

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: TIME'S ARROW. Owner: Mark and Lettina Heilbron.

(2) *Size, capacity and tonnage of vessel.* According to the applicant: "17 (Net tons) Pursuant to 46 U.S.C. 14502; Length 36 feet; Beam 19 feet; Draft 3'6".

(3) *Intended use for vessel, including geographic region of intended operation and trade.* According to the applicant: "Sightseeing, Snorkeling, Sport Fishing; Coast wise within the main Hawaiian islands."

(4) *Date and Place of construction and (if applicable) rebuilding.* Date of construction: 1997. Place of construction: Grouson, France.

(5) *A statement on the impact this waiver will have on other commercial passenger vessel operators.* According to the applicant: "This waiver will not greatly impact other operators as our operation is much smaller than others, and will not be able to compete with larger operators because of the limited passenger carrying capacity of the vessel. Other operators conducting the same type of operation, operate much larger vessels with carrying capacities of forty to sixty passengers."

(6) *A statement on the impact this waiver will have on U.S. shipyards.* According to the applicant: "There will be no impact whatsoever on U.S. Shipyards as this vessel would not be dry docked in those types of facilities."

Dated: August 1, 2001.

By order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 01-19668 Filed 8-6-01; 8:45 am]

**BILLING CODE 4910-81-P**

## **DEPARTMENT OF TRANSPORTATION**

### **National Highway Traffic Safety Administration**

**[Docket No. NHTSA 2001-10258, Notice 1]**

#### **NovaBUS, Inc., Receipt of Application for Decision of Inconsequential Noncompliance**

NovaBUS, Inc. (NovaBUS) of Roswell, New Mexico, manufactured a number of buses which were equipped with one of two types of optional lamp systems. Both of these lamp systems are wired to flash. Federal Motor Vehicle Safety Standard (FMVSS) No. 108, "Lamps, Reflective Devices, and Associated Equipment," requires that all lamps, except those specified, be wired to be steady burning. NovaBUS has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." It has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

In FMVSS No. 108, paragraph S5.5.10 requires that, other than turn signal lamps, hazard warning signal lamps, school bus warning lamps, and headlamps and side marker lamps wired to flash for signaling purposes, all other lamps shall be wired to be steady burning.

Between January 1994 and March 2001, Nova produced 742 buses with optional deceleration lamps that flash in response to the level of deceleration of the vehicle. These lamps are amber and are located on the rear center of the bus. Nova also produced 1,819 buses with "hoodlum" lamps that flash when a switch is activated by the driver. The purpose of these lamps is to provide an alert to the police or public that a dangerous situation is occurring on the bus and that the driver requires assistance. These lamps are green or amber and are located on the top front of the bus.

Nova supports its application for inconsequential noncompliance by stating the following:

The lights do not pose a safety risk to the bus, passengers, driver, or other vehicles on the roadway. They in no way interfere with the normal operation of the bus. Their size, location, color, and flashing pattern make it impossible to confuse them with stop and turn lights. There are no other green lights on the vehicle. There is a slight chance the amber lens color may be confused with hazard lights. However, this is not a hindrance as the [deceleration] and hazard lights heighten other drivers' awareness of the bus.

These lights were requested by our customers to help attract attention to the buses in the stated situations. Since the requirement that "all other lamps shall be wired to be steady burning" applies to NovaBUS as an [original equipment manufacturer] but not to our customers, NovaBus believes these lights would not be changed to be steady burning if a recall process was executed.

NovaBUS no longer offers these options and is now compliant with the applicable FMVSSs.

Interested persons are invited to submit written data, views, and arguments on the application described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation, Docket Management, Room PL-401, 400 Seventh Street, SW, Washington, DC, 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below. *Comment closing date:* September 6, 2001.

(49 U.S.C. 301118, 301120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: August 1, 2001.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 01-19744 Filed 8-6-01; 8:45 am]

**BILLING CODE 4910-59-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Research and Special Programs Administration**

#### **Office of Hazardous Materials Safety; Notice of Delays in Processing of Exemption Applications**

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

**ACTION:** List of applications delayed more than 180 days.

**SUMMARY:** In accordance with the requirements of 49 U.S.C. 5117(c), RSPA is publishing the following list of exemption applications that have been in process for 180 days or more. The reason(s) for delay and the expected completion date for action on each application is provided in association with each identified application.

