Environmental Impact Statement (DEIS) review period. Public notice will be given of the times and places for the meetings and hearing. The DEIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and that all significant issues are identified, comments and suggestions are invited from all interested parties. Comments or questions concerning the proposed action should be directed to the FHWA at the address provided.

(Catalog of Federal Domestic Assistance Number 20.205, Highway Research Planning and Construction. The regulations implementing executive Order 12372 regarding intergovernmental consultation on federal programs and activities apply to this program.)

Issued on October 10, 1995.

David A. Leighow,

Environmental Coordinator, Charleston, West Virginia.

[FR Doc. 95–25875 Filed 10–18–95; 8:45 am]

BILLING CODE 4910–22–M

Environmental Impact Statement: Putnam and Mason Counties, WV

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Putnam and Mason Counties, West Virginia.

FOR FURTHER INFORMATION CONTACT: David A. Leighow, Division Environmental Coordinator, Federal Highway Administration, 550 Eagan Street, Suite 300, Charleston, West Virginia 25301, Telephone: (304) 347–5329, or, Ben L. Hark, Environmental Section Chief, Roadway Design Division, West Virginia Department of Transportation, 1900 Kanawha Boulevard East, Building 5, Room A–416, Capitol Complex, Charleston, West Virginia 25305–0430, Telephone: (304) 558–2885.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the West Virginia Division of Highways, will prepare an environmental impact statement (EIS) on a proposal to improve US Route 35 in Putnam and Mason Counties, West Virginia, for a distance of about 35 miles.

Alternatives under consideration include but are not limited to (1) taking no action, (2) minimal improvement of existing road, (3) where possible, widening the existing two-lane highway to four lanes, and (4) constructing a four-lane, partially controlled access highway on new location. Additional alignments may be evaluated based upon the results of the preliminary environmental engineering studies and the public and agency involvement process. Incorporated into and studies with the various build alternatives will be design variations of grade and alignment. Multi-model forms of transportation, such as mass transit, will be considered and addressed as appropriate.

Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state and local agencies, and to private organizations and citizens who have previously expressed, or are known to have, interest in this proposal. A formal scoping meeting will be scheduled. The draft EIS will be available for public and agency review and comment prior to a public meeting and public hearing. Public notice will be given of the times and places for the meeting and hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on October 10, 1995.

David A. Leighow,

Environmental Coordinator, Charleston, West Virginia.

[FR Doc. 95–25874 Filed 10–18–95; 8:45 am]

BILLING CODE 4910–22–M

Maritime Administration

[Docket S–925]

Brookville Shipping, Inc.; Notice of Application for Payment of Unused Operating-Differential Subsidy

Brookville Shipping, Inc. (Brookville) is the contractor under an Operating-Differential Subsidy Agreement (ODSA), Contract MA/MSB–272, scheduled to expire April 13, 1996, under which five U.S.-flag dry bulk carriers operated by Liberty Maritime Corporation (Liberty) are eligible for subsidy. Brookville was also the contractor under Contract MA/MSB–166(a), which expired October 9, 1994. Under Contracts MA/MSB–272 and MA/MSB–166(a), 3,638.5 subsidy days were available to, but not used by, Brookville from 1989 to 1994. Contract MA/MSB–272 provides for one ship year of subsidy annually and expired Contract MA/MSB–166(a) also provided for one ship year of subsidy, for an aggregate of two ship years or 720 days of subsidy annually.

Brookville requests that the Maritime Subsidy Board (Board) enable Brookville to obtain the full unused benefits of Contracts MA/MSB–272 and MA/MSB–166(a) by extending those contracts for an additional five years beyond their expiration dates. In the alternative, Brookville requests that the Board enter into a new five-year contract with Brookville for payment of operating-differential subsidy (ODS) for the number of unused subsidy days.

In connection with its request, Brookville further asks the Board (i) to permit Brookville to share the 3,638.5 subsidy days not used under Contracts MA/MSB–272 and MA/MSB–166(a), respectively, among the five dry bulk carriers operated by Liberty without limitation as to the number of days that may be used in any one year; and (ii) to permit Brookville to substitute on a one-for-one basis any or all of four newly constructed Panamax bulk cargo carriers that Brookville or an affiliate would build and operate under the U.S. flag.

According to Brookville, its request would not require the Board to authorize new subsidy days, would further the purposes and policies of the Merchant Marine Act, 1936, as amended (Act), and is within the legal authority of the Board to grant.

Brookville advises that five U.S.-flag dry bulk carriers—the LIBERTY STAR, LIBERTY SUN, LIBERTY WAVE, LIBERTY SPIRIT, and LIBERTY SEA—are eligible to receive subsidy under Contract MA/MSB–272. The Liberty vessels were built in Korea pursuant to section 615 of the Act, were delivered between 1984 and 1986, and are generally regarded as the most modern and efficient in the U.S.-flag dry bulk fleet. Their cargo capacity averages about 64,000 metric tons, with typical cargoes in the 50,000–55,000 metric ton range.

Brookville states that the primary market for the Liberty vessels since their delivery has been transporting U.S. government food aid cargoes reserved to the U.S.-flag under the Cargo Preference Act of 1954, along with cargoes reserved to U.S.-flag vessels under a U.S.-Israel ‘‘Side Letter’’ agreement. Brookville advises that although the Liberty vessels by law were entitled to subsidy for preference voyages, Brookville, as well as other dry bulk ODS contractors, voluntarily agreed—at the Maritime Administration's request—to forego subsidy on these preference voyages.

