

in which the check airman is observing the operating experience of a qualifying pilot.

[FR Doc. 04-5150 Filed 3-5-04; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Aviation Rulemaking Advisory Committee Meeting on Air Carrier Operations

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of meeting.

**SUMMARY:** The FAA is issuing this notice to advise the public of a meeting of the Federal Aviation Administration Aviation Rulemaking Advisory Committee to discuss air carrier operations issues.

**DATES:** The meeting will be held on March 23, 2004, at 1 p.m.

**ADDRESSES:** The meeting will be held in Conference Room 806, Federal Office Building 10A (the "FAA Building"), 800 Independence Ave., SW., Washington, DC, 20591.

**FOR FURTHER INFORMATION CONTACT:** Linda Williams, Office of Rulemaking, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-9685.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App II), notice is hereby given of a meeting of the Aviation Rulemaking Advisory Committee on Air Carrier Operations to be held on March 23, 2004.

The agenda will include a report from the All Weather Operations Working Group. As tasked by ARAC, the Working Group is to harmonize positions on issues related to low-visibility operations. The ARAC Working Group will identify harmonization issues in the following areas and will work to reach and document consensus on those issues: Maintenance of harmonization of all weather operations criteria based on experience gained from recent certification programs and operations; evolution of criteria to support Global Navigation Satellite System Landing Systems (GLS); new technologies that are being applied to low visibility operations; and complete harmonization of operating minima criteria and implementation processes.

Attendance is open to the interested public but may be limited by the space available. Members of the public must make arrangements in advance to

present oral statements at the meeting or may present written statements to the committee at any time. Arrangements may be made by contacting the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Sign and oral interpretation can be made available at the meeting, as well as an assistive listening device, if requested 10 calendar days before the meeting. If you are in need of assistance or require a reasonable accommodation for this event, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC on March 2, 2004.

**Matthew J. Schack,**

*Assistant Executive Director for Air Carrier Operations, Aviation Rulemaking Advisory Committee.*

[FR Doc. 04-5162 Filed 3-5-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket Number: MARAD-2004-17231]

#### 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 GREY GHOST.

**SUMMARY:** As authorized by Public Law 105-383 and Public Law 107-295, 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 brief description of the proposed service, is listed below. The complete application is given in DOT docket 2004-17231 at <http://dms.dot.gov>. 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, in accordance with Public Law 105-383 and MARAD's regulations at 46 CFR Part 388 (68 FR 23084; April 30, 2003), 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 in that business, a waiver will not be granted. 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.

**DATES:** Submit comments on or before April 7, 2004.

**ADDRESSES:** Comments should refer to docket number MARAD-2004-17231. 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:** Michael Hokana, U.S. Department of Transportation, Maritime Administration, MAR-830 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-0760.

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel GREY GHOST is: *Intended Use:* "Charter Fishing." *Geographic Region:* The Northeastern U.S. from New Jersey to Maine.

Dated: March 3, 2004.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 04-5118 Filed 3-5-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Docket No. RSPA-2004-16964 (Notice No. 04-1)]

#### Information Collection Activities

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

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Research and Special Programs Administration (RSPA, we) invites comments on certain information collections pertaining to hazardous materials transportation for which RSPA intends to request renewal from the

Office of Management and Budget (OMB).

**DATES:** Interested persons are invited to submit comments on or before May 7, 2004.

**ADDRESSES:** You may submit comment by any of the following methods:

- Web site: <http://dms.dot.gov>.

Follow the instructions for submitting comments on the Department of Transportation (DOT) electronic docket site.

- Fax: 1-202-493-2251.

- Mail: Docket Management System, U.S. Department of Transportation, 400 Seventh St., SW., Washington, DC 20590-0001.

- Hand delivery: To the Docket Management System, Room PL-401 on the Plaza Level of the Nassif Building, 400 Seventh Street, SW., Washington, DC between 9 a.m. and 5 p.m. Monday through Friday, except Federal holidays.

**Instructions:** You must include the agency name and docket number RSPA-2004-16964 (Notice No. 04-1) for this notice at the beginning of your comment. Comments are to be submitted in duplicate. Persons wishing to receive confirmation of receipt of their comments must include a self-addressed stamped postcard. Internet users may access all comments received by the Department of Transportation at <http://dms.dot.gov>. Note that all comments received will be posted without change to <http://dms.dot.gov> including any personal information provided. Please see the Privacy Act section of this document.

**Docket:** You may view the public docket through the Internet at <http://dms.dot.gov> or in person at the Docket Management System office at the address listed above.

