

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket Number 2004 17579]****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 WILLORYDER.

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 2004-17579 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 May 21, 2004.

ADDRESSES: Comments should refer to docket number MARAD-2004 17579. 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 WILLORYDER is:

Intended Use: "Dive charters, conveyance of passenger for hire."

Geographic Region: "Great Lakes."

Dated: April 14, 2004.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 04-8999 Filed 4-20-04; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board****[STB Finance Docket No. 34489]**

**Stillwater Central Railroad, Inc.—
Trackage Rights Exemption—The
Burlington Northern and Santa Fe
Railway Company**

Pursuant to a trackage rights agreement dated December 15, 2001, between The Burlington Northern and Santa Fe Railway Company (BNSF) and Stillwater Central Railroad, Inc. (SCRR),¹ BNSF has agreed to grant restricted overhead trackage rights to SCRR over a line of railroad located between BNSF milepost 426.9, at Cherokee Yard in Tulsa, OK, and BNSF milepost 437.0, at Sapulpa, OK, a distance of 10.1 miles.²

The transaction was scheduled to be consummated on or after the April 8, 2004 effective date of the exemption.

The purpose of the trackage rights is to allow SCRR to interchange unit trains of cement with its affiliate, the South Kansas & Oklahoma Railroad, at BNSF's Cherokee Yard.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and*

¹ Although the trackage rights agreement was signed on December 15, 2001, the parties indicate that, due to an oversight, SCRR failed to file a notice of exemption with the Board at that time. SCRR states that it recently became aware of this oversight while negotiating an extension of the agreement.

² A redacted version of the trackage rights agreement between BNSF and SCRR was filed with the notice of exemption. The full version of the agreement, as required by 49 CFR 1180.6(a)(7)(ii), was concurrently filed under seal along with a motion for a protective order. A protective order was served on April 14, 2004.

Western Ry. Co.—Trackage Rights—BN, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34489, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Karl Morell, Ball Janik LLP, Suite 225, 1455 F Street, NW., Washington, DC 20005.

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

Decided: April 14, 2004.

By the Board, David M. Konschnik,
Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 04-9010 Filed 4-20-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Surface Transportation Board****[STB Finance Docket No. 34493]**

**Old Augusta Railroad, LLC—
Acquisition and Operation
Exemption—Assets of Old Augusta
Railroad Company**

Old Augusta Railroad, LLC (OARLLC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31¹ to acquire and operate a short line railroad currently operated by the Old Augusta Railroad Company (OARC). OARLLC indicates that, on February 26, 2004, Koch Cellulose (Koch), the parent corporation of OARLLC, entered into an agreement with Georgia Pacific Corporation (Georgia Pacific) and various subsidiaries of Georgia Pacific to acquire Georgia Pacific's non-integrated market and fluff pulp operations. In connection with this transaction, Koch will also acquire Georgia Pacific's Leaf River Pulp

¹ The Board's notice served and published in *Old Augusta Railroad, LLC—Acquisition and Operation Exemption—Assets of Old Augusta Railroad Company*, STB Finance Docket No. 34482 (STB served Apr. 2, 2004) (69 FR 17471) is vacated and is superseded by this notice. OARLLC erroneously filed that notice under 49 CFR 1150.41, the regulation applicable to acquisitions or operations by existing Class III rail carriers.