

Dated: April 29, 1998.

R.C. North,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Marine Safety and Environmental Protection.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-97-7]

Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Ch. I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before May 26, 1997.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. _____, 800 Independence Avenue, SW., Washington, DC 20591

Comments may also be sent electronically to the following internet address: 9-NPRM-CMTS@faa.dot.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Tawana Matthews (202) 267-9783 or Terry Stubblefield (202) 267-7624

Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of part 11 of the Federal Aviation Regulations (14 CFR part 11).

Issued in Washington, DC., on April 29, 1998.

Joseph A. Conte,

Acting Assistant Chief Counsel for Regulations.

Petitions for Exemption

Docket No.: 144CE.

Petitioner: Sino Swearingen Aircraft Company.

Sections of the FAR Affected: 14 CFR 23.35; 23.29; 23.235; 23.471; 23.473; 23.477; 23.479; 23.481; 23.483; 23.485; 23.493; 23.499; 23.723; 23.725; 23.726; 23.727; 23.959; 23.1583(c)(1), (2), Appendix C23, and Appendix D23.1.

Description of Relief Sought: To permit Sino Swearingen Aircraft Company to modify the SJ30-2 airplane landing gear loads and associated airframe loads.

Docket No.: 29175.

Petitioner: Associated Air Center.

Regulations Affected: § 25.813(e).

Description of Petition: To exempt Associated Air Center from the requirements of 14 CFR 25.813(e), to permit installation of doors between passenger compartments on a Boeing 737-39A Airplane intended for non-revenue use only.

Docket No.: 29192.

Petitioner: Air Transport Association.

Regulations Affected: 119.21(a)(1).

Description of Petition: The Air Transport Association requests an exemption on behalf of Hawaii Airlines, Aloha Airlines, and Aloha Islandair from § 119.21(a)(1) of Title 14, Code of Federal Regulations to allow those air carriers to conduct inter-island flights within the State of Hawaii as flag operations, rather than conducting those flights as domestic operations under subpart U of part 121.

Dispositions of Petitions

Docket No.: 28881.

Petitioner: Douglas Aircraft Company, McDonnell Douglas Corporation.

Sections of the FAR Affected: 14 CFR 25.785(d), 25.807(c)(1), 25.857(e), and 25.1447(c)(1).

Description of Relief Sought/Disposition: To permit type certification of the DC-10 freighter aircraft with a Class E cargo compartment, with accommodation for up to four supernumeraries immediately aft of the cockpit, in the two configurations

proposed, when the airplane is equipped with two floor-level emergency exits with escape slide/rafts within the immediate vicinity of the occupied area, subject to certain conditions.

GRANT, April 21, 1998, Exemption No. 6752.

Docket No.: 29057.

Petitioner: McDonnell Douglas Corporation.

Sections of the FAR Affected: 14 CFR 25.785(d), 25.807(c)(1), 25.857(e), and 25.1447(c)(1).

Description of Relief Sought/Disposition: To permit type certification of the MD-11 freighter aircraft with a Class E cargo compartment, with accommodation for up to five supernumeraries immediately aft of the cockpit, in the configuration proposed, when the airplane is equipped with two floor-level emergency exits with escape slide/rafts within the immediate vicinity of the occupied area, subject to certain conditions..

GRANT, April 21, 1998, Exemption No. 6753.

Docket No.: 29129.

Petitioner: Ilyushin Aviation Complex.

Sections of the FAR Affected: 14 CFR 25.1435(b)(1).

Description of Relief Sought/Disposition: To permit type certification of the Model IL-96T by conducting a test of the complete hydraulic system at 240±5 atm (the system relief pressure), all hydraulic components testing at 1.5 times the operating pressure (315 atm) per the current § 25.1435(a)(2), and a test of the complete hydraulic system during flight and ground tests at operating pressure.

GRANT, April 21, 1998, Exemption No. 6754.

Docket No.: 581.

Petitioner: Department of the Air Force.

Sections of the FAR Affected: 14 CFR 91.159(c).

Description of Relief Sought/Disposition: To permit the USAF to operate its U-2 aircraft at or above flight level 600 without maintaining the appropriate cruising altitudes as required under 91.159(c).

GRANT, April 23, 1998, Exemption No. 130D.

Docket No.: 581.

Petitioner: Department of the Air Force.

Sections of the FAR Affected: 14 CFR 91.159.

Description of Relief Sought/Disposition: To permit the USAF to conduct nontraining photographic reconnaissance missions that require

flying a series of tracks at a constant altitude, without maintaining the appropriate cruising altitude required under 91.159.

GRANT, April 23, 1998, Exemption No. 134I.

Docket No.: 28454.

Petitioner: Civil Air Patrol.

Sections of the FAR Affected: 14 CFR part 91, subpart F.

Description of Relief Sought/

Disposition: To permit Civil Air Patrol (CAP) to operate small aircraft under subpart F of part 91 and receive limited reimbursement for certain flights within the scope of and incidental to the CAP's corporate purposes and U.S. Air Force Auxiliary status.

GRANT, April 13, 1998, Exemption No. 6485A.

Docket No.: 27577.

Petitioner: Availl.

Sections of the FAR Affected: 14 CFR 145.445(f).

