

## Denials

6611-M	Request by Gardner Cryogenics Lehigh Valley, PA to modify the exemption to provide for design changes of a non-DOT specification vacuum insulated portable tank manufactured in accordance with ASME Code criteria resulting in an increase of the Maximum Allowable Working Pressure for the transportation of a nonflammable cryogenic liquid denied May 16, 2000.
6765-M	Request by Gardner Cryogenics Lehigh Valley, PA to modify the exemption to provide for design changes of the non-DOT specification portable tanks manufactured in accordance with the ASME Code criteria resulting in an increase of the Maximum Allowable Working Pressures for the transportation of a Division 2.1 and a Division 2.2 material denied May 16, 2000.
10480-M	Request by Gardner Cryogenics Lehigh Valley, PA to modify the exemption to provide for design changes of a non-DOT specification portable tank manufactured in accordance with ASME Code criteria resulting in an increase of the Maximum Allowable Working Pressures; the addition of a 6700 gallon liquid helium tank denied May 16, 2000.
10821-M	Request by BFI Waste Systems of North America, Inc. Atlanta, GA to modify the exemption to relieve the marking requirements of inner packages, inside roll off containers, when transporting regulated medical waste from a single offeror denied May 16, 2000.
11826-M	Request by Spectra Gases, Inc. Branchburg, NJ to modify the exemption to authorize additional Division 2.2 materials transported in DOT-3AL aluminum cylinders denied July 28, 2000.
12155-M	Request by S&C Electric Company Chicago, IL to modify the exemption to authorize an alternative pressure vessel constructed of spirally-wound fiberglass for the transportation of certain Division 2.2 materials denied August 17, 2000.

[FR Doc. 00-25426 Filed 10-3-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

## Research and Special Programs Administration (RSPA)

[Notice No. 00-11]

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

**ACTION:** Advisory Notice.

**SUMMARY:** Until recently, Q3 Comdyne, Inc. held four exemptions authorizing the manufacture, mark and sale of non-DOT specification fiber reinforced plastic (FRP) full composite (FC) cylinders. Recently, RSPA (we) was informed that Q3 Comdyne, Inc., is no longer in business. We are issuing this advisory notice to (1) provide information concerning the current requirements for transportation of the cylinders under exemption, and (2) inform the owners and users of these cylinders of the actions we have taken to date and plan to take in the future.

**FOR FURTHER INFORMATION CONTACT:** Sherrie Nelson, Office of Hazardous Materials Exemptions and Approvals, RSPA, Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590-0001, Telephone (202) 366-4535.

**SUPPLEMENTARY INFORMATION:** Recently, RSPA was notified by Q3 Comdyne, Inc. that it is no longer in business. Q3 Comdyne, Inc. was the grantee of four exemptions (E-9716, E-10823, 10256, and E-10905) authorizing the manufacture, mark, and sale (MMS) of FRP cylinders. After receiving several applications for renewal from cylinder owners and users and in light of Q3 Comdyne's current business status, we have modified DOT E-9716 and 10256 by converting them from MMS exemptions to "offeror" exemptions. The exemption change permits the continued use of the Comdyne exemption cylinders. Determination of

whether party status is required on any of these exemptions is based on the following criteria: (1) A person filling and offering a cylinder for transportation in commerce would be required to have party status; (2) A person only reoffering a cylinder without modifying or changing the cylinder or its contents would not require party status. The requirements for exemption renewal are applicable to both the grantee and persons holding party status in accordance with 49 CFR 107.109. A fire department filling and offering a cylinder, containing a hazardous material, for transportation that is not in commerce is not required to have party status to the exemption. However, we do recommend each person who uses an exemption package maintain a current copy of the exemption. Current copies of DOT-E 9716 and 10256 are available on the HazMat Safety Homepage at <http://hazmat.dot.gov>.

Issued in Washington, DC on September 28, 2000.

**Robert A. McGuire,**

*Associate Administrator for Hazardous Materials Safety.*

[FR Doc. 00-25448 Filed 10-3-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

## Surface Transportation Board

[STB Finance Docket No. 33936]

## Lapeer Industrial Railroad Company-Acquisition and Operation Exemption-Adrian &amp; Blissfield Rail Road Company

Lapeer Industrial Railroad Company (LIRR), a noncarrier, has filed a notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 1.34 miles of rail line owned by Adrian & Blissfield Rail Road Company (ADBF). The line, known as the "Lapeer Spur," is part of Grand Trunk Western Railroad Incorporated's (GTW) Lapeer Subdivision at Lapeer, in Lapeer

County, MI, and runs between milepost 56.28 and milepost 57.62. LIRR will also acquire the right to operate approximately .88 miles of rail line which ADBF currently leases from GTW, known as the "Flint Subdivision" at Lapeer, in Lapeer County, MI. The leased line is part of GTW's second main line, and runs between milepost 289.90 and milepost 290.78.<sup>1</sup> LIRR certifies that its projected revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier, and further certifies that its projected annual revenues will not exceed \$5 million.

The transaction is expected to be consummated on or shortly after September 28, 2000.

If the 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. 33936, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Kenneth J. Bisdorf, 2301 West Big Beaver Road, Suite 600, Troy, MI 48084-3329.

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

Decided: September 26, 2000.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 00-25244 Filed 10-2-00; 8:45 am]

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<sup>1</sup> See Adrian & Blissfield Rail Road Company-Acquisition Exemption-Grand Trunk Western Railroad Incorporated, STB Finance Docket No. 33747 (STB served June 3, 1999).