**FOR FURTHER INFORMATION CONTACT:** J. Suzane Hedgepeth, Director, Office Hazardous Materials, Exemptions and

Approvals, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590-0001, (202) 366-4535.

**Key to "Reasons for Delay"**

1. Awaiting additional information from application.
2. Extensive public comment under review.
3. Application is technically complex and is of significant impact or precedent-setting and requires extensive analysis.

4. Staff review delayed by other priority issues or volume of exemption applications.

**Meaning of Application Number Suffixes**

- N—New application
- M—Modification request
- PM—Party to application with modifications request

Issued in Washington, DC, on August 1, 2001.

**J. Suzanne Hedgepeth,**  
Director, Office of Hazardous Materials Exemptions and Approvals.

**New Exemption Applications**

Application No.	Applicant	Reason for delay	Estimated date of completion
11862-N	The BOC Group, Murray Hill, NJ	4	08/31/2001
11927-N	Alaska Marine Lines, Inc., Seattle, WA	4	08/31/2001
12158-N	Hickson Corporation, Conley, GA	4	08/31/2001
12248-N	Ciba Specialty Chemicals Corp., High Point, NC	1, 4	09/28/2001
12290-N	Savage Industries, Inc., Pottstown, PA	4	09/28/2001
12339-N	BOC Gases, Murray Hill, NJ	4	09/28/2001
12353-N	Monson Companies, South Portland, ME	4	09/28/2001
12355-N	Union Tank Car Company, East Chicago, IN	4	09/28/2001
12381-N	Ideal Chemical & Supply Co., Memphis, TN	4	09/28/2001
12406-N	Occidental Chemical Corporation, Dallas, TX	4	09/28/2001
12412-N	Great Western Chemical Company, Portland, OR	4	09/28/2001
12434-N	Salmon Air, Salmon, ID	4	09/28/2001
12440-N	Luxfer, Inc., Riverside, CA	4	09/28/2001
12454-N	Ethyl Corp., Richmond, VA	4	09/28/2001
12456-N	Baker Hughes, Houston, TX	4	09/28/2001
12497-N	Henderson International Technologies, Inc., Richardson, TX	4	10/31/2001
12566-N	General Atomics, San Diego, CA	4	10/31/2001
12571-N	Air Products & Chemicals, Inc., Allentown, PA	4	10/31/2001
12574-N	Weldship Corporation, Bethlehem, PA	4	10/31/2001
12586-N	Wilsonart International Inc., Temple, TX	4	10/31/2001
12587-N	Georgia-Pacific Corp., Crossett, AR	4	10/31/2001
12588-N	El Dorado Chemical Co., Creve Ceour, MO	4	10/31/2001
12591-N	SGL Carbon, LLC, Morgantown, NC	1	10/31/2001
12592-N	Matson Navigation Co., San Francisco, CA	4	10/31/2001
12623-N	General Chemical Corporation, Parsippany, NJ	4	10/31/2001
12625-N	Smart-Hose Technologies, Inc., Philadelphia, PA	4	11/30/2001
12629-N	Western Sales & Testing of Amarillo, Inc., Amarillo, TX	4	11/30/2001
12630-N	Chemetall GmbH Gesellschaft, Langelshheim, DE	4	11/30/2001
12634-N	Norman International, Los Angeles, CA	4	11/30/2001
12644-N	Global Composites International, Inc., San Dimas, CA	4	11/30/2001
12646-N	Consani Engineering, Elsie River, SA	4	10/31/2001
12728-N	Eagle-Picher Technologies, LLC, Joplin, MO	4	11/30/2001
12768-N	BOC Gases, Murray Hill, NJ	4	11/30/2001