Description of Relief Sought/

Disposition: To permit Availl to maintain one copy of its repair station Inspection Procedures Manual (IPM) at each facility, rather than give a copy of the IPM to each of its supervisory and inspection personnel.

GRANT, April 8, 1998, Exemption No. 5940B.

Docket No.: 28479.

Petitioner: Strong Enterprises, Inc.

Sections of the FAR Affected: 14 CFR 105.43(a).

Description of Relief Sought/

Disposition: To permit Strong Enterprises, Inc., and Strong Certified Tandem Instructors to conduct parachute jumps while wearing a dual-harness, dual-parachute pact, having at least one main parachute and one auxiliary parachute. This exemption also authorizes the pilot-in-command of aircraft involved in these operations to allow such persons to make tandem parachute jumps.

GRANT, April 8, 1998, Exemption No. 6474B.

Docket No.: 29092.

Petitioner: Pratt & Whitney Engine Services, Inc..

Sections of the FAR Affected: 14 CFR 145.45(f).

Description of Relief Sought/

Disposition: To permit the petitioner to assign copies of its Inspection Procedures Manual (IPM) to key individuals within its departments and key areas within its shop and functionally place an adequate number of IPM's for access to all employees, rather than provide a copy of the IPM for each of its Supervisory and inspection personnel.

GRANT, April 13, 1998, Exemption No. 6750.

Docket No.: 28144.

Petitioner: Perris Valley Skydiving.

Sections of the FAR Affected: 14 CFR 105.43(a).

Description of Relief Sought/

Disposition: To permit nonstudent parachutist who are foreign nationals to participate in PVS-sponsored events without complying with the parachute equipment and packing requirements of the Federal Aviation Regulations.

GRANT, March 23, 1998, Exemption No. 6745.

GRANT, April 13, 1998, Exemption No. 64750.

Docket No.: 29108.

Petitioner: Skydrive Dallas, Inc.

Sections of the FAR Affected: 14 CFR 105.43(d).

Description of Relief Sought/

Disposition: To permit nonstudent parachutist who are foreign nationals to participate in Skydive Dallas-sponsored events without complying with the parachute equipment and packing requirements of 105.43(a).

GRANT, March 23, 1998, Exemption No. 6744.

Docket No.: 28628.

Petitioner: Mr. William W. Webb.

Sections of the FAR Affected: 14 CFR 91.109(a).

Description of Relief Sought/

Disposition: To permit Mr. Webb to conduct certain flight instruction in Beechcraft Bonanza airplanes equipped with a functioning throwover control wheel instead of functioning dual controls.

GRANT, April 24, 1998, Exemption No. 6544A

[FR Doc. 98-11858 Filed 5-4-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Transfer of Federally Assisted Land or Facility

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of intent to transfer Federally assisted land or facility.

SUMMARY: 49 U.S.C. Section 5334(g) (formerly Section 12(k)) of the Federal Transit Act, as amended) permits the Administrator of the Federal Transit Administration (FTA) to authorize a recipient of FTA funds to transfer land or a facility to a local public body for any public purpose with no further obligation to the Federal Government if, among other things, no Federal agency is interested in acquiring the asset for Federal use. Accordingly, FTA is

issuing this Notice to advise Federal agencies that the Tri-County Metropolitan Transportation District of Oregon (Tri-Met) intends to transfer railroad right-of-way (RROW) between N.W. Division Street and Spring Water Trail (formerly Linneman Junction) in the City Of Gresham, Oregon. The RROW has been abandoned and declared surplus.

EFFECTIVE DATE: Any Federal agency interested in acquiring the land or facility must notify the FTA Region 10 Office of its interest, by June 4, 1998.

ADDRESSES: Interested parties should notify the Regional Office by writing FTA Region 10, 915 Second Avenue, Room 3142, Seattle, Washington 98174-1002.

FOR FURTHER INFORMATION CONTACT: Michael J. Williams, Regional Engineer at (206) 220-7965; or Pat Berkley, FTA Headquarters Office of Program Management at (202) 366-6470.

SUPPLEMENTARY INFORMATION:

Background

49 U.S.C. Section 5334(g) provides guidance on the transfer of capital assets. Specifically, if a recipient of FTA assistance decides an asset acquired under this chapter, at least in part with that assistance, is no longer needed for the purpose for which it was acquired, the Secretary of Transportation may authorize the recipient to transfer the asset to a local governmental authority to be used for a public purpose with no further obligation to the Government.

Determinations

The Secretary may authorize a transfer to a local governmental authority for a public purpose other than mass transportation only if the Secretary decides—

(A) The asset will remain in public use for not less than 5 years after the date of the transfer;

(B) There is no purpose eligible for assistance under this chapter for which the asset should be used;

(C) The overall benefit of allowing the transfer is greater than the interest of the Government in liquidation and return of the financial interest of the Government in the asset, after considering fair market value and other factors; and

(D) Through an appropriate screening or survey process, that there is interest in acquiring the asset for Government use if the asset is a facility or land.

Federal Interest in Acquiring Land or Facility

This document implements the requirements of 49 U.S.C. Section 5334(g) (formerly Section 12(k)) of the