Direct requests for a copy of an information collection to Deborah Boothe or T. Glenn Foster, at the U.S. Department of Transportation, Office of Hazardous Materials Standards (DHM-10), 400 Seventh St., SW., Washington, DC 20590-0001.

**FOR FURTHER INFORMATION CONTACT:** Deborah Boothe or T. Glenn Foster, Office of Hazardous Materials Standards (DHM-10) at the address listed above.

**Privacy Act:** Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (volume 65, number 70, pages 19477-78) or you may visit <http://dms.dot.gov>.

**SUPPLEMENTARY INFORMATION:** Section 1320.8 (d), title 5, Code of Federal Regulations requires RSPA to provide the public and affected agencies an opportunity to comment on information collection and recordkeeping requests. This notice identifies information collections RSPA is submitting to OMB for renewal and extension. These collections are contained in 49 CFR parts 110 and 130 and the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180). RSPA has revised burden estimates, where appropriate, to reflect current reporting levels or adjustments based on changes in proposed or final rules published since the information collections were last approved. The following information is provided for each information collection: (1) Title of the information collection, including former title if a change is being made; (2) OMB control number; (3) summary of the information collection activity; (4) description of affected public; (5) estimate of total annual reporting and recordkeeping burden; and (6) frequency of collection. RSPA will request a three-year term of approval for each information collection activity and, when approved by OMB, publish notice of the approval in the **Federal Register**.

RSPA requests comments on the following information collections:

**Title:** Requirements for Cargo Tanks.

**OMB Control Number:** 2137-0014.

**Summary:** This information collection consolidates and describes the information collection provisions in parts 178 and 180 of the HMR involving the manufacture, qualification, maintenance and use of all specification cargo tank motor vehicles. It also includes the information collection and recordkeeping requirements for persons who are engaged in the manufacture, assembly, requalification and maintenance of DOT specification cargo tank motor vehicles. The types of information collected include:

(1) **Registration statements:** Cargo tank manufacturers and repairers, and cargo tank motor vehicle assemblers are required to register with DOT by furnishing information relative to their qualifications to perform the functions in accordance with the HMR. The registration statements are used by DOT to ensure that these persons possess the knowledge and skills necessary to perform the required functions and that they are performing the specified functions in accordance with the applicable regulations.

(2) **Requalification and maintenance reports:** These reports are prepared by persons who requalify or maintain cargo tanks. This information is used by cargo

tank owners, operators and users, and DOT compliance personnel to verify that the cargo tanks are requalified, maintained and are in proper condition for the transportation of hazardous materials in accordance with the HMR.

(3) **Manufacturers' data reports, certificates and related papers:** These reports are prepared by cargo tank manufacturers and certifiers, and are used by cargo tank owners, operators, users and DOT compliance personnel to verify that a cargo tank motor vehicle was designed and constructed to meet all requirements of the applicable specification.

**Affected Public:** Manufacturers, assemblers, repairers, requalifiers, certifiers and owners of cargo tanks.

**Annual Reporting and Recordkeeping Burden:**

**Number of Respondents:** 41,366.

**Total Annual Responses:** 132,600.

**Total Annual Burden Hours:** 102,021.

**Frequency of Collection:** Periodically.

**Title:** Inspection and Testing of Portable Tanks and Intermediate Bulk Containers.

**OMB Control Number:** 2137-0018.

**Summary:** This information collection consolidates provisions for documenting qualifications, inspections, tests and approvals pertaining to the manufacture and use of portable tanks and intermediate bulk containers under various provisions of the HMR. It is necessary to ascertain whether portable tanks and intermediate bulk containers have been qualified, inspected and retested in accordance with the HMR. The information is used to verify that certain portable tanks and intermediate bulk containers meet required performance standards prior to their being authorized for use, and to document periodic requalification and testing to ensure the packagings have not deteriorated due to age or physical abuse to a degree that would render them unsafe for the transportation of hazardous materials. Applicable sections are as follows: § 173.32—requirements for the use of portable tanks; § 173.35—hazardous materials in intermediate bulk containers; § 178.245-6—certification markings for DOT-51 portable tanks; § 178.245-7—manufacturer's data report for DOT-51 portable tanks; § 178.255-14—certification markings for DOT-60 portable tanks; § 178.255-15—manufacturer's data report for DOT-60 portable tanks; § 178.270-14—certification marking of IM portable tanks; § 178.801—testing, retesting and recordkeeping for intermediate bulk containers; and § 180.352—periodic retests and inspections for intermediate bulk containers.

*Affected Public:* Manufacturers and owners of portable tanks and intermediate bulk containers.

*Recordkeeping:*

*Number of Respondents:* 8,770.

*Total Annual Responses:* 86,100.

