

Small Business Administration on September 8, 1993.

Under the authority vested by the Act and pursuant to the regulations promulgate thereunder, the surrender of the license was accepted on February 4, 2002, and accordingly, all rights, privileges and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: February 5, 2002.

**Harry Haskins,**

*Acting Associate Administrator for Investment.*

[FR Doc. 02-3375 Filed 2-11-02; 8:45 am]

**BILLING CODE 8025-01-P**

## TENNESSEE VALLEY AUTHORITY

### Renewal of Regional Resource Stewardship Council

Pursuant to the Federal Advisory Committee Act (FACA) and 41 CFR 102-3.65, and following consultation with the Committee Management Secretariat, General Services Administration (GSA), notice is hereby given that the Regional Resource Stewardship Council (Council) has been renewed for a two-year period beginning February 3, 2002. The Council will provide advice to the Tennessee Valley Authority (TVA) on issues affecting TVA's natural resource stewardship activities.

Numerous public and private entities are traditionally involved in the stewardship of the natural resources of the Tennessee Valley region. It has been determined that the Council continues to be needed to provide an additional mechanism for public input regarding stewardship issues.

Further information regarding this advisory committee can be obtained from Sandra L. Hill, 400 West Summit Hill Drive, WT 11A, Knoxville, Tennessee 37902-1499, (865) 632-2333.

Dated: January 23, 2002.

**Kathryn J. Jackson,**

*Executive Vice President, River System Operations & Environment, Tennessee Valley Authority.*

[FR Doc. 02-3307 Filed 2-11-02; 8:45 am]

**BILLING CODE 8120-08-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

**[Docket No. FRA 2001-9972; Formerly FRA Docket No. 87-2; Notice No. 13]**

**RIN 2130-AB20**

### Automatic Train Control (ATC) and Advanced Civil Speed Enforcement System (ACSES); Northeast Corridor (NEC) Railroads

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Amendment to Order of Particular Applicability Requiring ACSES Between New Haven, Connecticut and Boston, Massachusetts—Extension of Massachusetts Bay Transit Authority (MBTA) Temporary Operating Protocols.

**SUMMARY:** FRA amends its Order of Particular Applicability requiring all trains operating on the Northeast Corridor (NEC) between New Haven, Connecticut and Boston, Massachusetts (NEC—North End) to be equipped to respond to the new Advanced Civil Speed Enforcement System (ACSES). The only amendment to this document is the second extension of a previously granted exception that allows MBTA to follow temporary operating protocols whenever it cannot dispatch a train equipped with ACSES. This exception now runs until April 5, 2002.

**DATES:** The amendments to the Order are effective February 12, 2002.

**FOR FURTHER INFORMATION CONTACT:** W. E. Goodman, Staff Director, Signal and Train Control Division, Office of Safety, Mail Stop 25, FRA, 1120 Vermont Avenue, NW., Washington, DC 20590 ((202) 493-6325); Paul Weber, Railroad Safety Specialist, Signal and Train Control Division, Office of Safety, Mail Stop 25, FRA, 1120 Vermont Avenue, NW., Washington, DC 20590 ((202) 493-6258); or Patricia V. Sun, Office of Chief Counsel, Mail Stop 10, 1120 Vermont Avenue, NW., Washington, DC 20590 ((202) 493-6038).

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**SUPPLEMENTARY INFORMATION:** The Order of Particular Applicability (Order), as published on July 22, 1998, set

performance standards for cab signal/automatic train control and ACSES systems, increased certain maximum authorized train speeds, and contained safety requirements supporting improved rail service on the NEC. 63 FR 39343. Among other requirements, the Order required all trains operating on track controlled by the National Railroad Passenger Corporation (Amtrak) on the NEC—North End to be controlled by locomotives equipped to respond to ACSES by October 1, 1999. In five subsequent notices, FRA amended the Order to reset the implementation schedule and make technical changes. 64 FR 54410, October 6, 1999; 65 FR 62795, October 19, 2000; 66 FR 1718, January 9, 2001; 66 FR 34512, June 28, 2001; and 66 FR 57771, November 16, 2001.

### Background

FRA is making the amendment to this Order effective upon publication instead of 30 days after the publication date in order to realize the significant safety and transportation benefits afforded by the ACSES system at the earliest possible time. All affected parties have been notified.

FRA is not reopening the comment period since the sole amendment to this Order is to extend temporary operating protocols for MBTA that had expired on February 1, 2002. The amendment, which allows these protocols to remain effective until April 5, 2002, will be effective for slightly more than 60 days and is necessary to avoid disruption of rail service. Under these circumstances, delaying the effective date of the amendment to allow for notice and comment would be impracticable, unnecessary, and contrary to the public interest. FRA will continue to monitor the progress of MBTA towards equipping, maintaining and scheduling sufficient units to run all trains with operative ACSES.

### Final Extension of MBTA Temporary Operating Protocols

In a December 13, 2001 letter, MBTA requested a three-month extension of the temporary operating protocols because of an anticipated inability to equip sufficient locomotives with ACSES by February 1, 2002. At this stage in its development, new ACSES software contains relatively minor modifications from the software installed on already equipped units. FRA therefore expects the parties to this Order to resolve any remaining issues quickly. With this expectation, FRA grants MBTA a final extension of the temporary operating protocols for slightly more than 60 days. During this

interval, MBTA should devote attention to fleet management to ensure that sufficient units are equipped with ACSES by the time this latest and last extension expires on April 5, 2002. Furthermore, MBTA should do its utmost to maximize the use of ACSES equipped units on ACSES territory, ensuring that ACSES equipped locomotives and cab cars are utilized to their full potential in ACSES service. Other than the extension granted above, the temporary operating protocols specified in Notice No. 11 (66 FR 34512, June 28, 2001) remain in effect without change.

