

Issued on: July 9, 2001.

Brian M. McLaughlin,

Associate Administrator for Policy and Program Development.

[FR Doc. 01-17573 Filed 7-12-01; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD-2001-10094]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel TONYA LEE.

SUMMARY: As authorized by Pub. L. 105-383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before August 13, 2001.

ADDRESSES: Comments should refer to docket number MARAD-2001-10094. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. 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.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>.

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of

Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-2307.

SUPPLEMENTARY INFORMATION: Title V of Pub. L. 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* Tonya Lee. Owner: Thomas E. Weske and Judith A. Weske.

(2) Size, capacity and tonnage of vessel. According to the applicant: “* * * Gross Tons 10, Net Tons 8, Length 28 ft, Breadth 10 ft, Depth 5.5 ft”

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: “Coastwise passenger: Charter Fishing, Sightseeing, Whale Watching. Southeast Alaska: Juneau to Skagway to Cross sound to Sitka to Ketchikan to Juneau.”

(4) Date and Place of construction and (if applicable) rebuilding. Date of construction: 1978. Place of construction: Unknown.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: “This waiver will have no more or less impact on the charter fleet or any other commercial operators than other vessel licensed to operate in this geographic area.”

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: “This vessel * * * will have no effect on any U.S. shipbuilders now or in the future.”

Dated: July 10, 2001.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 01-17582 Filed 7-12-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD-2001-10095]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the coastwise trade laws for the vessel ADVENTURE CAT.

SUMMARY: As authorized by Pub. L. 105-383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before August 13, 2001.

ADDRESSES: Comments should refer to docket number MARAD-2001-10095. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. 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.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>.

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime

Administration, MAR-832 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-2307.

SUPPLEMENTARY INFORMATION: Title V of Pub. L. 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-build Requirement

(1) Name of vessel and owner for which waiver is requested. Name of vessel: *Adventure Cat*. Owner: J.B. Ewing Enterprises, Inc.

(2) Size, capacity and tonnage of vessel. According to the applicant: “* * * 9.7 tons. It is a 47 feet catamaran with a 23-foot beam and has 4 staterooms.”

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: “This is a charter vessel with a captain and crew and no more than 12 guests for sailing in the Gulf of Mexico from the Sanibel Island area.”

(4) Date and Place of construction and (if applicable) rebuilding. Date of construction: 1998. Place of construction: Bordeaux, France.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: “Currently there is no other vessel of this class, size and capacity offering sailing services in the Southwest Florida or the Gulf waters. We do have within 100 miles, larger vessels who market themselves as 50 or more guests for fishing, sightseeing and gambling.”

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: “The U.S. boat manufacturers passed on the construction of large sailing catamaran, as it was not view as a profitable market. I also learn from U.S. salesmen for

Beneteau Group (who own Lagoon) that the France government had made available tax relief for this vessel type and class allowing it to be made in France. If I were a U.S. boat builder back then, looking at this market size, I too would let someone else build the vessel and focus all my resources to a more production volume vessel for the U.S. market.”

Dated: July 10, 2001.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 01-17581 Filed 7-12-01; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34064]

Waccamaw Coast Line Railroad— Modified Rail Certificate

On June 25, 2001, the Waccamaw Coast Line Railroad (WCLR), a division of The Baltimore and Annapolis Railroad Company (B&A), a Class III rail carrier, filed a notice for a modified certificate of public convenience and necessity under 49 CFR part 1150, Subpart C, *Modified Certificate of Public Convenience and Necessity*, to operate approximately 14.1 miles of rail line owned by Horry County, SC, between the connection with the B&A d/b/a The Carolina Southern Railroad Company tracks at Station 9 + 34.65 (milepost 336.18) in the City of Conway, SC, and the end of track beyond the Intracoastal Waterway at Station 748 + 30.23 (milepost 350.17) within the limits of the City of Myrtle Beach, SC.

Horry County, SC, a political subdivision of the State of South Carolina, owns the track and right-of-way that is the subject of this notice. Horry County purchased the trackage in 1984 under 49 CFR 1150.22, after it was abandoned by the Seaboard System Railroad (now CSX Transportation, Inc.). *See Seaboard System Railroad Inc.—Abandonment—In Horry County, South Carolina*, ICC Docket No. AB-55 (Sub-No. 107) (ICC served Sept. 12, 1984). The trackage is approximately 14.1 miles in length, running between Conway and Myrtle Beach. Horry County received title by deed dated October 22, 1984.

The Horry County Railroad Company was the initial operator over the line, later changing its name to WCLR. Ownership of WCLR changed in 1990. A dispute subsequently developed regarding car interchange at Conway

between WCLR and the Mid-Atlantic Railroad Co., Inc. (MRR), the sole interline connection for WCLR. On or about September 22, 1995, B&A, successor-in-interest to MRR, acquired most of the assets of WCLR, including the track lease, and continued operation of WCLR as a separate division under a series of a short-term leases from Horry County.

The initial term of the lease between Horry County and B&A is 30 years. The lease commenced on February 9, 2001, with one renewal term of 20 years.

The rail segment qualifies for a modified certificate of public convenience and necessity. *See Common Carrier Status of States, State Agencies and Instrumentalities and Political Subdivisions*, Finance Docket No. 28990F (ICC served July 16, 1981).

WCLR indicates that no subsidy is involved, that there are no preconditions for shippers to meet in order to receive rail service, and that B&A has obtained liability insurance coverage.

This notice will be served on the Association of American Railroads (Car Service Division) as agent for all railroads subscribing to the car-service and car-hire agreement: Association of American Railroads, 50 F Street, NW., Washington, DC 20001; and on the American Short Line and Regional Railroad Association: American Short Line and Regional Railroad Association, 1120 G St., NW., Suite 520, Washington, DC 20005.

Decided: July 9, 2001.

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

Vernon A. Williams,

Secretary.

[FR Doc. 01-17580 Filed 7-12-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket Nos. AB-565 (Sub-No. 1X) and AB-55 (Sub-No. 598X)]

New York Central Lines, LLC— Abandonment Exemption—in Middlesex County, MA; CSX Transportation, Inc.—Discontinuance of Service Exemption—in Middlesex County, MA

On June 25, 2001, New York Central Lines, LLC (NYC), and CSX Transportation, Inc. (CSXT), jointly filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 for NYC to abandon and