application to impose and use the revenue from a PFC at Youngstown-Warren Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before May 9, 1997.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address:

Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Thomas P. Nolan, Director of Aviation of the Youngstown-Warren Regional Airport, Western Reserve Port Authority at the following address:

Youngstown-Warren Regional Airport, 1453 Youngstown-Kingsville Road, NE, Vienna, Ohio 44473–9797.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Western Reserve Port Authority under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Mr. Robert L. Conrad, Program Manager, Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111 (313–487–7295). 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 to impose and use the revenue from a PFC at Youngstown-Warren Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) Pub. L. 101–508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On February 7, 1997, the FAA determined that the application to impose and use the revenue from a PFC submitted by Western Reserve Port Authority 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 June 6, 1997.

The following is a brief overview of the application.

PFC Application No.: 97–02–C–00–YNG.

Level of the proposed PFC: $3.00.

Proposed charge effective date: April 1, 1997.

Proposed charge expiration date: March 1, 2002.

Total estimated PFC revenue: $734,078.00.

Brief description of proposed project(s): Terminal Area Access Road & Rehabilitation & Signage; Airline Terminal Roof Reconstruction; Americans with Disabilities Act (ADA) Improvements; Snow Removal Equipment; Prepare Passenger Facility Charge Application. Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon request, inspect the application, notice, and other documents germane to the application in person at the Airport Managers Office, Youngstown-Warren Regional Airport.

Issued in Des Plaines, IL, on April 2, 1997.

Irene R. Porter,

Acting Manager, Planning/Programming Branch, Airports Division, Great Lakes Region.

[FR Doc. 97–9128 Filed 4–8–97; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket S–944]

Lykes Bros. Steamship Co., Inc.; Notice of Additional Application for Written Permission Pursuant to Section 805(a) of the Merchant Marine Act, 1936, As Amended

Lykes Bros. Steamship Co., Inc. (Lykes), by letter of April 4, 1997, requests further written permission, in addition to its March 14, 1997, request published on March 19, 1997 (62 FR 13209–11), and its March 20, 1997 request published on March 25, 1997 (62 FR 14183), pursuant to section 805(a) of the Merchant Marine Act, 1936, as amended (Act), and Lykes' Operating-Differential Subsidy Agreement (ODSA), Contract MA/MSB–451. The April 4, 1997 letter requests permission for Lykes to become affiliated after the confirmation of its Chapter 11 plan of reorganization (Reorganization Plan), when it will emerge from Chapter 11 as a reorganized entity (Reorganized Lykes) with Gilman Financial Services Inc. (Gilman) through Gilman's wholly owned subsidiary GFS Second Transportation Leasing, Inc. (GFST). Reorganized Lykes will be 50% owned by GFST. Lykes' operating-differential subsidy (ODS) is effective through December 31, 1997, for seven vessels. The additional request involves another wholly owned Gilman subsidiary, GFS Third Transportation Leasing, Inc., which is the Owner Participant in a trust agreement under which Fleet Bank is the Owner Trustee and documented owner of the vessel SEA-LAND NAVIGATOR, which is bareboat chartered to and operated by Sea-Land Service, Inc. (Sea-Land). The SEA-LAND NAVIGATOR, which was built with construction-differential subsidy, operates in a mixed domestic/foreign trade, and carries cargo between the United States Pacific Coast and Hawaii.

The ''affiliation'' giving rise to this request for permission will be created as part of a restructuring under the supervision of the United States Bankruptcy Court. Lykes believes that the operational facts of this situation should be distinguished from the more common section 805(a) situation in which an ODS contractor wishes to directly or indirectly establish a domestic service. While Gilman, through GFS Third Transportation Leasing, Inc., indirectly holds a beneficial interest in the SEA-LAND NAVIGATOR, that vessel is bareboat chartered to and operated by Sea-Land. Lykes states that Reorganized Lykes, as the ODS contractor, has absolutely no affiliation with Sea-Land. According to Lykes, nothing in the affiliation of Reorganized Lykes and Gilman (and its subsidiaries) created by the reorganization will have any effect on the operation or competitive status of the SEA-LAND NAVIGATOR, and there will be no impact on any competitor of that vessel. Lykes indicates that neither it nor Reorganized Lykes plans to operate in the trade in which the SEA-LAND NAVIGATOR sails.

For the foregoing reasons, and in light of the complete operational separation between Reorganized Lykes and the operator of the vessel in which Gilman indirectly holds a beneficial interest and the short remaining term of Lykes' ODS contract, Lykes requests that the Secretary issue written permission pursuant to section 805(a) for Reorganized Lykes to become affiliated with Gilman and its subsidiaries. Lykes states that grant of the requested permission will facilitate the consummation of the Reorganization Plan and accordingly preserve U.S.-flag service and the employment of U.S. seamen. Lykes respectfully requests that its application be given the most expeditious possible consideration.