Brookville states that consequently, Contract MA/MSB–272 has been underused, with only 432.9 subsidy days used in the aggregate in 1989, 1990, and 1991 and no subsidy paid at all during 1992, 1993, and 1994. Brookville also points out that Contract MA/MSB–166(a) was similarly underused, with only 156.6 days of subsidy used in the aggregate during 1989 and 1990 and no subsidy paid during 1991, 1992, 1993, and 1994. Overall, 589.5 subsidy days (includes reduced crew days) were used and 3,638 subsidy days were unused from 1989 to 1994. Brookville states that during this period, the government has had the benefit of substantially reduced subsidy payments to Brookville.

According to Brookville, in the last two years the Liberty vessels' traditional market—food aid transportation—has shrunk because of budget cuts. In addition, funding for the P.L. 480—Food for Peace and section 416 programs has declined from $2.3 billion in fiscal year 1993 to $1.3 billion in fiscal year 1995, with tonnage declining from 7.9 million metric tons to 3.7 million metric tons. Brookville indicates that under the President's fiscal year 1996 budget, food aid spending will decline further to about $1.0 billion, which would generate only about 2.7 million metric tons in exports.

Brookville emphasizes that past spending decreases and proposed decreases for fiscal year 1996 disproportionately affect bulk operators because the cuts have been largely applied to bulk-oriented Titles I and III of Public Law 480 and section 416, as opposed to liner-oriented Title II. Tonnage under Titles I and III and section 416 has declined from 5.8 million metric tons in fiscal year 1993 to a projected 850,000 metric tons in fiscal year 1996. Brookville states that since a Liberty dry bulk carrier, when fully used, can transport 300,000 metric tons of this 850,000 metric ton cargo level per year (based on six voyages with a 50,000 ton cargo), it is evident that the food aid program (even with Israeli Side Letter cargoes) can no longer support the entire existing U.S.-flag bulk fleet.

Brookville advises that as a result, Liberty's vessels increasingly have operated in the foreign commercial trade. In 1995, Liberty vessels so far have used 279 of 365 available subsidy days under Contract MA/MSB–272. (This includes 63 days used by the LIBERTY BELLE, which was scrapped in June 1995.) According to Brookville, although the Liberty vessels are well regarded in the foreign commercial market and have operated successfully, their operating cost structure (resulting from U.S. citizen crews and compliance with U.S. tax, environmental, safety and other requirements) renders them uncompetitive without subsidy.

Brookville states that traditionally, there are very few food aid cargoes shipped between January and March and because of the severe cutbacks in the food aid budget, very little preference activity is expected during the first six months of 1996. Brookville also states that unless the Board extends Brookville's ODS contract to give it the operational flexibility Brookville requests, Liberty will have no choice but to lay up the vessels pending MARAD's approval of a request to re-flag some or all of the Liberty vessels so that they may compete in the foreign market with vessels not subject to costly U.S. laws and regulations. Brookville states that if the Liberty vessels are re-flagged, the American merchant marine will have lost as many as five of its best vessels and their skilled crews—which are always available in an national emergency.

Additionally, Brookville states that if the Board fails to grant Brookville's request, the government's cargo preference costs will also be higher. The Liberty vessels have historically offered the lowest U.S.-flag rates for relatively large cargo lot sizes. According to Brookville, if the Liberty vessels are re-flagged, government cargo preference costs will increase, offsetting at least in part the subsidies Brookville is requesting by this letter.

Brookville states that the Board has ample legal authority to grant Brookville's request, citing *Seatrain Shipbuilding Corp.* v. *Shell Oil Co,* 444 U.S. 572 (1980). According to Brookville, the Board can enter into a new contract that permits full use of the unused days over a five-year period; alternatively, the Board can modify contracts after they are concluded.

Brookville believes that by extending the ODS contracts, the Board will also address an injustice in the ODS program. The standard ODS contract is set for 20 years, to coincide with the life of a tanker. However, as the Act recognizes, dry bulk carriers have a useful life of 25 years. According to Brookville, in essence, the program favors tankers by awarding contracts for their entire useful life, while disadvantaging dry bulk carriers by awarding contracts for only 80 percent of theirs.

Brookville also notes that by granting this application, the Maritime Administration will not be affecting the Administration's proposed liner reform legislation, under which dry bulk carriers would be ineligible for assistance.

This application may be inspected in the Office of the Secretary, Maritime Administration. Any person, firm, or corporation having any interest in such request and desiring to submit comments concerning the application must file written comments in triplicate with the Secretary, Maritime Administration, Room 7210, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590. Comments must be received no later than 5 p.m. on November 1, 1995. This notice is published as a matter of discretion and publication should in no way be considered a favorable or unfavorable decision on the application, as filed or as may be amended. The Maritime Subsidy Board will consider any comments submitted and take such action with respect thereto as may be deemed appropriate.

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

By Order of the Maritime Subsidy Board.

Dated: October 13, 1995.

Joel C. Richard,

Secretary.

[FR Doc. 95–25920 Filed 10–18–95; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Tax on Certain Imported Substances (Methyl methacrylate); Notice of Determination

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: This notice announces a determination, under Notice 89–61, that the list of taxable substances in section 4672(a)(3) will be modified to include methyl methacrylate.

EFFECTIVE DATE: This modification is effective October 1, 1995.

FOR FURTHER INFORMATION CONTACT: Ruth Hoffman, Office of Assistant Chief Counsel (Passthroughs and Special Industries), (202) 622–3130 (not a toll-free number).