

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

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* ALEMAR. *Owner:* Alemar, LLC.

(2) Size, capacity and tonnage of vessel. According to the applicant: "Tonnage: 41 Tons Gross, 37 Tons Net; Length: 53.5 feet."

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "Coastwise yacht charters from New York City to Cutler, Maine for up to four (4) people per charter."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1990. *Place of construction:* Tan Shui, Taipei, Republic of China.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "There should be little or no effect on other vessel operators. Most Commercial operators of similar sized vessels in New England offer daily "head boat" charters. Alemar is available only for fully crewed and provisioned charters for a minimum of seven days."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "This vessel has been maintained exclusively by U.S. shipyards. In the fall of 2001 a major refit took place at the Hinckley Company, Southwest Harbor, Maine at a cost of \$135,000. Previous works was performed at Little Harbor Yachts, Portsmouth, Rhode Island and Osprey Marine, Maryland. New sails were built at North Sails, Portsmouth, Rhode Island. Further, to my knowledge, no U.S. shipyards is building similar sailing vessels that Alemar would compete with for business."

Dated: July 2, 2002.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02-17177 Filed 7-8-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket Number: MARAD-2002-12693]

### 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 TAKE FIVE.

**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 August 8, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-12693. 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:* TAKE FIVE. *Owner:* John R. Miller Enterprises, LLC.

(2) Size, capacity and tonnage of vessel. According to the applicant: "55'1", Gross Tons 40, Capacity 8".

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "Recreational Charter use in Southern Florida."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1998. *Place of construction:* Italy.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "This waiver should not have any impact on \* \* \* other commercial passenger operators. We are only using this vessel for private, recreational charters and personal use."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "This waiver should not have any impact on \* \* \* US Shipyards \* \* \*"

Dated: July 2, 2002.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02-17178 Filed 7-8-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Docket No. RSPA-2002-11270, Notice No. 02-07]

### Safety Advisory: Retesting of Cylinders Without Calibration of Test Equipment

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

**ACTION:** Safety advisory notice.

**SUMMARY:** This is to notify the public that RSPA is investigating BKC Industries, Inc., 2117 Will Suitt Road, Creedmoor, NC 27522 for the marking of DOT cylinders and/or tube trailers