

stainless steel rod are being imported in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industries producing those products. The Commissioners voting were equally divided with respect to the determination under section 202(b) of the Trade Act as to whether increased imports of (9) carbon and alloy tin mill products; (10) tool steel, all forms; (11) stainless steel wire; and (12) stainless steel flanges and fittings are being imported in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industries producing those products.

On March 5, 2002, the President issued Proclamation 7529, which established safeguard measures in the form of increases in duty and a tariff-rate quota pursuant to section 203 of the Trade Act on imports of the ten steel products described in paragraph 7 of that proclamation. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after 12:01 a.m., EST, on March 20, 2002, Proclamation 7529 modified the HTS so as to provide for such increased duties and a tariff-rate quota. Proclamation 7529 also authorized the USTR to further consider requests for the exclusion of particular products and, upon publication in the **Federal Register** of his finding that a particular product should be excluded, to modify the HTS provisions created by the Annex to that proclamation to exclude such particular product from the pertinent safeguard measure.

On April 18, 2002, USTR published a notice in the **Federal Register** informing interested persons that, to the extent possible, USTR would consider new requests for exclusion of products. It asked interested persons requesting the exclusion of such a product to respond to an exclusion requester's questionnaire by May 20, 2002, and indicated that procedures for submitting such additional requests for exclusion would be announced in a subsequent **Federal Register** notice.

USTR posted procedures for requesting new exclusions on its Web site, along with a new requester's questionnaire, and instructed interested persons to submit any requests by May 20, 2002. In a **Federal Register** notice published on May 21, 2002 (67 FR 35842), USTR indicated that interested persons objecting to these new exclusion requests should submit a new objector's questionnaire by a date to be announced later. We will post short descriptions of the products covered by the new exclusion requests on the USTR

Web site, [www.ustr.gov](http://www.ustr.gov), in groups. The first group will be posted by June 5, 2002. Any interested person wishing to object to the exclusion of a product in this group, or otherwise comment on the product descriptions, should do so by 5:00 p.m. on June 19. Additional groups will be subsequently posted on the USTR Web site, along with an indication of the date and time for submission of objector's questionnaires.

Each request will be evaluated on a case-by-case basis. USTR will grant only those exclusions that do not undermine the objectives of the safeguard measures. In analyzing the requests, USTR will consider whether the product is currently being produced in the United States, whether substitution of the product is possible, whether qualification requirements affect the requester's ability to use domestic products, inventories, whether the requested product is under development by a U.S. producer who will imminently be able to produce it in commercial quantities and any other relevant factors. Where necessary, USTR and/or the Commerce Department will meet with interested persons to discuss the information that was submitted and/or to gain additional information.

Every effort will be made to process requests as soon as possible consistent with the availability of resources and the quality of information that is received.

Interested persons should follow the instructions posted on the USTR and Commerce Department Web sites at <http://ia.ita.doc.gov/steel/exclusion/>. Failure to follow the instructions posted there may result in rejection of the questionnaire submission.

We strongly discourage the submission of business confidential information. Any questionnaire response that contains business confidential information must be accompanied by six copies of a public summary that does not contain business confidential information, and a diskette containing an electronic version of the public summary. Any paper submission and diskette containing business confidential information must be clearly marked "Business Confidential" at the top and bottom of the cover page (or letter) and each succeeding page of the submission, and on the label of the diskette. The version that does not contain business confidential information should also be clearly marked, at the top and bottom of each page, "public version" or "nonconfidential," and on the label of the diskette.

## Paperwork Reduction Act

This notice contains a collection of information provision subject to the Paperwork Reduction Act (PRA) that the Office of Management and Budget (OMB) has approved. Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB number. This notice's collection of information burden is only for those persons who wish voluntarily to object to a request for the exclusion of a product from the safeguard measures. USTR has submitted the new objector's questionnaire to OMB for approval under the Paperwork Reduction Act. It is expected that the collection of information burden will be no more than 11 hours per questionnaire and we estimate the submission of approximately 800 questionnaires. This collection of information contains no annual reporting or record keeping burden. Please send comments regarding the collection of information burden or any other aspect of the information collection to USTR at the address above.

