

*Public Agency:* Port of Seattle, Seattle, Washington.

*Application Number:* 95-03-C-00-SEA.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total Approved Net PFC Revenue:* \$147,026,000.

*Earliest Charge Effective Date:* January 1, 1996.

*Estimated Charge Expiration Date:* July 1, 2000.

*Class of Air Carriers Not Required To Collect PFC'S:* None.

*Brief Description of Projects Approved for Collection and Use:* Terminal apron improvements, Runway 16R rehabilitation, Noise programs, Emergency power generators, Electrical system power upgrade.

*Brief Description of Projects Approved for Collection:* ARFF training facility, Safety area improvements—16L/16R, Passenger conveyance system.

*Brief Description of Disapproved Projects:* Skybridge elevators, Land acquisition for south aviation support area development.

*Determination:* The public agency's financial plans and other project documentation for both of these projects state that the projects were financed with the proceeds of 1992 revenue bonds. The public agency then retired the bonds using Airport Development Funds (ADF). The public agency proposes that the PFC revenues be used to reimburse the ADF for the cost of the projects so that the ADF can be used to finance other revenue generating projects in the airport capital improvement plan. The FAA has

determined that the source of the ADF is the rates and charges assessed to airlines. Because of this, the public agency cannot comply with Assurance 8(b) of the PFC assurances, which prohibits a public agency from including in its rate base any portion of the capital cost paid for with PFC revenue, for these projects. Furthermore, based on the projects proposed to be funded by the public agency from the reimbursed ADF, the PFC revenue would in effect be used to fund ineligible projects. Therefore, the FAA has determined that the financing plans for these projects do not meet the requirements of Part 158 and is disapproving both projects.

*Decision Date:* December 29, 1995.

*For Further Information Contact:* Paul Johnson, Seattle Airports District Office, (206) 227-2655.

AMENDMENTS TO PFC APPROVALS

Amendment No., City, State	Amendment approved date	Amended approved net PFC revenue	Original approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
92-01-C-02-RSW, Fort Myers, FL. ....	10/12/95	\$258,450,359	\$258,920,512	08/01/18	05/01/17
91-01-C-01-SAV, Savannah, GA. ....	11/07/95	49,908,639	39,501,502	03/01/04	12/01/15
92-01-I-02-ABE/94-03-U-01-ABE, Allentown PA. ....	12/05/95	8,700,000	4,350,000	07/01/96	03/01/00

Issued in Washington, DC on January 23, 1996.

Donna P. Taylor,

Manager, Passenger Facility Charge Branch.

[FR Doc. 96-1624 Filed 1-29-96; 8:45 am]

BILLING CODE 4910-13-M

**Notice of Intent to Rule on Application (#96-04-C-00-YKM) To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Yakima Air Terminal, Submitted by Yakima Air Terminal Board, Yakima, WA**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use PFC revenue at Yakima Air Terminal under the provisions of 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR 158).

**DATES:** Comments must be received on or before February 29, 1996.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: J. Wade Bryant, Manager; Seattle Airports District Office, SEA-ADO; Federal Aviation Administration;

1601 Lind Avenue SW, Suite 250; Seattle, WA 98055-4056.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Bob Clem, Airport Manager at the following address: Yakima Air Terminal, 2400 West Washington Avenue, Yakima, WA 98903.

Air Carriers and foreign air carriers may submit copies of written comments previously provided to Yakima Air Terminal, under section 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:** Ms. Cayla Morgan, (206) 227-2653; Seattle Airports District Office, SEA-ADO; Federal Aviation Administration; 1601 Lind Avenue SW, Suite 250; Seattle, WA 98055-4056. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application (#96-04-C-00-YKM) to impose and use PFC revenue at Yakima Air Terminal, under the provisions of 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On January 22, 1995, the FAA determined that the application to impose and use the revenue from a PFC submitted by Yakima Air Terminal

Board, Yakima, Washington, was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 26, 1996.

The following is a brief overview of the application.

*Level of the proposed PFC:* \$3.00.

*Proposed charge effective date:* March 1, 1996.

*Proposed charge expiration date:* February 28, 1998.

*Total estimated PFC revenues:* \$432,000.00.

*Brief description of proposed project:* Snow removal equipment—purchase two snow plows; Expand snow removal equipment (SRE) storage facility; Terminal building renovation project—Phase 2.

*Class or classes of air carriers which the public agency has requested not be required to collect PFC's:* Air taxi/commercial operators filing FAA Form 1800-31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Office located at: Federal Aviation Administration, Northwest Mountain Region, Airports Division, ANM-600, 1601 Lind Avenue

S.W., Suite 540, Renton, WA 98055-4056.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Yakima Air Terminal.

Issued in Renton, Washington on January 22, 1996.

David A. Field,

Manager, Planning, Programming and Capacity Branch, Northwest Mountain Region.

