

**ACTION:** Notice of the availability of a Finding of No Significant Impact.

**SUMMARY:** The purpose of this notice is to make available to the public the Finding of No Significant Impact (FONSI) derived from the Environmental Assessment (EA) regarding the Port of Anchorage (Port) Road and Rail Extension, Port Intermodal Expansion Project. The purpose for the project is to improve and enhance the existing road and rail capability at the Port.

**FOR FURTHER INFORMATION CONTACT:** Daniel E. Yuska, Jr., Environmental Protection Specialist, Office of Environmental Activities, U.S. Maritime Administration, 400 7th Street, SW., Washington, DC 20590; telephone (202) 366-0714, fax (202) 366-0714.

**SUPPLEMENTARY INFORMATION:** The Maritime Administration, in cooperation with the Port of Anchorage, completed an EA that studied potential environmental effects associated with the expansion of the existing road and rail system used by the Port. The EA considered potential effects to the natural and human environments including: Air quality; water quality; geology and soils; coastal resources; terrestrial resources; aquatic resources; navigation; hazardous materials; cultural and historic resources; visual and aesthetic resources; and other topics associated with the proposed action. The FONSI is based on the analysis presented in the Port of Anchorage Intermodal Expansion, Road and Rail Environmental Assessment. The FONSI and the EA are available for review online at <http://www.marad.dot.gov>; <http://dms.dot.gov>; [www.portofanchorage.org](http://www.portofanchorage.org); and at the Loussac Library in Anchorage.

**Authority:** 49 CFR 1.66.

By Order of the Maritime Administrator.

Dated: February 17, 2004.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 04-3726 Filed 2-19-04; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### Maritime Security Act of 2003, Subtitle D—National Defense Tank Vessel Construction Assistance

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice of request for competitive proposals for construction of new product tank vessels.

**SUMMARY:** This notice solicits competitive proposals for the construction in the United States of new product tank vessels necessary to meet the commercial and national security needs of the United States and to be built with assistance under subtitle D of the Maritime Security Act of 2003.

**FOR FURTHER INFORMATION CONTACT:**

Gregory V. Sparkman, Office of Insurance and Shipping Analysis, Maritime Administration, Room 8117, 400 Seventh Street, SW., Washington, DC 20590; Telephone (202) 366-2400; Fax: (202) 366-7901.

**ADDRESSES:** Applications must be mailed, delivered in person or faxed (in which case an original must be subsequently received) to the Secretary, Maritime Administration, Room 7218, 400 Seventh Street, SW., Washington, DC 20590; Fax (202) 366-9206.

**SUPPLEMENTARY INFORMATION:** Under subtitle D of the Maritime Security Act of 2003, Public Law 108-199, National Defense Tank Vessel Construction Assistance, the Secretary of Transportation, acting through the Maritime Administrator, has established a program to provide financial assistance for the construction in the United States of a fleet of up to 5 privately owned product tank vessels: (1) to be operated in commercial service in foreign commerce; and (2) to be available for national defense purposes in time of war or national emergency pursuant to an Emergency Preparedness Plan approved by the Secretary of Defense pursuant to section 3543(e) of subtitle D.

This notice solicits requests for competitive proposals for the construction of new product tank vessels necessary to meet the commercial and national security needs of the United States and to be built with assistance under subtitle D of the Maritime Security Act of 2003.

Any citizen of the United States or any shipyard in the United States may submit a proposal to the Maritime Administrator. The Secretary, acting through the Maritime Administrator, with the concurrence of the Secretary of Defense, may enter into an agreement with the submitter of a proposal for construction of a new product tank vessel of not less than 35,000 deadweight tons and not greater than 60,000 deadweight tons, that—

(A) Will meet the requirements of foreign commerce;

(B) Is capable of carrying militarily useful petroleum products, and will be suitable for national defense or military purposes in time of war, national

emergency, or other military contingency; and

(C) Will meet the construction standards necessary to be documented under the laws of the United States.