*Total Annual Burden Hours:* 66,390.

*Frequency of collection:* On occasion.

*Title:* Hazardous Materials Incident Reports.

*OMB Control Number:* 2137-0039.

*Summary:* This collection is applicable when an incident occurs in transportation as prescribed in §§ 171.15 and 171.16 of the HMR. A Hazardous Materials Incident Report, DOT Form F 5800.1, must be completed by the person in physical possession of the hazardous material at the time a hazardous material incident occurs in transportation, such as a release of materials, serious accident, evacuation, or closure of a major transportation artery. Incidents meeting criteria in § 171.15 also require a telephonic report. This information collection enhances the Department's ability to evaluate the effectiveness of its regulatory program, determine the need for regulatory changes, and address emerging hazardous materials transportation safety issues. The requirements apply to all interstate and intrastate carriers engaged in the transportation of hazardous materials by rail, air, water, and highway.

*Affected Public:* Person in physical possession of a hazardous material at the time an incident occurs in transportation.

*Annual Reporting and Recordkeeping:*

*Number of Respondents:* 1,781.

*Total Annual Responses:* 17,810.

*Total Annual Burden Hours:* 23,746.

*Frequency of collection:* On occasion.

*Title:* Flammable Cryogenic Liquids.

*OMB Control Number:* 2137-0542.

*Summary:* Paragraph (h) of § 177.840 specifies certain safety procedures and documentation requirements for drivers of these motor vehicles. Provisions in § 177.840(l) of the HMR require the carriage on a motor vehicle of written procedures for venting flammable cryogenic liquids and for emergency response. These requirements are intended to ensure a high level of safety when transporting flammable cryogenics, which are characterized by extreme flammability and high compression ratio when in a liquid state.

*Affected Public:* Carriers of cryogenic materials.

*Annual Reporting and Recordkeeping:*

*Total Respondents:* 65.

*Total Annual Responses:* 18,200.

*Total Annual Burden Hours:* 1,213.

*Frequency of collection:* On occasion.

*Title:* Testing Requirements for Non-bulk Packaging.

*OMB Control Number:* 2137-0572.

*Summary:* Detailed packaging manufacturing specifications have been replaced by a series of performance tests that a non-bulk packaging must be capable of passing before it is authorized to be used for transporting hazardous materials. The HMR require proof that packagings meet these testing requirements. Manufacturers must retain records of design qualification tests and periodic retests. Manufacturers must notify, in writing, persons to whom packagings are transferred of any specification requirements that have not been met at the time of transfer; and the type and dimensions of any closures, including gaskets, needed to satisfy performance test requirements. Subsequent distributors must also provide written notification. Performance-oriented packaging standards allow manufacturers and shippers much greater flexibility in selecting more economical packagings.

*Affected Public:* Each non-bulk packaging manufacturer that tests packagings to ensure compliance with the HMR and subsequent distributors.

*Annual Reporting and Recordkeeping:*

*Annual Respondents:* 5,000.

*Annual Responses:* 15,000.

*Annual Burden Hours:* 30,000.

*Frequency of collection:* On occasion.

*Title:* Container Certification Statement.

*OMB Control Number:* 2137-0582.

*Summary:* Shippers of explosives, in freight containers or transport vehicles by vessel, are required to certify on shipping documentation that the freight container or transport vehicle meets minimal structural serviceability requirements. This requirement is intended to ensure an adequate level of safety for transport of explosives aboard vessel and ensure consistency with similar requirements in international standards.

*Affected Public:* Shippers of explosives in freight containers or transport vehicles by vessel.

*Annual Reporting and Recordkeeping:*

*Annual Respondents:* 650.

*Annual Responses:* 890,000 HM

containers & 4,400 explosive containers.

*Annual Burden Hours:* 14,908.

*Frequency of collection:* On occasion.

*Title:* Hazardous Materials Public Sector Training and Planning Grants.

*OMB Control Number:* 2137-0586.

*Summary:* Part 110 of 49 CFR sets forth the procedures for reimbursable grants for public sector planning and training in support of the emergency planning and training efforts of States, Indian tribes and local communities to

manage hazardous materials emergencies, particularly those involving transportation. Sections in this part address information collection and recordkeeping with regard to applying for grants, monitoring expenditures, and reporting and requesting modifications.

*Affected Public:* State and local governments, Indian tribes.

*Annual Reporting and Recordkeeping:*

*Annual Respondents:* 66.

*Annual Responses:* 66.

*Annual Burden Hours:* 4,082.

*Frequency of collection:* On occasion.

*Title:* Response Plans for Shipments of Oil.

*OMB Control Number:* 2137-0591.

