

furnish a copy of the procedures to FRA by sending it to the FRA Office of Safety Enforcement, Hazardous Materials Division, 400 Seventh Street, S.W., Washington, D.C. 20590;

3. That each owner of stub sill tank cars is responsible for distribution of the procedures to the parties performing the inspections and ensuring that the inspecting parties understand and follow the written procedures; and

4. That, effective August 10, 1995, no person may inspect a tank car pursuant to this Emergency Order unless the owner has supplied the inspection point with an inspection procedure applicable to that specific design type.

Relief

Tank car owners may obtain relief from this Emergency Order by inspecting the affected cars as required and repairing them as necessary.

Penalties

Any violation of this order shall subject the person committing the violations to a civil penalty of up to \$20,000. 49 U.S.C. 21301. FRA may, through the Attorney General, also seek injunctive relief to enforce this order. 49 U.S.C. 20112.

Notice to Affected Persons

This Notice No. 3 will be published in the **Federal Register** and will be sent by mail or facsimile to the Association of American Railroads, The American Short Line Railroad Association, the Regional Railroads of America, the Railway Progress Institute, all members of the AAR Tank Car Committee, the Chemical Manufacturers Association, and the American Petroleum Institute. These organizations are encouraged to make wide distribution of this modification of Emergency Order No. 17 within their membership and to other known interested parties.

Issued in Washington, D.C. on March 20, 1995.

Donald M. Itzkoff,

Deputy Administrator.

Appendix A—Association of American Railroads' O&M Circular No. 1, Supplement No. 2

The text of the Association of American Railroads' O&M Circular No. 1, Supplement No. 2 (CPC-1030), as issued on August 10, 1994, over the signature of Mr. J.J. Robinson, Senior Assistant Vice President, Operations and Maintenance Department, Casualty Prevention Division is as follows:

AAR O&M Circular No. 1; Supplement No. 2 Tank Car Stub Sill Inspection Program

1. Audits of the inspections being performed at several tank car facilities have revealed the need for each tank car owner to develop written inspection procedures for each unique stub sill design represented in his or her fleet, to distribute the procedures to the parties performing the inspections, and to ensure that the inspecting parties fully understand and consistently follow the written procedures. These written procedures should include the following elements:

- Identification of structurally significant components and welds;
- Access means to these components and welds, including removal of jacket, insulation or thermal coating, if required;
- Inspection techniques to use to ensure the detection of damage; and,
- Proper identification, measurement and reporting of cracks by line item on AAR Form SS-2.

In order to ensure the quality of the data and consistency of the inspection results, owners are requested to develop these procedures and to forward them to the inspecting parties as soon as possible. A copy of the procedures should also be filed with AAR, to the attention of the Manager - Freight & Tank Car Design; 50 F Street NW; Washington, DC 20001. Owners should contact the builders for assistance in the development of these procedures.

2. The SILSPEC software used to report the results of stub sill inspections has been updated to include a more comprehensive "look-up" of builders and stub sill design styles. A paper copy of the look-up table and the referenced Figures is enclosed, as is a table of Stub Sill Design Style Templates, which defines weld locations that must and must not be reported for each design. If there is a need to report cars built to any of the designs that have been added to the table, a copy of the updated software may be obtained from Paul Kinnecom at 202/639-2147 (FAX 202/639-2930).

(**Note:** Because the AAR's O&M Circular No. 1, Supplement No. 2 has been sent to all AAR members and to private car owners, FRA is not reproducing the inspection program's table and figures in the **Federal Register**.)

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Maritime Administration

[Docket S-919]

Lykes Bros. Steamship Co., Inc.; Application for a Waiver of Section 804(a) of the Merchant Marine Act, 1936, as amended, to permit Foreign-Flag Reciprocal Space Charter, Sailing, and Cooperative Working Agreement

Lykes Bros. Steamship Co., Inc. (Lykes), by application dated March 16, 1995, requests waiver of the provisions of section 804 of the Merchant Marine Act, 1936, as amended, through the expiration of its operating-differential subsidy contract, December 31, 1997, to permit a reciprocal space charter, sailing, and cooperative working agreement with Evergreen Marine Corporation (Evergreen) in the U.S. foreign commerce.