The shipyard in which the vessel will be constructed must be determined to have the necessary capacity and expertise to successfully construct the proposed number and type of product tank vessels in a reasonable period of time as determined by the Secretary of Transportation, acting through the Maritime Administrator, taking into consideration the recent prior commercial shipbuilding history of the proposed shipyard in delivering a vessel or series of vessels on time and in accordance with the contract price and specifications. Additionally, the person proposed to be the operator of the proposed vessel must be determined to possess the ability, experience, financial resources, and any other qualifications determined to be necessary by the Secretary, acting through the Maritime Administrator, for the operation and maintenance of the vessel.

Subject to the above considerations, the Secretary, acting through the Maritime Administrator, shall give priority consideration to a proposal submitted by a person that is a citizen of the United States under section 2 of the Shipping Act, 1916 (46 App. U.S.C. 802); and may give priority consideration to proposals that provide the best value to the Government, taking into consideration: (1) The costs of vessel construction; and (2) the commercial and national security needs of the United States.

If it is determined that the proposal fulfills the requirements of subtitle D, the Secretary, acting through the Maritime Administrator, may enter into a contract with the proposed purchaser and the proposed shipyard for the construction of a product tank vessel with assistance under subtitle D. The contract shall provide for a payment, subject to the availability of appropriations, of up to 75 percent of the actual construction cost of the vessel, but in no case more than \$50,000,000 per vessel. The contract shall require that construction of a vessel with assistance under subtitle D shall be performed in a shipyard in the United States. The contract shall further require that, upon delivery of a vessel constructed with assistance under the contract, the vessel shall be documented under chapter 121 of title 46, United States Code with a registry endorsement only. A vessel constructed with assistance under subtitle D shall not be eligible for a certificate of documentation with a coastwise

endorsement. Section 9(g) of the Shipping Act, 1916, (46 App. U.S.C. 808(g)) shall not apply to a vessel constructed with assistance under Subtitle D. Additionally, a contract under Subtitle D shall require that the person who will be the operator of a vessel constructed with assistance under the contract shall enter into an Emergency Preparedness Agreement for the vessel under section 53107 of title 46, United States Code, as amended by the Maritime Security Act of 2003.

For purposes of the application, under paragraph (1), of section 53107 of title 46, United States Code, to construct a vessel with assistance under subtitle D, the term "contractor" as used in that section means the person who will be the operator of a vessel constructed with assistance under subtitle D.

The Secretary, acting through the Maritime Administrator, shall incorporate in the contract the requirements set forth in subtitle D, and may incorporate in the contract any additional terms considered necessary.

The Secretary, acting through the Maritime Administrator, shall give priority to guarantees and commitments under section 1103 of the Merchant Marine Act, 1936 for vessels that are otherwise eligible for a guarantee under that section and that are constructed with assistance under subtitle D.

### Request for Proposals

The Maritime Administration has developed a detailed Request for Proposals (RFP) for those interested in participating in the National Defense Tank Vessel Construction Assistance Program. The RFP sets forth all requirements of the Program and any interested party should refer directly to that document. The RFP will be available on the Internet at <http://www.fedbizopps.gov> and <http://www.marad.dot.gov> on or about February 20, 2004. Hard copies of the RFP will be available in the office of the Secretary, Maritime Administration (see ADDRESSES section for contact information).

**Authority:** 49 CFR 1.66.

By Order of the Maritime Administrator.

Dated: February 13, 2004.

**Joel C. Richard,**  
Secretary.

[FR Doc. 04-3668 Filed 2-19-04; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Notice 89-61

**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 Notice 89-61, Imported Substances; Rules for Filing a Petition.

**DATES:** Written comments should be received on or before April 20, 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 information collection 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:** Imported Substances; Rules for Filing a Petition.

**OMB Number:** 1545-1117.

**Notice Number:** Notice 89-61.

**Abstract:** Section 4671 of the Internal Revenue Code imposes a tax on the sale or use of certain imported taxable substances by the importer. Code section 4672 provides an initial list of taxable substances and provides that importers and exporters may petition the Secretary of the Treasury to modify the list. Notice 89-61 sets forth the procedures to be followed in petitioning the Secretary.

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

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

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

**Estimated Number of Respondents:** 100.

**Estimated Time Per Respondent:** 1 hour.

*Estimated Total Annual Burden Hours:* 100.

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 12, 2004.

**Glenn Kirkland,**

*IRS Reports Clearance Officer.*

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

[REG-106542-98]

#### Proposed Collection; Comment Request for Regulation Project

**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