

Section 41108 and Subpart Q, applies for a certificate of public convenience and necessity authorizing foreign air transportation of persons, property, and mail between New York and Vancouver and between Miami and Vancouver.

*Docket Number:* OST-95-711.

*Date filed:* October 6, 1995.

*Due Date for Answers, Conforming Applications, or Motion to Modify:* November 3, 1995.

*Description:* Application of United Air Lines, Inc. pursuant to 49 U.S.C. Section 41101, and Subpart Q, applies for a certificate of public convenience and necessity for authority to offer scheduled foreign air transportation of persons, property and mail between the following city-pairs:

- (1) Denver, Colorado—Vancouver, British Columbia, Canada; and
- (2) Los Angeles, California—Vancouver, British Columbia, Canada.

*Docket Number:* OST-95-714.

*Date filed:* October 6, 1995.

*Due Date for Answers, Conforming Applications, or Motion to Modify:* November 3, 1995.

*Description:* Application of Aerovias Nacionales Ecuatorianas Manabitas, S.A. pursuant to 49 U.S.C. 41301, and Subpart Q of the Regulations, applies for a foreign air carrier permit authorizing it to engage in charter foreign air transportation of property and mail between points in Ecuador and points in the United States, together with authority to operate fifth freedom cargo charter transportation between points in the United States and points in third countries in accordance with Part 212 of the Department's Economic Regulations.

*Docket Number:* OST-95-715.

*Date filed:* October 6, 1995.

*Due Date for Answers, Conforming Applications, or Motion to Modify:* November 3, 1995.

*Description:* Application of America West Airlines, Inc. pursuant to 49 U.S.C. 41102, and Subpart Q of the Regulations, seeks a certificate of public convenience and necessity authorizing it to provide scheduled combination service between Las Vegas, Nevada, on the one hand, and Vancouver, British Columbia, on the other hand, as provided for in the Bilateral.

*Docket Number:* OST-95-716.

*Date filed:* October 6, 1995.

*Due Date for Answers, Conforming Applications, or Motion to Modify:* November 3, 1995.

*Description:* Application of Alaska Airlines, Inc. pursuant to 49 U.S.C. 41101, and Subpart Q of the Regulations, requests certificate of public convenience and necessity authorizing it to engage in the

scheduled foreign air transportation of persons, property and mail between San Diego, California, on the one hand, and Vancouver, British Columbia, Canada, on the other hand.

*Docket Number:* OST-95-718.

*Date filed:* October 6, 1995.

*Due Date for Answers, Conforming Applications, or Motion to Modify:* November 3, 1995.

*Description:* Application of Wolf International Airlines, Inc. pursuant to Subpart Q pursuant to 49 U.S.C. 41101 and 41102 and Subpart Q of the Regulations for the issuance of a certificate of public convenience and necessity for interstate air transportation.

*Docket Number:* OST-95-719.

*Date filed:* October 6, 1995.

*Due Date for Answers, Conforming Applications, or Motion to Modify:* November 3, 1995.

*Description:* Application of Wolf International Airlines, Inc. pursuant to 49 U.S.C. 41101 and 41102 and Subpart Q for the issuance of a certificate authorizing it to engage in scheduled foreign air transportation of persons, property and mail.

*Docket Number:* OST-95-717.

*Date filed:* October 6, 1995.

*Due Date for Answers, Conforming Applications, or Motion to Modify:* November 3, 1995.

*Description:* Application of Delta Air Lines, Inc. pursuant to 49 U.S.C. 41101 and 41108, and Subpart Q of the Regulations, applies for a new or amended certificate of public convenience and necessity to provide scheduled foreign air transportation between Cincinnati, Ohio and Vancouver, British Columbia, Canada and between Atlanta, Georgia and Vancouver, British Columbia, Canada.

Paulette V. Twine,

*Chief, Documentary Services Division.*

[FR Doc. 95-25797 Filed 10-17-95; 8:45 am]

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## Maritime Administration

### Notice of Approval of Applicant as Trustee

Notice is hereby given that The Industrial Bank of Japan Trust Company, with offices at 245 Park Avenue, New York, New York 10167, has been approved as Trustee pursuant to Public Law 100-710 and 46 CFR Part 221.

Dated: October 12, 1995.

By Order of the Maritime Administrator.

Joel C. Richard,

*Acting Secretary.*

[FR Doc. 95-25795 Filed 10-17-95; 8:45 am]

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### [Docket S-924]

### Mormac Marine Transport, Inc.; Notice of Application for Written Permission to Section 805(a) of the Merchant Marine Act, 1936, As Amended

Mormac Marine Transport, Inc. (Mormac) by letter of October 3, 1995, corrected by letter of October 5, 1995, requests, pursuant to section 805(a) of the Merchant Marine Act, 1936, as amended (Act) and Article II-13 of Operating-Differential Subsidy Agreement (ODSA) Contracts MA/MSB-295(b) and MA/MSB-295(c), written permission (1) effective December 10, 1995, to own, operate, and charter its vessel MORMACSTAR, Official No. 569257, in the domestic intercoastal or coastwise service and (2) effective June 23, 1996, to own, operate, and charter its vessel MORMACSUN, Official No. 573770, in such service, both as herein stated.