#### Implementation of Data Radio Systems

Finally, FRA notes that, with the inclusion of this amendment, it has granted six requests for relief from the Order's original timetable. The Order requires data radio systems to be installed within one year of ACSES installation. In an August 28, 2001 letter, Amtrak requested that FRA suspend the Order's requirement to enforce temporary speed restrictions with temporary transponders until Amtrak fully implements data radio enforcement. FRA's October 31, 2001 response asked Amtrak to justify more fully this request to suspend positive protection for roadway workers. While Amtrak has yet to respond to the FRA letter, this latest request for relief highlights that Amtrak is in arrears in its commitment to install data radios. FRA is aware of the financial issues facing Amtrak and other parties to this Order, but the parties must commit fully to the extended deadlines for completion of ACSES design and implementation.

Accordingly, for the reasons stated in the preamble, the Final Order of Particular Applicability published at 63 FR 39343, July 22, 1998 (Order) is amended as follows:

1. The authority for the Order continues to read as follows: 49 U.S.C. 20103, 20107, 20501–20505 (1994); and 49 CFR 1.49(f), (g), and (m).

2. Paragraph 11 is amended as follows:

11. *Massachusetts Bay Transit Authority (MBTA) Temporary Operating Protocols.*

(a) Effective upon February 12, 2002 until April 5, 2002, Amtrak must adhere to the following procedures if it becomes necessary to dispatch an MBTA train from its initial terminal with inoperative onboard ACSES equipment:

\* \* \* \* \*

Issued in Washington, DC, on January 31, 2002.

Allan Rutter,

*Federal Railroad Administrator.*

[FR Doc. 02–3390 Filed 2–11–02; 8:45 am]

BILLING CODE 4910–06–P

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No: MARAD–2001–10903]

#### Commercial War Risk Hull and Protection and Indemnity Insurance on Title XI Mortgaged Vessels Operated Exclusively on the Inland Rivers and Intercoastal Waterways of the United States and on the Great Lakes

AGENCY: Maritime Administration, Transportation.

ACTION: Final policy review.

#### FOR FURTHER INFORMATION CONTACT:

Edmond J. Fitzgerald, U.S. Department of Transportation, Maritime Administration, Director, Office of Insurance and Shipping Analysis, Telephone (202) 366–2400, Room 8117, 400 Seventh Street, SW., Washington, DC 20590.

**SUMMARY:** The Maritime Administration (MARAD) has for the time being determined that it will continue to follow its current long-standing policy that waives the Security Agreement requirement for commercial war risk hull and protection and indemnity insurance on Title XI mortgaged vessels which operate exclusively on the inland rivers and intercoastal waterways of the United States and on the Great Lakes. MARAD, however, retains the option to rescind or revise the current waiver policy and to impose the full war risk cover on all Title XI vessels in the future, if MARAD determines that circumstances warrant.

**SUPPLEMENTARY INFORMATION:** MARAD published a Notice in the **Federal Register** on October 30, 2001, (66 FR 54799) Docket No. MARAD 2001–10903, with respect to the waivers of commercial war risk insurance granted operators of Title XI mortgaged vessels operated exclusively on the U.S. inland waters/Great Lakes, requesting comments by November 13, 2001. The Notice stated that some experts were predicting a possible marine threat, either as a means or as a target or both, if another terrorist attack were to occur against the United States. In light of this and the September 11th events, the Notice stated that MARAD believed it should revisit the existing inland/Great Lakes war risk insurance waiver policy

and request public comment on whether MARAD should change its current waiver policy. It was noted that MARAD has the authority to rescind or revise the existing waiver policy and to impose the full war risk cover on all Title XI vessels, if MARAD determines that it is now necessary.

The Notice indicated that MARAD currently waives the Security Agreement requirement for commercial war risk hull and protection and indemnity insurance on Title XI mortgaged vessels, which are operated exclusively on the inland rivers and intercoastal waterways of the United States and on the Great Lakes. This policy was approved by the Assistant Secretary of Commerce for Maritime Affairs on June 30, 1971, and has remained in effect ever since. Most Title XI companies operating exclusively inland or on the Great Lakes have taken advantage of this waiver. MARAD estimates that approximately 20 companies with over 500 vessels (including a large number of inland barges) are not insured for war risk.

The Notice stated that the standard war risk insurance policy covers a number of non-marine peril risks, including warlike operations, strikes, civil unrest and acts of terrorism. The Notice pointed out that the basic underlying assumption for the war risk waiver for inland water/Great Lakes was that the threat of attack within the continental 48 states or Great Lakes was very slight. The Notice stated that the events of September 11, 2001, called this basic assumption into question.

The Notice concluded that as a consequence, MARAD may begin to require that some or all of the inland Title XI vessels have war risk cover, although MARAD may not require war risk cover for all inland Title XI vessels because significant groups or fleets of inland barges are widely dispersed on the inland waters at any point in time. The Notice stated that this wide distribution limits our inland/Great Lakes Title XI exposure; therefore, the risk of significant loss from any one event or target may be relatively small.

Timely comments to the Notice of October 30, 2001, were received by November 13, 2001, from American Steamship Company; Lake Carriers' Association; and Canal Barge Company, Inc. By letter dated December 13, 2001, Alter Barge Line, Inc. also submitted comments. All commenters were opposed to any change in MARAD's current waiver policy for commercial war risk insurance on Title XI mortgaged vessels operated on the inland waterways/Great Lakes. These comments are summarized below: