

**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:* ARGONAUT. *Owner:* Windships America Inc.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* "This vessel is 50.3 feet in length, 15.5 feet in breadth, and the net tonnage is 31 NRT."

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* "The intended use is day charter in the waters off New York and New England, based in Greenport, LI, NY."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1965. *Place of construction:* Muiden, the Netherlands.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "The granting of this waiver should have no adverse effect on current commercial passenger vessel operators. Restricting the number of passengers to twelve will not interfere with the current charter business aboard the Mary E, the only other working charter vessel in Greenport. My previous experience in Greenport was in 2000, as Captain of the Malabar, a charter vessel that has since been sold for charter operations in Florida."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "The granting of this waiver will have no adverse effect on US shipyards. Maintenance work on this vessel has been performed at Greenport Yacht & Shipbuilding Co., Greenport, NY."

Dated: August 9, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-20780 Filed 8-14-02; 8:45 am]

**BILLING CODE 4910-81-P**

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>.

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

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* ARGONAUT II. *Owner:* David J. Walker.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* "size of Vessel: Seventy-three feet (73'), Capacity: 51.77 Gross Tonnage, 23.76 Net Tonnage."

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* "Small Charter vessel for the purpose of taking out passengers of no more than twelve (12) for the purpose of scattering the ash remains of a beloved one upon the sea using a traditional group ritual, whereby providing a unique, elegant and affordable alternative to beloved ones and their families." "Near coastal waters of Washington, including Puget Sound, Inland Waterways, Strait of Juan de Fuca and S.E. Alaska."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* June 21, 1922. *Place of construction:* Meuchions Shipyard in Vancouver, Canada.

**DEPARTMENT OF TRANSPORTATION****Maritime Administration**

**[Docket Number: MARAD-2002-13080]**

**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 ARGONAUT II.

**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 September 16, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-13080. 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.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* "There will be little impact if any on other vessel operators, as there is no one, to my knowledge, providing this service in this area. We will be using a vintage mission and church vessel that has a documented history of community service."

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* "The adverse impact of this waiver will have on U.S. shipyards will be minimal. As a matter of fact this eighty-year-old wooden vessel will require much more upkeep in the coming years. This should give the smaller local yards much needed shipwright work. At the present time the owner is seeking the assistance of local shipyards for maintenance and moorage for the vessel."

Dated: August 9, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-20779 Filed 8-14-02; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

**[Docket Number: MARAD-2002-13084]**

#### 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 AVALANCHE.

**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 September 16, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-13084. 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>.

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

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* AVALANCHE. *Owner:* Dutch Harbor Fisheries.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* "Gross: 49, Net: 44, Length: 60.0 ft., Breadth: 16.3 ft., Depth: 10.2 ft."

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

"We would like to charter along the northeast coast of the U.S. to include the coasts of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland and Virginia (from Maine to the Chesapeake Bay)."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1986. *Place of construction:* Trehard yard in Antibes, France.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* "We do so little chartering in New England, just one week in the last two years that this waiver will not have any material impact on other American made charter sailboats."

(6) A statement on the impact this waiver will have on U.S. shipyards.

*According to the applicant:* "In summary, we cannot anticipate anything except our spending even more money in American shipyards as a result of this waiver with little or no impact on existing US built charter fleet."

Dated: August 9, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-20778 Filed 8-14-02; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

**[Docket Number: MARAD-2002-13078]**

#### 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 DREAM SEEKER.

**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.