

Dated: August 27, 2001.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 01-21984 Filed 8-30-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-472 (Sub-No. 1X)]

Dakota Rail, Inc.—Abandonment Exemption—in McLeod, Carver, and Hennepin Counties, MN

On August 13, 2001, Dakota Rail, Inc. (Dakota Rail), 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 to abandon its entire rail line from milepost 24.6, near Wayzata, to the end of the line at milepost 68.5, in Hutchinson, a distance of approximately 43.9 miles, in McLeod, Carver, and Hennepin Counties, MN. The line traverses U.S. Postal Service Zip Codes 55323, 55350, 55354, 55356, 55360, 55361, 55364, 55367, 55375, 55381, 55384, 55387, and 55391, and includes the stations of Wayzata at milepost 24.6, Crystal Bay at milepost 27.5, Minnetonka Beach at milepost 29.0, Spring Park at milepost 30.6, Mound at milepost 32.5, St. Bonifacius at milepost 37.0, Mayer at milepost 45.0, New Germany at milepost 48.7, Lester Prairie at milepost 52.5, Silver Lake at milepost 60.2, and Hutchinson at milepost 68.5.

In addition to an exemption from 49 U.S.C. 10903, petitioner seeks exemption from 49 U.S.C. 10904 (offer of financial assistance (OFA) procedures) and 49 U.S.C. 10905 (public use conditions). In support, Dakota Rail contends that the exemption from these provisions is necessary to avoid delay in the sale of Dakota Rail's stock to McKnight Rail Road, L.L.C. (McKnight),¹ and the anticipated donation by McKnight of portions of the line to various localities. In addition, Dakota Rail states that the town of Mound, located at milepost 32.5, intends to use a portion of the line for highway construction and that this road project would be delayed, if not thwarted, by the OFA process in a case where there is no overriding public need here for continued rail service.

¹ According to Dakota Rail, McKnight is to be formed Illinois Limited Liability Corporation that is the acquisition vehicle for MidAmerica Development & Management Corporation and ELM Investments, L.L.C.

These requests will be addressed in the final decision.

The line does contain federally granted rights-of-way. Any documentation in Dakota Rail's possession will be made available promptly to those requesting it.

In this proceeding, Dakota Rail is proposing to abandon a line that constitutes its entire rail system. When issuing abandonment authority for a railroad line that constitutes the carrier's entire system, the Board does not impose labor protection, except in specifically enumerated circumstances. See *Northampton and Bath R. Co.—Abandonment*, 354 I.C.C. 784, 785-86 (1978) (*Northampton*). Therefore, if the Board grants the petition for exemption, in the absence of a showing that one or more of the exceptions articulated in *Northampton* are present, no labor protective conditions will be imposed.

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by November 30, 2001.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,000 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than September 20, 2001. Each trail use request must be accompanied by a \$150 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-472 (Sub-No. 1X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001; and (2) Louis E. Gitomer, 1455 F Street, NW., Suite 225, Washington, DC 20005. Replies to the Dakota Rail petition are due on or before September 20, 2001.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152.

Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1545. [TDD for the

hearing impaired is available at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Board decisions and notices are available on our website at www.stb.dot.gov.

Decided: August 24, 2001.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 01-21948 Filed 8-30-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Bureau of Transportation Statistics

Agency Information Collection; Activity Under OMB Review; Reporting the Causes of Airline Cancellations and Delays

AGENCY: Bureau of Transportation Statistics (BTS), DOT.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13, the BTS invites the general public, industry and other governmental parties to comment on air carriers voluntarily reporting on the causes of cancellations and delays of domestic scheduled passenger flights. The voluntary data submission would be used to identify specific problem areas within the national aviation system. By classifying causes of delays into four categories and causes of cancellations into three categories, the Department of Transportation (DOT) would be able to readily identify problem areas within the air transport system. With this knowledge, the DOT should be able to address the airline delays and cancellations within its control.

The DOT is in the process of submitting an emergency request to OMB to allow BTS to collect the voluntary causal data. BTS estimates that participating air carriers will be ready to begin voluntary reporting in early November, thus BTS is seeking

OMB emergency approval rather than the normal approval process established in 5 CFR Part 1320.

