

(68 FR 2391). The comment period is now reopened until May 28, 2004.

**DATES:** Comments must be received May 28, 2004.

**ADDRESSES:** The Operating Agreement of American Airports Lakefront, LLC and the final application are available for public review in the Dockets Office, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. The documents have been filed under FAA Docket Number 2003-14246. The Dockets Office is open between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Dockets Office is on the plaza level of the Nassif Building at the Department of Transportation at the above address. Also, you may review public dockets on the Internet at <http://dms.dot.gov>.

The Orleans Levee District, the airport sponsor, has also made a copy of the agreement and the application available at the following location:

Administration Building, New Orleans Lakefront Airport, 6001 Stars and Stripes Boulevard, New Orleans, Louisiana 70126.

The Administration Building is open weekdays from 9 a.m. and 4 p.m. with the exception of legal holidays. The contact person is Max L. Hearn who may be reached at (504) 243-4000.

Comments on the agreement must be delivered or mailed, in duplicate, to: the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number "FAA Docket No 2003-14246" at the beginning of your comments. Commenters wishing the FAA to acknowledge receipt of their comments must include a preaddressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. 2003-14246." The postcard will be date stamped and mailed to the commenter. You may also submit comments through the Internet to <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Kevin C. Willis, Compliance Specialist (AAS-400), (202) 267-8741 Airport Compliance Division, Office of Airport Safety and Standards, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591.

**SUPPLEMENTARY INFORMATION:** Title 49 of the U.S. Code section 47134 authorizes the Secretary of Transportation, and through delegation, the FAA Administrator, to exempt a sponsor of a public use airport that has received Federal assistance from certain Federal requirements in connection with the

privatization of the airport by sale or lease to a private party. Specifically, the Administrator may exempt the sponsor from all or part of the requirements to use airport revenues for airport-related purposes, to pay back a portion of Federal grants upon the sale of an airport, and to return airport property deeded by the Federal Government upon transfer of the airport. The Administrator is also authorized to exempt the private purchaser or lessee from the requirement to use all airport revenues for airport-related purposes, to the extent necessary to permit the purchaser or lessee to earn compensation from the operations of the airport. The FAA application procedures for the Airport Privatization Pilot Program (62 FR 48693) are available for review on the FAA Web site: [www.faa.gov/arp/publications/fedreg.cfm?arprnav=fedr](http://www.faa.gov/arp/publications/fedreg.cfm?arprnav=fedr).

On March 2, 2000, Orleans Levee District submitted a preliminary application for the participation of the New Orleans Lakefront Airport in the Airport Privatization Pilot Program. On March 8, 2001, the FAA accepted the Orleans Levee District's preliminary application for the New Orleans Lakefront Airport, after reviewing additional information provided by the Orleans Levee District. After selecting a private operator and negotiating an agreement, the Orleans Levee District filed its final application on April 23, 2002. On January 16, 2003, the Federal Aviation Administration (FAA) published a notice in the **Federal Register** (68 FR 2391) seeking information and comments from interested parties on the final application by the Orleans Levee District for participation of New Orleans Lakefront Airport (NEW) in the Airport Privatization Pilot Program. The original deadline for submitting comments was March 12, 2003. However, the comment period was extended until May 23, 2003, to allow the public more time to comment and for the FAA to receive comments from airport users and interested parties at a public meeting at New Orleans Lakefront Airport on May 10, 2003.

On April 6, 2004, at the FAA's request, the private operator submitted a copy of the operating agreement for American Airports Lakefront, LLC. The agreement outlines the responsibilities of American Airports Corporation and United Professionals in fulfilling the duties of the private operator. This agreement was not available to the FAA during the original public comment period, January 16, 2003, to May 23, 2003, published in the **Federal Register** as (68 FR 12969) and (68 FR 2391).

Since this agreement is considered part of the final application and will be used by the FAA in making its final determination, the agency has decided to make it available for 30-day public comment.

Dated: Issued in Washington, DC on April 15, 2004.

**David L. Bennett,**

*Director, Office of Airport Safety and Standards.*

[FR Doc. 04-9626 Filed 4-27-04; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Commercial Space Transportation Advisory Committee—Open Meeting

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of Commercial Space Transportation Advisory Committee open meeting.

**SUMMARY:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. 2), notice is hereby given of a meeting of the Commercial Space Transportation Advisory Committee (COMSTAC). The meeting will take place on Thursday, May 20, 2004, from 8 a.m. to 5 p.m. at the Federal Aviation Administration Headquarters Building, 800 Independence Avenue, SW., Washington, DC, in the Bessie Coleman Conference Center, 2nd Floor. This will be the 39th meeting of the COMSTAC.