Mormac operates the MORMACSTAR, MORMACSUN, and MORMACSKY, sister ships, in subsidized essential bulk cargo carrying services in foreign commerce as provided in ODSAs Contracts MA/MSB-295(a), MA/MSB-295(b), and MA/MSB-295(c). These vessels were built at San Diego, California, with construction-differential subsidy (CDS) and delivered on December 10, 1975, June 23, 1976, and February 2, 1977, respectively, and began subsidized operations under the ODSAs on those dates, respectively. The ODSAs will terminate 20 years after the commencement of the subsidized operations of the respective vessels, i.e., No. MA/MSB-295(a), December 9, 1995; No. MA/MSB-295(b), June 22, 1996; and No. MA/MSB-295(c), February 1, 1997. On the same dates the respective vessels' obligation to operate in foreign commerce as provided pursuant to section 506 of the Act in the CDS contract under which they were built will expire.

On December 10, 1995, the MORMACSTAR will cease to earn operating-differential subsidy (ODS) (except insofar as it is eligible to share subsidy with the MORMACSKY under Contract MA/MSB-295(c) pursuant to the Maritime Subsidy Board's action of September 14, 1995, in Docket S-923, as discussed below). On June 23, 1996, the MORMACSUN will cease to earn subsidy (also with the exception of its

eligibility to share subsidy with the MORMACSKY under the September 14, 1995, action). On the same dates respectively, Mormac wishes to operate these vessels in coastwise and intercoastal trades. The continuation of subsidy under Contract Nos. MA/MSB-295(b) and MA/MSB-295(c) until June 23, 1996, and February 2, 1997, respectively, however, will necessitate Mormac's receiving permission under section 805(a) for the MORMACSTAR and the MORMACSUN to undertake domestic operations, since section 805(a) forbids the payment of subsidy to a contractor who owns, operates, or charters a vessel in domestic coastwise or intercoastal service without such permission.

The three subsidized vessels are steam tankers of about 39,300 DWT, suitable primarily for the carriage of petroleum products.

Mormac states that it hopes to seek employment on the spot market in domestic trade for the MORMACSTAR after December 9, 1995, and for the MORMACSUN after June 22, 1996, perhaps lifting petroleum products from the U.S. gulf or the west coast. Mormac notes that in these trades, protected by the Jones Act, most competitors' vessels are steam powered, and their average age is comparable to the MORMACSTAR's and MORMACSUN's so that they will be on a more level competitive footing. In this connection, Mormac points out that its vessels are well equipped and maintained, and in capacity, speed, and condition they will be well suited to the proposed trade.

Mormac believes that the permission requested will not result in unfair competition to anyone operating exclusively in the coastwise or intercoastal service nor be contrary to the objects and policy of the Act. The permission sought, Mormac explains, will be requisite only so long as the MORMACSUN or MORMACSKY is receiving ODS; which will be only a little more than a year, from December 10, 1995, until February 1, 1997, at the latest, in the case of the MORMACSTAR; and the MORMACSUN will not be engaging in the domestic trade until June 23, 1996, at the earliest, so that the permission to do so will be needed for only about seven months. According to Mormac, competition, if any, between the MORMACSTAR and MORMACSUN and other vessels now or hereafter serving the domestic petroleum products trade will be on a fair footing unaffected by ODS payments to Mormac. Mormac further believes the permission will further the accomplishment of objects and policies

of the Act by helping keep in active service two well equipped, safe, and suitable vessels carrying domestic oceanborne commerce and capable of serving as a military and naval auxiliary.

The application may be inspected in the Office of the Secretary, Maritime Administration. Any person, firm or corporation having any interest (within the meaning of section 805(a)) in Mormac's request and desiring to submit comments concerning the request must by 5:00 PM on October 30, 1995, file written comments in triplicate with the Secretary, Maritime Administration, together with a petition for leave to intervene. The petition shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petition for leave to intervene is received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing will be held, the purpose of which will be to receive evidence under section 805(a) relative to whether the proposed operations (a) would result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

(Catalog of Federal Domestic Assistance Program No. 20.805 (Operating-Differential Subsidies)).

By Order of the Maritime Administrator.

Dated: October 12, 1995.

Joel C. Richard,

Secretary.

[FR Doc. 95-25755 Filed 10-17-95; 8:45 am]

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### National Highway Traffic Safety Administration

[Docket No. 95-62; Notice 2]

#### Decision That Nonconforming 1993 BMW 525i Passenger Cars Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Notice of decision by NHTSA that nonconforming 1993 BMW 525i passenger cars are eligible for importation.

**SUMMARY:** This notice announces the decision by NHTSA that 1993 BMW 525i passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to a vehicle originally manufactured for importation into and sale in the United States and certified by its manufacturer as complying with the safety standards (the U.S.-certified version of the 1993 BMW 525i), and they are capable of being readily altered to conform to the standards.

**DATES:** This decision is effective as of October 18, 1995.

**FOR FURTHER INFORMATION CONTACT:** George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

#### SUPPLEMENTARY INFORMATION:

##### Background

Under 49 U.S.C. 30141(a)(1)(A) (formerly section 108(c)(3)(A)(i) of the National Traffic and Motor Vehicle Safety Act (the Act)), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115 (formerly section 114 of the Act), and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR Part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the Federal Register of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the Federal Register.

Northern California Diagnostic Laboratories, Inc. of Napa, California (Registered Importer R-92-011) petitioned NHTSA to decide whether 1993 BMW 525i passenger cars are eligible for importation into the United States. NHTSA published notice of the