

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

prioritize NHTSA's limited resources to best accomplish the agency's safety mission, the petition is denied.

**Authority:** 49 U.S.C. 30162(d); delegations of authority at CFR 1.50 and 501.8.

Issued on: June 12, 2002.

**Kenneth N. Weinstein,**  
Associate Administrator for Safety Assurance.

[FR Doc. 02-15499 Filed 6-16-02; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 558 (Sub-No. 5)]

#### Railroad Cost of Capital—2001

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of decision.

**SUMMARY:** On June 20, 2002 the Board served a decision to update its computation of the railroad industry's cost of capital for 2001. The composite after-tax cost of capital rate for 2001 is found to be 10.2%, based on a current cost of debt of 6.9%; a cost of common equity capital of 12.8%; a cost of preferred equity capital of 6.3%; and a capital structure mix comprised of 41.8% debt, 56.0% common equity, and 2.2% preferred equity capital. The cost of capital finding made in this proceeding will be used in a variety of Board proceedings.

**EFFECTIVE DATE:** This action is effective June 20, 2002.

**FOR FURTHER INFORMATION CONTACT:** Leonard J. Blistein, (202) 565-1529. [TDD for the hearing impaired: (800) 877-8339.]

**SUPPLEMENTARY INFORMATION:** The cost of capital finding in this decision may be used for a variety of regulatory purposes. To obtain a copy of the full decision, write to, call, or pick up in person from: Da-To-Da Legal, Room 405, 1925 K Street, NW., Washington, DC 20423. Telephone 202 293-7776. [Assistance for the hearing impaired is available through TDD services 1-800-877-8339.] The decision is also available on the Board's internet site at <http://www.stb.dot.gov>.

#### Environmental and Energy Considerations

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

### Regulatory Flexibility Analysis

Pursuant to 5 U.S.C. 605(b), we conclude that our action in this proceeding will not have a significant economic impact on a substantial number of small entities. The purpose and effect of this action are to update the annual railroad industry cost of capital finding by the Board. No new reporting or other regulatory requirements are imposed, directly or indirectly, on small entities.

**Authority:** 49 U.S.C. 10704(a).

Decided: June 14, 2002.

By the Board, Chairman Morgan and Vice Chairman Burkes.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 02-15592 Filed 6-19-02; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34207]

#### CHS Holdings, Inc.—Acquisition and Operation Exemption—J.K. Line, Inc.

CHS Holdings, Inc. (CHS), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from J.K. Line, Inc., and to operate a 2.11-mile line of railroad between milepost 177.44 and the end of the line at milepost 179.55 in Joliet, Pembina County, ND.<sup>1</sup> CHS certifies that its projected revenues as a result of this transaction will not result in the creation of a Class III rail carrier, and further certifies that its projected annual revenues will not exceed \$5 million.

The transaction was expected to be consummated on or after May 28, 2002, the effective date of the exemption (7 days after the exemption was filed).

If the verified notice 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 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. 34207, 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 Fritz R. Kahn, 1920 N Street, NW., 8th Floor, Washington, DC 20036-1601.

<sup>1</sup> CHS is a wholly owned subsidiary of Cenex Harvest States Cooperatives, a noncarrier.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: June 13, 2002.

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

**Vernon A. Williams,**  
Secretary.

[FR Doc. 02-15474 Filed 6-19-02; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Advisory Group to the Internal Revenue Service. Tax Exempt and Government Entities Division; Meeting

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Location change for public meeting of the Advisory Committee on Tax Exempt and Government Entities (ACT).

**SUMMARY:** This notice corrects information regarding the meeting room for the public meeting of the Advisory Committee on Tax Exempt and Government Entities (ACT) on Friday, June 21, 2002.

**FOR FURTHER INFORMATION CONTACT:** Rick Trevino, Office of Communication and Liaison; 1111 Constitution Ave., NW.; T:CL—Penn Bldg; Washington, DC 20224. Telephone: 202-283-9950 (not a toll-free number). E-mail address: [Rick.Trevino@irs.gov](mailto:Rick.Trevino@irs.gov).

**SUPPLEMENTARY INFORMATION:** A notice of a public meeting of the Advisory Committee on Tax Exempt and Government Entities was published in the **Federal Register** on May 29, 2002 (67 FR 37472). The location of the meeting has changed from Room 3313 to Room 4718 in the Main IRS building located at 1111 Constitution Ave., NW, Washington, DC.

Dated: June 11, 2002.

**Steven J. Pyrek,**  
Designated Federal Official, Tax Exempt and Government Entities Division.

[FR Doc. 02-15714 Filed 6-18-02; 3:32 pm]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF VETERANS AFFAIRS

#### President's Task Force To Improve Health Care Delivery for Our Nation's Veterans; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under Public Law 92-463 (Federal Advisory Committee Act)