

**ADDRESS COMMENTS TO:** Records Center, Research and Special Programs 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 exemption application number.

**FOR FURTHER INFORMATION CONTACT:** Copies of the applications (See Docket Number) are available for inspection at the New Docket Management Facility, PL-401, at the U.S. Department of Transportation, Nassif Building, 400 7th Street, SW, Washington, DC 20590.

This notice of receipt of applications for new exemptions is published in accordance with part 107 of the

Hazardous Materials Transportations Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on November 19, 1998.

**J. Suzanne Hedgepeth,**  
Director, Office of Hazardous Materials Exemptions and Approvals.

NEW EXEMPTIONS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
12164-N	RSPA-1998-4680	Rhodia Inc., Shelton, CT	49 CFR 174.67 (i) & (j) ...	To authorize rail cars to remain connected during unloading of Class 8 material without the physical presence of an unloader. (mode 2)
12166-N	RSPA-1998-4679	Dow Corning Corp., Midland, MI.	49 CFR 173.304(a), 178.337-11(a)(1)(i), 178.337-11(a)(2)(i), 178.337-8(a)(2) (ii) & (iii), 178.65.	To authorize the transportation in commerce of MC-331 cargo tanks equipped with alternative valves for use in transporting hydrogen chloride, Division 2.3. (mode 1).
12173-N	RSPA-1998-4718	ARCO Alaska, Inc., Anchorage, AK.	49 CFR 172.101(9A) .....	To authorize the transportation in commerce of nitrogen, refrigerated liquid, Division 2.2, in insulated bulk cryogenic liquid tanks in quantities which exceed those authorized. (mode 4).
12177-N	RSPA-1998-4778	Just In Time Certified Packaging Inc., St. Louis, MO.	49 CFR Part 172, Subpart E&F.	To authorize the manufacture, marking and sale of a specially designed packaging for use in transporting various classes of hazardous materials without required labels and placards. (modes 1, 2, 3, 4)

[FR Doc. 98-31368 Filed 11-23-98; 8:45 am]  
BILLING CODE 4910-60-M

**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs Administration**

**Office of Hazardous Materials Safety; Notice of Applications for Modification of Exemption**

**AGENCY:** Research and Special Programs Administration, DOT.

**ACTION:** List of applications for modification of exemptions.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's

Hazardous Materials 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 modifications of exemptions (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. These

applications have been separated from the new applications for exemptions to facilitate processing.

**DATES:** Comments must be received on or before December 9, 1998.

**ADDRESS COMMENTS TO:** Records Center, Research and Special Programs 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 exemption 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.

Application	Docket	Applicant	Modification of exemption
10677-M	.....	Suunto USA, Carlsbad, CA (See Footnote 1) .....	10677
11769-M	.....	HCI USA Distribution Co., Inc., Irvine, CA (See Footnote 2) .....	11769
11859-M	RSPA-1997-2310	Carleton Technologies, Inc., Orchard Park, NY (See Footnote 3) .....	11859
12013-M	RSPA-1997-3249	HCI USA Distribution Companies Incorporated, Irvine, CA (See Footnote 4) .....	12013

(1) To modify the exemption to authorize the addition of a butane/propane "puncture" type cartridge for the transportation of Division 2.1 material.

(2) To modify the exemption to reduce the concentration level of potassium hydroxide solution and bisulfites aqueous solution n.o.s.; the addition of UN31HI of capacities not to exceed 550 gallons and UN31HA1 of capacities not to exceed 610 gallons.

(3) To modify the exemption to authorize changes to the testing procedures and an additional configuration of the glass bottle system consisting of two cylindrical/spherical halves fabricated from stainless steel for use in transporting Division 1.4S material.

(4) To modify the exemption to allow UN31HA1 of capacities not to exceed 610 gallons, UN31H1 of capacities not to exceed 500 gallons and UN31HH1 of capacities not to exceed 500 gallons.

This notice of receipt of applications for modification of exemptions is published in accordance with Part 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on November 18, 1998.