Notice is also given that Lykes has been authorized to be a party to operating agreements under the Maritime Security Program (MSP) Contract Nos. MA/MSP–21 through MA/MSP–23. Section 656 of the Act provides that no contractor or related party shall receive MSP payments during a period when it participates in a noncontiguous trade without written permission. The SEA-LAND NAVIGATOR operates in the noncontiguous trade to Hawaii. Sea-Land made application under section 656 for the operation of the SEA-LAND NAVIGATOR among others. A Gilman subsidiary is the Owner Participant of the SEA-LAND NAVIGATOR. The section 656 aspects are being addressed in Docket MSP–002.

The application may be inspected in the Office of the Secretary, Maritime Administration. Any person, firm or corporation having any interest (within the meaning of section 805(a)) in Lykes' request and desiring to submit comments concerning the request must by 5:00 PM on April 16, 1997, file written comments in triplicate with the Secretary, Maritime Administration, together with petition for leave to intervene. The petition shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petition for leave to intervene is received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such actions as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing will be held, the purpose of which will be to receive evidence under section 805(a) relative to whether the proposed operations (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

(Catalog of Federal Domestic Assistance Program No. 20.805 (Operating-Differential Subsidy)).

Dated: April 7, 1997.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary.

[FR Doc. 97–9205 Filed 4–8–97; 8:45 am]

BILLING CODE 9410–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. 96–110; Notice 2]

Cosco, Inc.; Mootness of Application for Decision of Inconsequential Noncompliance

On August 29, 1996, Cosco, Inc. (Cosco), filed an application with the agency for exemption from the notification and remedy requirements of 49 U.S.C. 30118 and 30120 for noncompliance with the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 213 ''Child Restraint Systems.''

Notice of receipt of the application was published on October 29, 1996, and an opportunity afforded for comment (61 FR 55836). The comment closing date was November 29, 1996. The reader is referred to that notice for further information.

After the comment period closed, in a December 6, 1996, letter to the agency, Cosco made a request to withdraw its application for the following reasons:

> Upon further review, we (Cosco) do not believe these booster seats (Cosco Grand Explorer-Model #02–424 OXF and 02–424 GDM) fall under the jurisdiction of this section (S5.2.3.2 of S5.2.3, Head Impact Protection). S5.2.3.1 specifies the child restraints systems which must meet the S5.2.3.2 criteria:
>
> S5.2.3.1 Each child restraint system, other than a child harness, which is recommended under S5.5.2(f) or children whose masses are less than 10 kg, shall comply with S5.2.3.2.
>
> The booster seats in question are recommended for 30 lbs. (13.6 kg) to 60 lbs. (27 kg), therefore, they are not recommended for children under 10 kg and the booster seats are not required to meet S5.2.3.2.

After review of Standard No. 213 and the facts of this case, the agency agrees with Cosco's interpretation of the applicable sections of the Standard. Therefore, Cosco's application is moot, and the agency is closing Docket No. 96–110 without making a decision on Cosco's application.

(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 501.8).

Issued on: April 3, 1997.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 97–9054 Filed 4–8–97; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. PDA–15(R)]

Application by Association of Waste Hazardous Materials Transporters for a Preemption Determination as to Houston, Texas, Requirements on the Storage, Use, Dispensing and Handling of Hazardous Materials

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Public Notice Reopening Comment Period.

SUMMARY: RSPA is reopening the comment period on the application by the Association of Waste Hazardous Materials Transporters (AWHMT) for an administrative determination that Federal hazardous material transportation law preempts certain provisions of the Fire Code of the City of Houston, Texas (Houston Fire Code), relating to the storage, use, dispensing, and handling of hazardous materials. In November 1996, the Houston City Council amended the Houston Fire Code, including provisions challenged in AWHMT's application. The comment period is being reopened to allow interested parties the opportunity to comment upon the amended requirements in the Houston Fire Code and the manner in which these requirements are presently being applied and enforced.

DATES: Comments received on or before May 27, 1997, and rebuttal comments received on or before July 8, 1997, will be considered before an administrative ruling is issued by RSPA's Associate Administrator for Hazardous Materials Safety. Rebuttal comments may discuss only those issues raised by comments received during the initial comment period and may not discuss new issues.

ADDRESSES: The application and all comments received may be reviewed in the Dockets Unit, Research and Special Programs Administration, Room 8421, Nassif Building, 400 Seventh Street, SW, Washington, DC 20590–0001 (Tel. No. 202–366–4453). Comments and rebuttal comments on the application may be submitted to the Dockets Unit at the above address, and should include the Docket Number (PDA–15(R)). Three copies of each should be submitted. In addition, a copy of each comment and each rebuttal comment must also be sent to (1) Mr. Charles Dickhut, Chairman, Association of Waste Hazardous Materials Transporters, 2200 Mill Road, Alexandria, VA 22314, and (2) Mr. Gene