*Summary:* In recent years, several major oil discharges have damaged the marine environment of the United States. Under the authority of the Federal Water Pollution Control Act, as amended by the Oil Pollution Act of 1990, RSPA issued regulations in 49 CFR part 130 that require preparation of written spill response plans.

*Affected Public:* Carriers that transport oil in bulk, by motor vehicle or rail.

*Annual Reporting and Recordkeeping:*

*Annual Respondents:* 8,000.

*Annual Responses:* 8,000.

*Annual Burden Hours:* 10,560.

*Frequency of collection:* On occasion.

*Title:* Cargo Tank Motor Vehicles in Liquefied Compressed Gas Service.

*OMB Control Number:* 2137-0595.

*Summary:* These information collection and recordkeeping requirements pertain to the manufacture, certification, inspection, repair, maintenance, and operation of DOT specification MC 330, MC 331, and certain nonspecification cargo tank motor vehicles used to transport liquefied compressed gases. These information collection and recordkeeping requirements are intended to ensure certain cargo tank motor vehicles used to transport liquefied compressed gases are operated safely, and to minimize the potential for catastrophic releases during unloading and loading operations. They include: (1) Requirements for operators of cargo tank motor vehicles in liquefied compressed gas service to develop operating procedures applicable to unloading operations and carry the operating procedures on each vehicle; (2) inspection, maintenance, marking and testing requirements for the cargo tank discharge system, including delivery hose assemblies; and (3) requirements for emergency discharge control equipment on certain cargo tank motor vehicles transporting liquefied compressed gases that must be installed

and certified by a Registered Inspector. (See sections 180.416(b)(d)(f); 180.405; 180.407(h); 177.840(l); and 173.315(n)).

*Affected Public:* Carriers in liquefied compressed gas service, manufacturers and repairers.

*Annual Reporting and Recordkeeping:*

*Annual Responses:* 6,958.

*Annual Responses:* 965,596.

*Annual Burden Hours:* 200,615.

*Frequency of collection:* On occasion.

Issued in Washington, DC on March 2, 2004.

**Edward T. Mazzullo,**

*Director, Office of Hazardous Materials Standards.*

[FR Doc. 04-5100 Filed 3-5-04; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 8612

**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 Form 8612, Return of Excise Tax on Undistributed Income of Real Estate Investment Trusts.

**DATES:** Written comments should be received on or before May 7, 2004 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn Kirkland, Internal Revenue Service, room 6411, 1111 Constitution Avenue, NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Larnice Mack at Internal Revenue Service, room 6407, 1111 Constitution Avenue NW., Washington, DC 20224, or at (202) 622-3179, or through the Internet at (Larnice.Mack@irs.gov).

**SUPPLEMENTARY INFORMATION:** *Title:* Return of Excise Tax on Undistributed Income of Real Estate Investment Trusts.

*OMB Number:* 1545-1013.

*Form Number:* Form 8612.

*Abstract:* Form 8612 is used by real estate investment trusts to compute and pay the excise tax on undistributed income imposed under section 4981 of the Internal Revenue Code. The IRS uses the information to verify that the correct amount of tax has been reported.

*Current Actions:* There are no changes being made to the form at this time.

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

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

*Estimated Number of Respondents:* 20.

*Estimated Time Per Respondent:* 9 hours, 45 minutes.

*Estimated Total Annual Burden Hours:* 196.

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: February 27, 2004.

**Glenn Kirkland,**

*IRS Reports Clearance Officer.*

[FR Doc. 04-5155 Filed 3-5-04; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 8328

**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 Form 8328, Carryforward Election of Unused Private Activity Bond Volume Cap.

**DATES:** Written comments should be received on or before May 7, 2004 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn Kirkland, Internal Revenue Service, room 6411, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Allan Hopkins, at (202) 622-6665, or at Internal Revenue Service, room 6407, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet, at [Allan.M.Hopkins@irs.gov](mailto:Allan.M.Hopkins@irs.gov).

#### **SUPPLEMENTARY INFORMATION:**

*Title:* Carryforward Election of Unused Private Activity Bond Volume Cap.

*OMB Number:* 1545-0874.

*Form Number:* Form 8328.

*Abstract:* Internal Revenue Code section 4146(f) requires that an annual volume limit be placed on the amount of private activity bonds issued by each State. Code section 146(f)(3) provides that the unused amount of the private activity bonds for specific programs can be carried forward for 3 years depending on the type of project. In order to carry forward the unused amount of the private activity bond, an irrevocable election can be made by the issuing authority. Form 8328 allows the issuer to execute the carryforward election.

*Current Actions:* There are no changes being made to the form at this time.

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

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