**Robert B. Zoellick,**

*United States Trade Representative.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[USCG-2002-12375]

### National Boating Safety Advisory Council; Vacancies

**AGENCY:** Coast Guard, DOT.

**ACTION:** Request for applications.

**SUMMARY:** The Coast Guard seeks applications for membership on the National Boating Safety Advisory Council (NBSAC). NBSAC advises the Coast Guard on matters related to recreational boating safety.

**DATES:** Application forms should reach us on or before September 10, 2002.

**ADDRESSES:** You may request an application form by writing to Commandant, Office of Boating Safety (G-OPB-1), U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001; by calling 202-267-1077; or by faxing 202-267-4285. Send your application in written form to the above street address. This notice and the

application form are available on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bruce H. Schmidt, Executive Director of NBSAC, telephone 202-267-0955, fax 202-267-4285.

**SUPPLEMENTARY INFORMATION:** The National Boating Safety Advisory Council (NBSAC) is a Federal advisory committee under 5 U.S.C. App. 2. It advises the Coast Guard regarding regulations and other major boating safety matters. NBSAC members are drawn equally from the following three sectors of the boating community: State officials responsible for State boating safety programs, recreational boat and associated equipment manufacturers, and national recreational boating organizations and the general public. Members are appointed by the Secretary of Transportation.

NBSAC normally meets twice each year at a location selected by the Coast Guard. When attending meetings of the Council, members are provided travel expenses and per diem.

We will consider applications for the following six positions that expire or become vacant in December 2002: Two representatives of State officials responsible for State boating safety programs, two representatives of recreational boat and associated equipment manufacturers, and two representatives of national recreational boating organizations. Applicants are considered for membership on the basis of their particular expertise, knowledge, and experience in recreational boating safety. Each member serves for a term of 3 years. Some members may serve consecutive terms.

In support of the policy of the Department of Transportation on gender and ethnic diversity, we encourage qualified women and members of minority groups to apply.

If you are selected as a member who represents the general public, we will require you to complete a Confidential Financial Disclosure Report (OGE Form 450). We may not release the report or the information in it to the public, except under an order issued by a Federal court or as otherwise provided under the Privacy Act (5 U.S.C. 552a).

Dated: May 30, 2002.

**Kenneth T. Venuto,**

*Rear Admiral, U.S. Coast Guard, Director of Operations Policy.*

[FR Doc. 02-14053 Filed 6-4-02; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### Twin Cities and Western Railroad Company

[Docket Number FRA-2002-12113]

The Twin Cities and Western Railroad Company (TC&W) seeks relief for a temporary test waiver of compliance from Control Circuits requirements of the *Grade Crossing Signal System Safety Standards*, 49 CFR part 234, section 234.203, which requires that all control circuits that affect the safe operation of a highway-rail grade crossing warning system shall operate on the fail-safe principle. The waiver request is to permit TC&W and its project partners to develop, test and implement technology designed to activate highway-rail grade crossing warning devices. The fail-safe principle requires that such circuits shall operate so that the failure of any part or component shall cause the warning system to activate.

The application section of 234.203 states that a crossing warning system activated by means other than train detection track circuit may not comply with this section. TC&W contends that the system under development is designed to meet the spirit and intent of the fail-safe principle through a means other than track circuit based train detection, and the system operation is being examined in every mode of failure. The designed system will operate so that the failure of any part or component shall cause the warning system to activate or warn the train crew so that the train can be stopped before reaching the crossing. TC&W indicates the ability of the system to warn the train crew of a crossing failure is made possible by redundant radio based technology. TC&W states they fully intend to comply with the fail-safe intent of 234.203 and will provide regulatory authorities the opportunity to review the system, its design and test results, in order to determine if the fail-safe principle has been met.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2002-12113) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401, Washington, DC, 20590-0001. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Issued in Washington, DC, on May 29, 2002.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

*Docket Number:* FRA-2002-12176.

*Applicant:* CSX Transportation, Incorporated, Mr. Eric G. Peterson, Assistant Chief Engineer, Signal Design and Construction, 4901 Belfort Road, Suite 130 (S/C J-370), Jacksonville, Florida 32256.