend Part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify.

Authority: 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: July 16, 2007.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

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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 August 20, 2007.

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, Nassif Building, 400 7th Street, SW., 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 July 11, 2007.

Delmer Billings,

Director, Special Permits & Approvals Programs, Office of Hazardous Materials, Special Permits & Approvals.

NEW SPECIAL PERMITS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permits thereof
14527-N	FedEx Express, Memphis, TN.	49 CFR 175.33	To authorize the air transportation of certain hazardous materials without identifying the packaging type on the Notification to Pilot in Command. (modes 4, 5)
14528-N	Halpern Import Company, Inc., Atlanta, GA.	49 CFR 173.304; 173.306	
14532-N	Degussa Corporation, Parsippany, NJ.	49 CFR 173.31(d)(1)(vi); 172.302(c).	To authorize the transportation in commerce of certain Division 5.1 hazardous materials in tank cars that have not had their rupture disk removed for inspection. (mode 2)
14534-N	American Airlines, Inc., Tulsa, OK.	49 CFR 73.302a(a)(2)	To authorize the transportation in commerce of DOT Specification 3HT cylinders beyond the 24 year service life provided they pass the applicable retest requirements every two years. (modes 1, 2, 3, 4, 5)
14535-N	Environmental Packaging Technologies, Houston, TX.	49 CFR 172.102(c) special provision IB2 and IB3.	To authorize the transportation in commerce of certain hazardous materials with a vapor pressure of 150 kPa at 55 °C in intermediate bulk containers. (mode 1)
14542-N	The University of Texas at Austin, Austin, TX.	49 CFR 173.420	To authorize the one-way transportation in commerce of approximately 1 pound of natural uranium hexafluoride in a DOT Specification 4B240ET cylinder by motor vehicle. (mode 1)

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Office of Hazardous Materials Safety;
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: Delmer F. Billings, 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.

PM—Party to application with modification request.

Issued in Washington, DC, on July 16, 2007.

Delmer F. Billings,

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

MODIFICATION TO SPECIAL PERMITS

Application number	Applicant	Reason for delay	Estimated date of completion
10481-M	M-1 Engineering Limited Bradford, West Yorkshire	4	09-30-2007
114167-M	Trinityrail Dallas, TX	1,3,4	09-30-2007

NEW SPECIAL PERMIT APPLICATIONS

Application number	Applicant	Reason for delay	Estimated date of completion
14385-N	Kansas City Southern Railway Company Kansas City, MO	4	09-30-2007
14442-N	Trinityrail Dallas, TX	4	09-30-2007
14468-N	REC Advanced Silicon Materials LLC Butte, MT	4	09-30-2007
14470-N	Marsulex, Inc. Springfield, OR	4	08-31-2007
14469-N	Space Systems/Loral Palo Alto, CA	4	07-31-2007