The agreement, according to Lykes, covers the trade between the U.S. gulf and east and west coasts on the one hand and North Europe on the other. The typical itinerary for Lykes' U.S.-gulf and east coast/North Europe vessel is Galveston, New Orleans, Miami, Charleston, Norfolk, New York, Boston, Antwerp, Bremerhaven, Felixstowe, LeHavre and Boston. The Evergreen service covered by this Agreement will be provided by the vessels dedicated to its round-the-world service. Evergreen's westbound trans-Atlantic service typically calls Hamburg, Thamesport, Rotterdam, Antwerp, LeHavre, New York, Norfolk, Charleston, and Long Beach before proceeding west across the Pacific. The ordinary eastbound trans-Atlantic itinerary for Evergreen is Long Beach, Charleston, Baltimore, New York, LeHavre, Antwerp, Thamesport, and Hamburg.

Lykes notes that contingent on the Maritime Administration's approval and expiration of the Federal Maritime Commission's review period, Lykes has entered into an agreement with Evergreen for a reciprocal space charter, coordination of sailings, and cooperative working arrangement in these services. Under the agreement, the companies will negotiate and agree upon reciprocal space charters on their respective vessels in the trade and upon sailings coordination as appropriate. Lykes points out that the agreement is intended to permit Lykes to achieve better utilization of the vessels committed to North Atlantic services by establishing a course of slot chartering business with Evergreen. Through the use of slots on Evergreen's vessels the agreement will enable Lykes to offer shippers broader, more responsive service without any additional capital outlay. The opportunity to rationalize

schedules, Lykes contends, will permit operational savings to be realized and lend flexibility to Lykes' itineraries.

Lykes states that addition of vessels to the services of Lykes or Evergreen beyond those currently operated or under contract for construction for this trade is not contemplated. Accordingly, Lykes concludes, the agreement will have no substantial impact on U.S.-flag carriers in the North Atlantic trade. This application may be inspected in the Office of the Secretary, Maritime Administration. Any person, firm, or corporation having any interest in such request within the meaning of section 804 of the Act and desiring to submit comments concerning the application must file written comments in triplicate with the Secretary, Maritime Administration, Room 7210, Nassif Building, 400 Seventh Street SW., Washington, DC 20590. Comments must be received no later than 5 p.m. on April 10, 1995. This notice is published as a matter of discretion and publication should in no way be considered a favorable or unfavorable decision on the application, as filed or as may be amended. The Maritime Administrator will consider any comments submitted and take such action with respect thereto as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 20.804 (Operating-Differential Subsidies)).

By Order of the Maritime Administrator.

Dated: March 22, 1995.

Joel C. Richard,

Secretary.

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FEDERAL RAILROAD ADMINISTRATION

National High-Speed Ground Transportation; Policy Outreach Meetings

AGENCY: Federal Railroad Administration, Office of Railroad Development.

ACTION: Notice of Public Meetings.

SUMMARY: The Federal Railroad Administration (FRA) will hold regional public outreach meetings around the United States to invite public input for developing the National High Speed Ground Transportation (HSGT) Policy, as mandated by the Intermodal Surface Transportation Efficiency Act. The public is invited to attend and/or submit written comments.

DATES: Written comments are invited at any time until May 30, 1995. Comments

should be submitted by mail to the address below and will be accepted in person at each meeting. Comments received by April 7, 1995 will be considered in setting the agenda for the outreach meetings.

The sessions will take place as follows:

Dates: April 20, 1995.

Place: Knickerbocker Hotel, Grand Ballroom, 163 E. Walton Place, Chicago, Illinois 60611, (312) 751-8100.

Time: 5 p.m. to 7:30 p.m.

Local Contact: Merrill Travis, IDOT, (217) 782-2835.

Date: May 2, 1995.

Place: Shaker Ridge Club, 802 Albany Shaker Road, Loudonville, New York 12211, (518) 869-0246.

Time: 1 p.m. to 4 p.m.

Local Contact: Don Baker, New York DOT, (518) 457-5521.

Date: May 4, 1995.

Place: Virginia DOT, Main Auditorium, 1221 East Broad Street, Richmond, Virginia 23219.

Time: 5 p.m. to 7:30 p.m.

Local Contact: Leo Bevon, Virginia DOT, (804) 786-8410.

Date: May 15, 1995

Place: BPA Federal Office Building, Auditorium, 911 N.E. 11th Avenue (at Holladay St.) (Auditorium entrance on 9th St. side), Portland, Oregon 97232, (503) 326-2107.

Time: 5:30 p.m. to 8 p.m.

Local Contact: Donald Forbes, Oregon DOT, (503) 378-3373.

Date: May 17, 1995.

Place: Grand Hall, 1215 J Street, Sacramento, California 95814.

Time: 5 p.m. to 7:30 p.m.

Local Contact: Steve Zimrick, California DOT, (916) 227-9409.

Date: May 25, 1995

Place: Marriott Hotel, 7499 Augusta National Drive, Orlando, Florida 32822, (407) 851-9000.

Time: 5 p.m. to 7:30 p.m.

Local Contact: Charlie Smith, Florida DOT, (904) 487-4261.

Registration: Attendees are asked to arrive 30 minutes prior to the beginning of the meeting for registration.

In addition to the above sessions, there will be a special session in Boston, Massachusetts, during the annual convention of the High Speed Rail/Maglev Association. This is scheduled for Monday, May 8 from 5:00 to 6:30 PM at the Westin Hotel, Copley Place, Boston, MA. The public is also invited to this special session.

The addresses of the various sessions are above.

Background

These meetings will comprise a key part of the Department of Transportation's overall efforts to develop policy in support of the

implementation of high-speed ground transportation as an element of an intermodal transportation system. The Department is currently working to lay the groundwork for the implementation of HSGT through state and local planning and investment and through a federal partnership for technology development.

The development of a HSGT policy is particularly relevant at this time because of the Secretary's proposal to consolidate current transportation funding programs and increase significantly the flexibility available to State and local governments to finance different types of projects with a unified allocation of funds. In addition, the Secretary has proposed developing State Infrastructure Banks, capitalized in part with Federal seed money, to leverage further investment from private capital and other sources. He has also proposed that some discretionary funding would be available for investments of regional or national significance. How HSGT investment would be treated in this context is a topic of special importance for HSGT policy.

The HSGT policy development will also consider ongoing changes at Amtrak. Since the future of HSGT, particularly options to operate at up to 150 m.p.h. on existing rights-of-way (Accelerail), is linked to the future of conventional Amtrak service in corridor markets, the recently announced restructuring of Amtrak presents new challenges as well as new opportunities, for state participation. In particular, that restructuring is designed to reduce Amtrak's cost structure by delivering service more efficiently and to improve customer service, and hence increase revenues, by reorganizing the corporation and empowering employees and managers. These changes should position Amtrak as a competitive organization to deliver HSGT services sponsored by State governments.

The HSGT policy development will consider ongoing technology development and corridor planning by states and their partners. These activities are currently authorized by the Swift Rail Development Act of 1994. The Swift Act, which was signed into law by the President in November 1994, authorizes matching grants up to a total of \$184 million over three years, to assist HSGT technology development, including projects such as positive train control, non-electric high-speed locomotive development, and corridor planning, including engineering plans, commercial feasibility and environmental impact studies, and the acquisition of right-of-way for upgrading to HSGT. In FY 1995, \$25 million