

legislation to the Congress proposing the MSP and the EPP, based on its analysis of current and future national security sealift requirements and the likely composition of the privately-owned U.S.-flag merchant fleet. The Congress found that, "Without remedial action, there simply will be no U.S. fleet to conduct foreign commerce, and the United States may have difficulty manning our Ready Reserve Force (RRF) and will have to rely on foreign-flag shipping for all imports and exports and for the sustainment of future military operations" (Senate Report 104-167). Public Law (P.L.) 104-239, the Maritime Security Act of 1996, was enacted on October 8, 1996, to "assure the continued presence of an active, privately owned, U.S.-flag and U.S.-crewed merchant shipping fleet to meet national and foreign commerce needs and to provide sustainment sealift capability in time of war or national emergency." P.L. 104-239 establishes the MSP fleet "* * * of active, militarily useful, privately-owned vessels to meet national defense and other security requirements and maintain a United States presence in international commercial shipping."

As authorized through FY 2005, the MSP provides financial assistance to vessel operators to partially offset the higher costs of U.S.-flag operation in international trade. In return, MSP participants must commit enrolled vessels and associated intermodal resources to a DoD-approved EPP. The VISA program is the element of the MSP which assures DoD access to the U.S. commercial fleet by providing intermodal sealift and total logistical support to DoD in a time of war, national emergency, or whenever the Secretary of Defense determines it is necessary for national security. The VISA program enables DoD to secure space to transport military supplies and equipment. Today, MSP vessels constitute the vast majority (70 percent) of VISA sealift capacity.

MARAD is seeking empirical information from vessel operators and other affected parties in the maritime and transportation industries, such as shippers, maritime labor, DoD and other Federal agencies to assess the MSP's impact on DoD sealift capability and the U.S. merchant fleet. Information is requested on the following issues: (1) Whether the MSP and the VISA programs have accomplished the goals of "ensuring the availability of a U.S. maritime fleet for wartime or national emergencies and * * * to retain a pool of qualified mariners to serve on these vessels"; (2) The effectiveness of the

MSP as a mechanism to retain vessels under U.S. registry; (3) The effect of the MSP's fixed financial assistance of \$2.1 million per ship annually on the international competitiveness of MSP carriers; (4) The impact of the MSP payment as an economic incentive for carriers to replace existing vessels with newer ships; (5) Whether other factors have greater impact on carriers' fleet replacement decisions, and, if so, what these are; (6) The aspects of the MSP or VISA program that affect carriers' willingness to participate; (7) The appropriateness of the compensation levels for carriage of contingency cargoes; (8) The impact of statutory restrictions—*i.e.*, Section 656 (cargo movements in domestic noncontiguous trade) and Section 804 (prohibition on operating competing foreign-flag vessels) of the Merchant Marine Act, 1936, as amended; the cap on the amount of cargo preference that can be carried on MSP vessels; the requirement to operate 320 days a year; Section 2 citizenship requirements, and trust arrangements; (9) The external factors that have a significant effect on program impact; (10) MSP participant plans if the MSP is not authorized beyond 2005; and (11) The aspects of program implementation that need to be changed to accomplish program objectives. MARAD is also soliciting comments as to whether other complementary programs, policies, or Federal Government actions would meet the statutory objectives of P.L. 104-239.

You may submit written comments by hand or mail by the close of business on June 15, 2000 to the Docket Management Facility, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW, Washington, DC 20590-0001. Comments should refer to docket number MARAD-2000-7247. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.D.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>. The Maritime Administration, as a matter of discretion, will consider any comments submitted and take such action with respect thereto as may be deemed appropriate.

Dated: April 13, 2000.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Office of Hazardous Materials Safety; Notice of Applications for Exemptions

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of Applicants for 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. Each mode of transportation for which a particular exemption 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 18, 2000.

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 or at <http://dms.dot.gov>.

This notice of receipt of applications for new exemptions 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 12, 2000.

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 |
|-----------------|--------------|--|--|---|
| 12440-N | RSPA-00-7212 | Luxfer Inc., Riverside, CA | 49 CFR 173.301(h), 173.302(a), 178.46(a)(4), 178.46(c)(i). | To authorize the manufacture, marking and sale of non-DOT specification cylinders for use in transporting various Division 2.2 materials. (Modes 1, 2, 3, 4.) |
| 12442-N | RSPA-00-7208 | Cryogenic Vessel Alternatives, La Porte, TX. | 49 CFR 178.338 | To authorize the transportation in commerce of liquid nitrogen, cryogenic liquid, Division 2.2 in insulated portable tanks by cargo vessel for delivery to oil and gas production facilities. (Modes 1, 3.) |
| 12443-N | RSPA-00-7209 | ChemCentral/Charlotte, Charlotte, NC. | 49 CFR 174.67(i) & (j) | To authorize rail cars containing Class 8 hazardous materials to remain attached to unloading connectors without the physical presence of an unloader. (Mode 2.) |
| 12444-N | RSPA-00-7210 | ST Services, Dallas, TX | 49 CFR 174.67(i) & (j) | To authorize rail cars containing Class 3 hazardous material to remain attached to unloading connectors without the physical presence of an unloader. (Mode 2.) |
| 12446-N | RSPA-00-7211 | Japan Defense Agency, Redstone Arsenal, AL. | 49 CFR 173.301(i) | To authorize the transportation in commerce of foreign high pressure gas cylinders containing Division 2.2 material. (Modes 1, 2.) |
| 12449-N | RSPA-00-7213 | Indesin S.A. de C.V., Estado de, MX. | 49 CFR 173.315 | To authorize the manufacture, marking and sale of a non-DOT specification pressure vessel for use in transporting compressed gases classed in Division 2.1 and 2.2. (Modes 1, 2, 3.) |
| 12450-N | RSPA-00-7214 | Indesin S.A. de C.V., Estado de, MX. | 49 CFR 173.315 | To authorize the manufacture, marking and sale of a non-DOT specification pressure vessel for use in transporting chlorine, Division 2.3. (Modes 1, 2, 3.) |

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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 May 3, 2000.

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 or at <http://dms.dot.gov>.

This notice of receipt of applications for modification of exemptions 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 12, 2000.

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

| Application No. | Docket No. | Applicant | Modification of exemption |
|-----------------|----------------|--|---------------------------|
| 3216-M | | DuPont SHE Excellence Center, Wilmington, DE ¹ | 3216 |
| 6658-M | | Mason & Hanger Corp. (USDOE/Pantex Plant), Amarillo, TX ² | 6658 |
| 11316-M | | TRW Automotive, Queen Creek, AZ ³ | 11316 |
| 1916-M | RSPA-1997-2740 | CP Industries, Inc., McKeesport, PA ⁴ | 1916 |