The 2004 Commercial Space Transportation Market Forecasts, which includes the 2004 COMSTAC Commercial Geosynchronous Orbit Launch Demand Model and the 2004 Commercial Space Transportation Forecast for Non-Geosynchronous Orbits will be briefed and distributed at the May meeting. There will also be a briefing on the recent report entitled The Economic Impact of Commercial Space Transportation on the U.S. Economy, 2004 and an activities report from FAA's Associate Administrator for Commercial Space Transportation.

Meetings of the COMSTAC Working Groups (Technology and Innovation, Reusable Launch Vehicle, Risk Management, and Launch Operations and Support) will be held on Wednesday, May 19, 2004. For specific information concerning the times and locations of these meetings, contact the Contact Person listed below.

Individuals who plan to attend and need special assistance, such as sign language interpretation or other

reasonable accommodations, should inform the Contact Person listed below in advance of the meeting.

**FOR FURTHER INFORMATION CONTACT:**  
Brenda Parker (AST-200), Office of the Associate Administrator for Commercial Space Transportation (AST), 800 Independence Avenue, SW., Room 331, Washington, DC 20591, telephone (202) 385-4713; e-mail [brenda.parker@faa.dot.gov](mailto:brenda.parker@faa.dot.gov).

Issued in Washington, DC, April 19, 2004.

**Patricia G. Smith,**

*Associate Administrator for Commercial Space Transportation.*

[FR Doc. 04-9625 Filed 4-27-04; 8:45 am]

BILLING CODE 4910-13-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.

#### Northeast Illinois Railroad Corporation (METRA)

[Docket Number FRA-2004-17027]

The Northeast Illinois Railroad Corporation (METRA) seeks a waiver of compliance, Docket Number FRA-2004-17027, with the Passenger Equipment Safety Standards, 49 CFR part 238: section 103 (fire safety), section 203 (static end strength), section 205 (anti-climbing mechanism), section 207 (link between coupling mechanism and car body), section 209 (forward-facing end structure of locomotives), section 211 (collision posts), section 219 (truck-to-car-body attachment), section 223 (locomotive fuel tanks), section 225 (electrical systems), section 227 (suspension system), and section 237 (automated monitoring) as it pertains to alerters for super hy-rail vehicles utilized to move stranded passenger trains in rescue operations.

METRA is requesting the waiver to be pro-active in establishing a rescue plan for electric propulsion passenger train operations in the event of a power failure similar to that experienced in the Northeast in 2003. The plan calls for the hy-rail vehicles to be positioned strategically throughout the electric

propulsion service area to push or pull stranded passenger trains to stations where the passengers can be safely unloaded. METRA states that these rescue movements would be made at a restricted speed by a certified locomotive engineer trained on the operation of the hy-rail vehicles and prior to any movement train brakes would receive a Class 1A brake test in compliance with 49 CFR 238.315.

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 (FRA-2004-17027) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. 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>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC on April 22, 2004.

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

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

[FR Doc. 04-9633 Filed 4-27-04; 8:45 am]

BILLING CODE 4910-06-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-6 (Sub-No. 409X)]

#### The Burlington Northern and Santa Fe Railway Company—Abandonment Exemption—in Jefferson, Thayer and Nuckolls Counties, NE, and Republic County, KS

On April 8, 2004, The Burlington Northern and Santa Fe Railway Company (BNSF) filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon and discontinue service over a 39.95-mile line of railroad between milepost 167.78 near Superior, NE, and milepost 127.83 near Reynolds, NE, in Jefferson, Thayer and Nuckolls Counties, NE, and Republic County, KS. The line traverses United States Postal Service Zip Codes 66935, 66959, 66964, 68325, 68327, 68375, 68429, 68943, and 68978. The line includes the stations of Hardy, Byron, Chester, Hubbell, and Reynolds.

The line does not contain federally granted rights-of-way. Any documentation in BNSF's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by July 27, 2004.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,100 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than May 18, 2004. Each trail use request must be accompanied by the filing fee, which is scheduled to increase to \$200, effective April 28, 2004. See 49 CFR 1002.2(f)(27).<sup>1</sup>

All filings in response to this notice must refer to STB Docket No. AB-6

<sup>1</sup> See *Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—2002 New Fees*, STB Ex Parte No. 542 (Sub-No. 4) (STB served Mar. 29, 2004).