The participating air carriers regard their causal data as confidential, proprietary business information; and have agreed to voluntarily submit the data on the condition that the Federal government use the data for internal purposes and not published or released the data to the general public. In addition, the air carriers expressed concerns that, at least initially, there would be technical difficulties with the new voluntary reporting system which could affect the accuracy of the resulting information. While BTS believes that reports on causal data will eventually be useful to airline consumers, this information must be accurate and reliable. Thus, BTS has agreed to treat the air carriers' voluntary causal data as confidential business information. In order to gather public comment on a delay and cancellation reporting system, BTS is drafting a notice of proposed rulemaking (NPRM) that will propose the framework for a reporting system. Once the NPRM becomes a final rule, BTS intends release and publish causal data.

DATES: Written comments should be submitted by October 1, 2001.

ADDRESSES: Comments should be directed to: Office of Airline Information, K-25, Room 4125, Bureau of Transportation Statistics, 400 Seventh Street, SW., Washington, DC 20590-0001, FAX NO. 366-3383 or EMAIL bernard.stankus@bts.gov.

Comments: Comments should identify the OMB # 2138-NEW. Persons wishing the Department to acknowledge receipt of their comments must submit with those comments a self-addressed stamped postcard on which the following statement is made: Comments on OMB # 2138-NEW. The postcard will be date/time stamped and returned.

FOR FURTHER INFORMATION CONTACT: Bernie Stankus Office of Airline Information, K-25, Room 4125, Bureau of Transportation Statistics, 400 Seventh Street, SW., Washington, DC 20590-0001, (202) 366-4387.

SUPPLEMENTARY INFORMATION:

OMB Approval No. 2138-NEW

Title: Reporting the Causes of Airline Cancellations and Delays.

Form No.: BTS Form 234.

Type Of Review: New collection.

Respondents: Large certificated air carriers that account for at least 1 percent of the domestic scheduled passenger revenues.

Number of Respondents: 10.

Programming Burden Per Respondent: 15 hours.

Total Burden: 150 hours.

Needs and Uses:

Identifying and Reducing Traffic Delays

The DOT would use the causal data collected and processed by BTS to pinpoint and analyze air traffic delays and cancellations that occur under DOT's control. Currently, BTS can identify which flights are delayed or cancelled but, not the cause of the delay or cancellation. By eliminating the delays and cancellations that are caused by extreme weather, the air carrier or by the late arrival of an aircraft of a previous flight, the DOT would be able to focus its attention to solving problem areas within its control.

Reporting Burden for Voluntary Reporting

One of the reporting carriers, that participated in BTS' pilot program on causal data, estimated that it took from 10 to 15 hours to reprogram its reporting system. Once this reprogramming effort was completed, the carrier stated that there was little, if any, additional reporting burden required to submit the monthly on-time reports.

Ashish Sen,

Director, Bureau of Transportation Statistics.

[FR Doc. 01-22041 Filed 8-30-01; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

[PS-106-91]

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, PS-106-91 (TD 8563), State Housing Credit Ceiling and Other Rules Relating to the Low-Income Housing Credit (§ 1.42-14).

DATES: Written comments should be received on or before October 30, 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:

Title: State Housing Credit Ceiling and Other Rules Relating to the Low-Income Housing Credit.

OMB Number: 1545-1423.

Regulation Project Number: PS-106-91.

Abstract: The regulation concerns the low-income housing credit under section 42 of the Internal Revenue Code. The regulation provides rules relating to the order in which housing credit dollar amounts are allocated from each State's housing credit ceiling under section 42(h)(3)(C) and the determination of which States qualify to receive credit from a national pool of credit under section 42(h)(3)(D). The regulation affects State and local housing credit agencies and taxpayers receiving credit allocations, and provides them with guidance for complying with section 42.

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, not-for-profit institutions, individuals or households, and state, local or tribal governments.

Estimated Number of Respondents: 110.

Estimated Time Per Respondent: 2 hours, 30 minutes.

Estimated Total Annual Burden Hours: 275.

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