

Application No.	Applicant	Reason for delay	Estimated date of completion
16232-N	Linde Gas North America LLC, Murray Hill, NJ	1	04-20-2015
16249-N	Optimized Energy Solutions, LLC, Durango, CO	4	04-30-2015
11860-R	GATX Corporation, Chicago, IL	4	04-30-2015
15765-R	Delphi Automotive Systems, LLC, Kokomo, IN	4	05-15-2015

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Hazardous Materials; Notice of Application for Modification of Special Permit

AGENCY: Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, PHMSA, DOT.

ACTION: List of application for modification of 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 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 modification 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 sun ("M" denote a modification request. These applications have been separated from the new application for special permits to facilitate processing.

DATES: Comments must be received on or before May 8, 2015.

ADDRESSES: *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 Southeast, Washington, DC or at <http://regulations.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(6)).

Issued in Washington, DC, on April 8, 2015.

Donald Burger,
Chief, General Approvals and Permits.

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permits thereof
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MODIFICATION SPECIAL PERMITS

0587-M1	Thermo King Corporation Minneapolis, MN.	49 CFR 177.834(12)(i)	To modify the special permit to authorize a new series of heaters containing Class 3 liquids and/or Division 2.1 gases.
11911-M .....	.....	Transfer Flow, Inc. Chico, CA.	49 CFR 177.834(h), and 178.700(c)(1).	To modify the special permit to remove the requirement that the discharge outlet is at the highest point of the tank.
12187-M .....	.....	ITW Sexton Decatus, AL	49 CFR 173.304a; 175.3; 178.65.	To modify the special permit to raise the size for inner non-refillable metal receptacles to a water capacity of 61.0 cubic inches and add additional hazardous materials.
14437-M .....	.....	Columbiana Boiler Company (CBCo) LLC Columbiana, OH.	49 CFR 179.300	To modify the special permit to authorize an additional manufacturing specification CBC 106W and the removal of clarification of language inconsistent with 179.300-19.
14778-M .....	.....	Sea-Fire Marine Baltimore, MD.	49 CFR 173.301(f)	To modify the special permit to authorize non-DOT specification cylinders being used on foreign vessel to be transported for service while the vessel is in USA water.
14808-M1 .....	.....	Amtrol-Alfa Metalomecanica, S.A. West Warwick, RI.	49 CFR 178.51(b), (f)(1) and (2) and (g).	To modify the special permit to raise the maximum water capacity to 35.8 liters (9.5 US gallons).
14849-M .....	.....	Call2Recycle, Inc. Atlanta, GA.	49 CFR 172.200, 172.300, 172.400.	To modify the special permit to remove the size restrictions for non-spillable batteries, add rail shipments and the Virgin Islands as an additional route.
15491-M .....	.....	Sea-Fire Marine Baltimore, MD.	49 CFR 173.301(f)	To modify the special permit to authorize non-DOT specification cylinders being used on foreign vessel to be transported for service while the vessel is in USA water.

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permits thereof
16142-M	Nontong CIMC Tank Equipment Co. Ltd. Jiangsu, Province.	49 CFR 178.274(b) and 178.276(b)(1).	To modify the special permit to specify the material of construction for the inner shell, raise the design pressure, water specification, and delete the quantity of baffles.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2015-0099, Notice No. 15-7]

Hazardous Materials: Emergency Response Information Requirements

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

ACTION: Notice.

SUMMARY: PHMSA is issuing this notice to remind hazardous materials shippers and carriers of their responsibility to ensure that current, accurate and timely emergency response information is immediately available to emergency response officials for shipments of hazardous materials, and such information is maintained on a regular basis.

FOR FURTHER INFORMATION CONTACT: Neal Suchak, Transportation Specialist, Standards and Rulemaking Division, Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Ave. SE., Washington, DC 20590. Telephone: (202) 366-8553 or, via email: neal.suchak@dot.gov.

SUPPLEMENTARY INFORMATION:

Background and Recent Incidents

PHMSA is issuing this safety advisory notice to remind offerors, including re-offerors, and carriers of hazardous materials of their responsibilities pertaining to emergency response information. The Hazardous Materials Regulations (HMR; 49 CFR parts 171-180), specifically Subpart G of Part 172, prescribe requirements for detailed emergency response information, including, accessibility and communication of incident mitigation measures.

On February 16, 2015 a CSX train carrying 109 cars of petroleum crude oil derailed in Mt. Carbon, WV. The accident resulted in the derailment of 26 tank cars, 14 of which caught fire. On

March 5, 2015, a BNSF train carrying 103 cars of petroleum crude oil derailed in Galena, IL. Of the 21 cars derailed involved in the incident, five caught fire. While the Department is still investigating the circumstances of these incidents, they serve as a reminder that accurate and accessible emergency response information can be a critical component for an adequate emergency response effort.

History

On June 27, 1989, the Research and Special Programs Administration (RSPA; the predecessor to PHMSA) published a final rule in the **Federal Register** that codified requirements to provide certain emergency response information on hazardous materials during their transportation. The final rule emphasized the importance for carriers and first responders to have first-hand, up-to-date, technical and emergency response information for hazardous materials to minimize the consequences and protect property and life where possible in the event of emergency incidents. This rulemaking action was issued as a result of the investigation by the National Transportation Safety Board (NTSB) of an accident which occurred near Odessa, Delaware in October 1982. Following the investigation, the NTSB issued Safety Recommendation I-83-2, which among other provisions, recommended that RSPA, "Determine by mode of transportation the feasibility of requiring comprehensive product-specific emergency response information, such as Material Safety Data Sheets, to be appended to shipping documents for hazardous materials."¹ The requirements issued in the final rule were "intended to provide specific information relative to the hazards of the materials being transported and provide immediate initial emergency response guidance until further specific information can be obtained from the shipper or others relative to long-term mitigation actions."²

¹ http://www.ntsbt.gov/safety/safety-recs/reclatters/I83_2.pdf.

² 54 FR 27142 (HM-126C).

Current Requirements

With limited exceptions, the HMR require shipments of hazardous materials to be accompanied by shipping papers and other documentation designed to communicate to transport workers and emergency responders the hazards associated with a specific shipment. This information must include the immediate hazard to health; risks of fire or explosion; immediate precautions to be taken in the event of an accident; immediate methods for handling fires; initial methods for handling spills or leaks in the absence of fire; and preliminary first aid measures. The information must be in writing, in English, and presented on a shipping paper or related shipping document. The offeror of a hazardous material is responsible for ensuring the emergency response information is current, correct, and accurate. Re-offerors are permitted to rely on previous data provided they take no intermediate action, such as blending or mixing the material.

A delay or improper response due to a lack of accurate or timely emergency response information may place emergency response personnel, transportation workers, and the general public or the environment at increased risk. Expedient identification of the hazards and proper instructions for appropriate handling and clean up associated with specific hazardous materials is critical to quickly mitigating the consequences of unintended releases of hazardous materials and other incidents.

Section 172.600(b) of the HMR requires persons who offer for transportation, accept for transportation, transfer, or otherwise handle hazardous materials during transportation to provide emergency response information including an emergency response telephone number. Therefore, the responsibility to provide emergency response information is not solely that of an offeror. This responsibility is shared by those who offer, accept, transfer, or otherwise handle hazardous materials during transportation and must be completed prior to offering hazardous materials into transportation. A current safety data sheet (SDS) that includes accurate emergency response