**J. Suzanne Hedgepeth,**

*Director, Office of Hazardous Materials, Exemptions and Approvals.*

[FR Doc. 98-31369 Filed 11-23-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Docket No. RSPA-98-3638; Notice 2]

#### Pipeline Safety: Liquefied Natural Gas Facilities Petition for Waiver; Exxon Company, USA

On April 22, 1998, the Research and Special Programs Administration (RSPA) published a notice (63 FR 19999) of intention to grant a waiver from compliance with certain provisions of 49 CFR part 193 to Exxon Corporation for its proposed Liquefied Natural Gas (LNG) storage tanks at its existing LaBarge, Wyoming, gas processing operation. This document announces RSPA's withdrawal of the earlier notice on the ground that waiver is unnecessary because the facility is not under 49 CFR Part 193.

The La Barge, Wyoming operation includes two parallel nitrogen rejection units and a small liquefied natural gas (LNG) truck loading facility. Exxon proposes to install two 55,000 gallon LNG storage tanks. These tanks were designed, built, tested, and registered in accordance with the requirements of American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, section VIII, Division 1. Exxon requested a waiver from compliance with specific sections of part 193 pertaining to nondestructive test requirements for ASME built vessels and indicated that it would provide equivalent safety through compliance with the National Fire Protection Association (NFPA) Standard 59A.

RSPA previously told Exxon that if the LNG is produced at the gas processing operation "in the course of natural gas treatment or hydrocarbon extraction" but not placed in a storage tank prior to putting it into trucks, then 49 CFR 193.2001(b)(2) says the facility

is not regulated under 49 CFR part 193. However, the addition of LNG storage tanks brings the facility under 49 CFR part 193.

After revisiting this issue, RSPA has reversed its earlier position. If an LNG production facility does not receive gas from a pipeline subject to 49 CFR part 192 and does not supply gas to such a pipeline, then 49 CFR part 193 is not applicable to that LNG facility. Thus, Exxon's proposed LNG storage/truck loading facility at LaBarge, Wyoming, will not be subject to 49 CFR Part 193. A waiver is not necessary.

Issued in Washington, D.C., on November 18, 1998.

**Richard B. Felder,**

*Associate Administrator for Pipeline Safety.*

[FR Doc. 98-31347 Filed 11-23-98; 8:45 am]

BILLING CODE 4910-60-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33671]

#### Dubois County Railroad Corporation—Lease and Operation Exemption—Indiana Railway Museum, Inc.

Dubois County Railroad Corporation (Dubois), a Class III rail carrier, has filed a notice of exemption under 49 CFR 1150.41 to lease and operate approximately 13.4 miles of rail line owned by the Indiana Railway Museum, Inc., as indicated by Dubois in its notice, from milepost 67.3 at Crystal Lake in Dubois County, IN, to milepost 79.0 at French Lick and to the end of the line at approximately milepost 1.7 at West Baden Springs in Orange County, IN. The parties have treated the track as a "spur, industrial, team, switching or side track." However, the prospect for future operations is such that Dubois believes its operations over the entire line in the future should be properly characterized as common carrier operations over a rail line. See *Chicago Rail Link, L.L.C.—Lease and Operation Exemption—Union Pacific Railroad Company*, STB Finance Docket No. 33323 (STB served Dec. 31, 1997).

The earliest the transaction could be consummated was November 6, 1998, the effective date of the exemption (7 days after the exemption was filed).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of

a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33671, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Carl M. Miller, 618 Professional Park Drive, P.O. Box 332, New Haven, IN 46774.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: November 17, 1998.

By the Board, David M. Konschnick,  
Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 98-31238 Filed 11-23-98; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33682]

#### Union Pacific Railroad Company—Trackage Rights Exemption—Alameda Belt Line

Alameda Belt Line (ABL) has agreed to grant local trackage rights to Union Pacific Railroad Company (UP) over 1.80 miles of ABL's rail line between milepost 0.00 near Clement Avenue and milepost 1.80 near Sherman Street in the city of Alameda, Alameda County, CA. ABL is jointly owned by UP and The Burlington Northern and Santa Fe Railway Company (BNSF), and, after the trackage rights are effective, UP will handle rail cars as the operating agent for BNSF.

The transaction was scheduled to be consummated on or after November 13, 1998.

The purpose of the local trackage rights is to permit UP to directly serve customers on the line, which UP expects to result in an efficient and economical route for the shippers in the area.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or