[FR Doc. 96-1737 Filed 1-29-96; 8:45 am]

BILLING CODE 4910-13-M

## Maritime Administration

[Docket S-930]

### **Chestnut Shipping Company, Keystone Shipping Co.; Application for Amendment of a Previous Section 804 Waiver Which Authorized Keystone Shipping Co. To Acquire an Interest in or Charter Nine Foreign-Flag Liquid Bulk Vessels**

Chestnut Shipping Company (Chestnut) requests amendment of Docket A-180, served by the Maritime Administrator (Administrator) on November 15, 1990, in which the Administrator with respect to Operating-Differential Subsidy Agreement (ODSA), Contract MA/MSB-299, with Chestnut, waived until November 11, 1996, the provisions of section 804(a) of the Merchant Marine Act, 1936, as amended (Act), so as to permit Chestnut's affiliate, Keystone Shipping Co. (Keystone), to acquire an interest in or charter up to nine foreign-flag liquid bulk vessels to be operated in U.S. foreign commerce, none to exceed 200,000 DWT.

Chestnut requests amendment of the section 804 waiver as previously granted to Chestnut in Docket A-180, in order to allow Keystone until February 28, 1997, and any applicable extension thereto, to own, charter, manage, act as agent or broker for, or to have an interest in up to twenty (20) dry, liquid or combination liquid/dry bulk foreign-flag vessels without restrictions as to the size of the vessels or amount of cargo such vessels can load. Chestnut advises that Keystone agrees to be bound by the conditions of earlier waivers imposed by the Administrator which were designed to assure against the diversion of subsidy monies.

On December 22, 1993, the Maritime Administration authorized separate ODSAs for the two original vessels of Chestnut, as follows:

(1) MA/MSB-299(a) on the CHESTNUT HILL, to expire November 30, 1996, and

(2) MA/MSB-299(b) on the KITTANNING, to expire February 28, 1997.

Under either of these ODSAs, Chestnut is authorized to operate the CORONADO, CHERRY VALLEY, CHELSEA, CHILBAR or FREDERICKSBURG, provided that the annual amount of operating-differential subsidy (ODS) accrued under each ODSA can not exceed the amount of ODS that would accrue for one-ship year of operation of the vessel named in the ODSA.

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 5:00 p.m. on February 12, 1996. This notice is published as a matter of discretion. 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. 2.804 Operating-Differential Subsidies).

By Order of the Maritime Administrator.

Dated: January 25, 1996.

Joel C. Richard,

Secretary.

[FR Doc. 96-1735 Filed 1-29-96; 8:45 am]

BILLING CODE 4910-81-P

## National Highway Traffic Safety Administration

[NHTSA Docket No. 94-021; Notice 3]

### **Highway Safety Programs; Model Specifications for Devices To Measure Breath Alcohol**

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** This notice amends the Conforming Products List for instruments that conform to the Model Specifications for Evidential Breath Testing Devices (58 FR 48705).

**EFFECTIVE DATE:** January 30, 1996.

**FOR FURTHER INFORMATION CONTACT:** Dr. James F. Frank, Office of Alcohol and State Programs, NTS-21, National

Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590; Telephone: (202) 366-5593.

**SUPPLEMENTAL INFORMATION:** On November 5, 1973, the National Highway Traffic Safety Administration (NHTSA) published the Standards for Devices to Measure Breath Alcohol (38 FR 30459). A Qualified Products List of Evidential Breath Measurement Devices comprised of instruments that met this standard was first issued on November 21, 1974 (39 FR 41399).

On December 14, 1984 (49 FR 48854), NHTSA converted this standard to Model Specifications for Evidential Breath Testing Devices, and published a Conforming Products List (CPL) of instruments that were found to conform to the Model Specifications as Appendix D to that notice (49 FR 48864).

On September 17, 1993, NHTSA published a notice (58 FR 48705) to amend the Model Specifications. The notice changed the alcohol concentration levels at which instruments are evaluated, from 0.000, 0.050, 0.101, and 0.151 BAC, to 0.000, 0.020, 0.040, 0.080, and 0.160 BAC; added a test for the presence of acetone; and expanded the definition of alcohol to include other low molecular weight alcohols including methyl or isopropyl. On March 16, 1995, the most recent amendment to the Conforming Products List (CPL) was published (60 FR 14320), identifying those instruments found to conform with the Model Specifications.

Since the last publication of the CPL, three (3) instruments have been evaluated and found to meet the model specifications, as amended on September 17, 1993, for mobile and non-mobile use. They are: CMI, Inc.'s "Intoxilyzer 300" (which is the same as Lion Laboratories' "Alcolmeter 300" that will also be listed); National Patent Analytical Systems, Inc.'s "BAC Verifier Datamaster" (which is the same as Verax Systems' "BAC Verifier Datamaster" that will also be listed); and National Draeger's "Alcotest 7110 MKIII". Additionally, four devices currently listed under the CMI brand name (Intoxilyzer 200, Intoxilyzer 200D, Intoxilyzer 1400 and Intoxilyzer 5000 CD/FG5) will also be listed under the Lion Laboratories brand name. Lion Laboratories and CMI, Inc. are both wholly-owned subsidiaries of the same parent company (MPD, Inc.) and the devices are the same whether they are sold by CMI or Lion Laboratories.

In accordance with the foregoing, the CPL is therefore amended, as set forth below.