

their habitat. We plan to work with accredited research organizations and operate within their research guidelines. Our mission is to support research and conservation through educational tourism. Our hope is to be able to operate along the complete migrational path of resident whales and seabirds. We request an operational range of Near Coastal USA and Territories with the primary usage to be between Eastport, Maine and Cape Ann, Massachusetts."

(4) Date and Place of construction and (if applicable) rebuilding. Date of construction: 1963. Place of construction: Holland.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "There are no other vessels offering this type of cruise in the projected area of operation. \* \* \* It is our sincere belief that our intended operation will help to stir the public's interest in marine ecology and preservation and bring more people to all of the operators who offer trips to view the whales and seabirds."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "The impact this waiver will have on US shipyards will be a positive one. The Wanderbird will be hauled out annually at a US shipyard and all major repair and maintenance will be done at US shipyards."

Dated: June 17, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-15621 Filed 6-19-02; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

**[Docket Number: MARAD-2002-12515]**

### 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 *Lewis Reef*.

**SUMMARY:** As authorized by Public Law 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 Public Law 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 July 22, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-12515. 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 Public Law 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:* LEWIS REEF. Owner: Ancamax Corporation.

(2) Size, capacity and tonnage of vessel. According to the applicant: "57.3' long, 17.1' wide and 10.1" deep'gross tonnage is 66, and her net tonnage is 53."

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant:

"I intend to keep the vessel in St. Michael's, MD, and will carry charters of no more than six passengers. Charters will be run on the Chesapeake Bay and surrounding area, no more than one hundred nautical miles north south, or east of home port."

(4) Date and Place of construction and (if applicable) rebuilding. Date of construction: 1988. Place of construction: Vancouver, Canada.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "I can state without equivocation that granting of this waiver will not adversely affect any existing operators. No vessels based in the St. Michaels, MD area currently offer maritime training for pleasure boaters, nor are there plans to do so that I am aware of."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "United States shipbuilders will not be affected by the requested waiver. I will continue to have the vessel serviced and drydocked in the United States as it has been for the past year."

Dated: June 17, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-15622 Filed 6-19-02; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

**[Docket Number: MARAD-2002-12513]**

### 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 *TIKI II*.

**SUMMARY:** As authorized by Public Law 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 Public Law 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 July 22, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-12513. 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 Public Law 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:* TIKI II. *Owner:* Scott D. Sanford.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* "L.O.A.=41.3 ft., B.O.A.=22.8 ft., Overall Depth=9.1 ft., Gross Tonnage: 27 GRT\*, Net Tonnage: 22 NRT\*\*"

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:*

"\* \* \* day sailing charters, for twelve passengers or less, in the big Pine Key, Florida area, within 20 nautical miles from shore (from the Florida Keys island chain) and within a radius of 30 nautical miles of Big Pine Key, Florida. Charters would include sightseeing and snorkeling. I would avoid competition with the day sailing charter boats of Key West. I would also like to do term sailing charters for six passengers or less \* \* \* with a total operational area of the entire Florida Keys chain and the surrounding waters."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1994. *Place of construction:* Aigrefeuille, France.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* "Other local vessels operating in my immediate area are not sailing charter operations, and thus they are not direct competition."

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* "I believe this waiver would have no impact on the U.S. shipyards. The U.S. has a very small market of American built cruising catamarans adequate for my needs."

Dated: June 17, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-15624 Filed 6-19-02; 8:45 am]

**BILLING CODE 4910-81-P**

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**Denial of Motor Vehicle Defect Petition, DP02-004**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Denial of petition for a defect investigation.

**SUMMARY:** This notice sets forth the reasons for the denial of a petition submitted to NHTSA under 49 U.S.C. 30162, requesting that the agency initiate an investigation to determine the existence of a defect related to motor vehicle safety. The petition is identified as DP02-004.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jonathan White, Office of Defects Investigation (ODI), NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Telephone: (202) 366-5226.

**SUPPLEMENTARY INFORMATION:** Ms. Charlene Blake, Vienna, VA, submitted a petition to NHTSA by letter dated April 9, 2002, requesting that an investigation be initiated to determine whether to issue an order concerning a defect in Model Year 1997 to 2001 Toyota Camry, Solara, Sienna, Avalon, Celica and Highlander vehicles and Lexus ES 300 and RX 300 vehicles. The petitioner alleges sudden engine seizure in certain aforementioned vehicles attributable to engine sludge-related problems.

In February 2002, Toyota Motor Sales, USA, Incorporated (Toyota) initiated a Special Policy Adjustment (SPA) covering the aforementioned model vehicles. In April 2002, Toyota expanded the SPA to include certain model year 2002 production for the same models. Toyota's SPA program is designed to provide assistance to consumers who have experienced engine problems related to "oil gelling" or "sludge." While aggravating to the owner, this problem appears to have limited safety implications within the meaning of NHTSA's authorizing statute. Moreover, given the actions taken by Toyota to address this problem, NHTSA does not believe that pursuing this matter would be an effective use of its resources.

In view of the foregoing, it is unlikely that NHTSA would issue an order for the notification and remedy of an alleged safety-related defect as defined by the petitioner in the subject vehicles at the conclusion of the investigation requested in the petition. Therefore, in view of the need to allocate and