**Modifications to Exemptions**

Application No.	Applicant	Reason for delay	Estimated date of completion
7060-M	Federal Express, Memphis, TN	4	08/31/2001
8086-M	The Boeing Co. (Mil Aircraft & Missiles Sys Group), Seattle, WA	4	08/31/2001
8308-M	Tradewind Enterprises, Inc., Hillsboro, OR	4	08/31/2001
8554-M	Orica USA Inc., Englewood, CO	4	08/31/2001
8757-M	YZ Systems, Inc., Conroe, TX	4	09/28/2001
10695-M	3M Company, St. Paul, MN	4	09/28/2001
11202-M	Newport News Shipbuilding & Dry Dock Co., Newport News, VA	4	09/28/2001
11244-M	Aerospace Design & Development, Inc., Longmont, CO	4	08/31/2001
11316-M	TRW Automotive, Queen Creek, AZ	4	08/31/2001
11537-M	JCI Jones Chemicals, Inc., Milford, VA	4	08/31/2001
11759-M	Honeywell International, Inc., Morristown, NJ	4	09/28/2001
11769-M	Great Western Chemical Company, Portland, OR	4	08/31/2001
11769-M	Great Western Chemical Company, Portland, OR	4	09/28/2001
11769-M	Hydrite Chemical Company, Brookfield, WI	4	09/28/2001
11798-M	Anderson Development Company, Adrian, MI	4	08/31/2001

Application No.	Applicant	Reason for delay	Estimated date of completion
11911-M .....	Transfer Flow, Inc., Chico, CA .....	4 .....	08/31/2001
12122-M .....	Atlantic Research Corp., Automotive Products Group, Knoxville, TN .....	4 .....	09/28/2001
12184-M .....	Weldship Corporation, Bethlehem, PA .....	4 .....	09/28/2001
12266-M .....	Toyota Motor Sales, U.S.A., Inc., Torrance, CA .....	4 .....	09/28/2001
12561-M .....	Rodia, Incorporated, Cranbury, NJ .....	4 .....	09/28/2001
12581-M .....	Nat'l Aero & Space Admn (NASA), Goddard Space Ctr., Greenbelt, MD .....	4 .....	08/31/2001

[FR Doc. 01-19743 Filed 8-6-01; 8:45 am]  
 BILLING CODE 4910-60-M

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**Proposed Collection; Comment Request for Forms 5500, 5500-C/R, and Schedules (1998 Version)**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Forms 5500, 5500-C-R, and Schedules, Annual Return/Report of Employee Benefit Plan (1998 Version).

**DATES:** Written comments should be received on or before October 9, 2001 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5244, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the forms and instructions should be directed to Carol Savage, (202) 622-3945, Internal Revenue Service, room 5242, 1111 Constitution Avenue NW., Washington, DC 20224.

**SUPPLEMENTARY INFORMATION:**

*Title:* Annual Return/Report of Employee Benefit Plan (1998 Version).

*OMB Number:* 1545-0710.

*Form Number:* 5500, 5500-C/R, and Schedules.

*Abstract:* Forms 5500 and 5500-C/R are annual information returns filed by employee benefit plans. The IRS uses this information to determine if the plan appears to be operating properly as

required under the law or whether the plan should be audited.

*Current Actions:* The estimated volume of "prior year" returns (1998 and before) is lower for the upcoming precessing year (August 1, 2001 through July 31, 2002). This is due to the fact that only delinquent filers would have need for the 1998 (or prior) year versions of these forms.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 25,000.

*Estimated Time Per Respondent:* Varies.

*Estimated Total Annual Burden Hours:* 775,726.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

**Request for Comments**

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital

or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: August 2, 2001.

**Garrick R. Shear,**

*IRS Reports Clearance Officer.*

[FR Doc. 01-19789 Filed 8-6-01; 8:45 am]

BILLING CODE 4830-01-P

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

[IA-44-94]

**Proposed Collection: Comment Request for Regulation Project**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning an existing final regulation, IA-44-94 (TD 8690), Deductibility, Substantiation, and Disclosure of Certain Charitable Contributions (§§ 1.170A-13(f) and 1.6115-1).

**DATES:** Written comments should be received on or before October 9, 2001 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5244, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the regulation should be directed to Larnice Mack, (202) 622-3179, Internal Revenue Service, room 5244, 1111 Constitution Avenue NW., Washington, DC 20224.

**SUPPLEMENTARY INFORMATION:**