

50901(b)(3). A license is required to launch a launch vehicle, reenter a reentry vehicle, or operate a launch or reentry site within the United States or by a U.S. citizen. 51 U.S.C. 50904(a)(1)–(4). The FAA issues permits for the launch of reusable suborbital rockets pursuant to the requirements of 51 U.S.C. 50906. Title 5 U.S.C. 552(a)(2) applies to final authorizations the FAA issues to an applicant, and the FAA should therefore make authorizations “available for public inspection, and copying.” 5 U.S.C. 552(a)(2).

In compliance with the Administrative Procedure Act, as well as recent guidance from the White House, the FAA is planning to post all current and future authorizations online in order to increase agency efficiency, effectiveness, and transparency. The FAA receives Freedom of Information Act (FOIA) requests for authorizations, and publishing this information online would save the agency both the time and resources used to process and respond to these FOIA requests. The President’s recent memorandum on regulatory compliance encourages agencies to make readily accessible to the public information concerning their regulatory compliance and enforcement activities. Presidential Memoranda—Regulatory Compliance (January 18, 2011); available at <http://www.whitehouse.gov/the-press-office/2011/01/18/presidential-memoranda-regulatory-compliance>. Publishing authorizations online furthers the FAA’s goal of transparency, openness, and public access by making it easier and faster for the public to obtain information regarding AST licensing and permit activities.

Information contained in authorizations is typically not confidential. Typical information provided in a launch license or permit and any accompanying orders includes the specific types of vehicles the authorization applies to, the launch location, and the amount of liability and government property insurance the FAA requires the authorized entity to maintain. Launch licenses also include the term of the license, the authorized azimuths of the launch vehicle, and any type of payload. In some cases, such as a Pegasus launch or a launch under a permit, the launch license will define when flight begins. Insurance information has historically been published on the FAA website. Information including the launch area and the date and time of the launch is

provided in publicly available notices to airmen and mariners.²

Information in a site license includes the site location, site activities, type of launch vehicle authorized for the site, and the term of the license.

Information provided in a reentry license includes the term of the license, the term of insurance coverage, and the nominal reentry locations. The insurance information is publicly available, now on the FAA’s Web site, and the nominal reentry area locations are publicly available in notices to airmen and mariners.

Notices to airmen and mariners are publicly available documents, but they do not provide the same information contained in a license. A notice to airmen and mariners will contain coordinates for an area to alert airmen and mariners of hazards during a specified time period for safety reasons. For reentry, this area is calculated based on the reentry vehicle’s possible impact points. While launch locations are generally well-known because launches occur from established launch pads, reentry locations may be the result of an operator’s own calculations and decisions. Notices to airmen that restrict air traffic during a reentry do not provide the nominal reentry points that the FAA currently includes in the operator’s license. Therefore, operators may have concerns about reverse engineering using the reentry data provided in licenses. While the FAA will continue to include nominal and contingency reentry points in authorizations, operators will have the opportunity to request that the information be redacted from online publication if they consider it confidential. If an operator makes such a request, the FAA will examine the operator’s rationale and make a determination regarding whether or not the information is confidential.

Most licenses and permits do not contain confidential information or data. However, for those occasions where specific license terms or conditions reflect circumstances unique to a particular operator, there are protections available under the statute and regulations. Applicants for a license can protect trade secrets or proprietary commercial or financial data by requesting in writing that the information be treated as confidential at the time it is submitted. 14 CFR 413.9(a). Information or data the applicant wishes to protect must be

² Notices to airmen and mariners are publicly available on the FAA Web site for two months after their effective date at: <http://tfr.faa.gov/tfr2/list.html>.

clearly marked with an identifying legend, or cover sheet containing an identifying legend. 14 CFR 413.9(b).

The FOIA exempts from mandatory disclosure trade secrets and privileged or confidential commercial or financial information. 5 U.S.C. 552(b)(4). Information that “is designated as confidential by the person or head of the executive agency providing the information” or that qualifies for an exemption under FOIA can be disclosed by the Secretary of Transportation, an officer or employee of the United States Government, or a person making a contract with the Secretary under section 50906(b) of this title “if the Secretary decides that the withholding of the information or data is contrary to the public or national interest.” 51 U.S.C. 50916; 14 CFR 413.9(d).

In some cases, licenses contain specific terms and conditions tailored for a particular licensee. Even so, terms and conditions typically do not contain confidential information, and the FAA will publish these terms and conditions online. The terms may have a useful effect that others may want to be aware of. In the event that the terms and conditions contain confidential information, the licensee can follow the procedures to protect confidential information described above. The FAA will be providing the public with potentially useful information by making this information more readily available through online publication.

Before implementing this new policy, the FAA requests comment from the public, and is providing a period of 30 days for comment.

Issued in Washington, DC, on August 5, 2011.

George C. Nield,

Associate Administrator for Commercial Space Transportation.

[FR Doc. 2011–21423 Filed 8–22–11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Change in Use of Aeronautical Property at Bowling Green—Warren County Regional Airport, Bowling Green, KY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Request for public comment.

SUMMARY: The Federal Aviation Administration is requesting public comment on request by the Bowling Green—Warren County Airport Board to change a portion of airport property

from aeronautical to non-aeronautical use at the Bowling Green—Warren County Regional Airport, Bowling Green, Kentucky. The request consists approximately of 4.66 acres of fee simple release. This action is taken under the provisions of Section 125 of the Wendell H. Ford Aviation Investment Reform Act for the 21st Century (AIR 21).

DATES: Comments must be received on or before September 22, 2011.

ADDRESSES: Documents are available for review at the Bowling Green—Warren County Regional Airport, 1000 Woodhurst Dr., Bowling Green, KY 42103 and the FAA Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, TN 38118. Written comments on the Sponsor's request must be delivered or mailed to: Mr. Phillip J. Braden, Manager, Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, TN 38118.

In addition, a copy of any comments submitted to the FAA must be mailed or delivered to Mr. Rob Barnett, Airport Manager, Bowling Green—Warren County Regional Airport, 1000 Woodhurst Dr., Bowling Green, KY 42103.

FOR FURTHER INFORMATION CONTACT: Mr. Tommy L. Dupree, Team Lead/Civil Engineer, Federal Aviation Administration, Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, TN 38118. The application may be reviewed in person at this same location, by appointment.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the request to release property at the Bowling Green—Warren County Regional Airport, 1000 Woodhurst Dr., Bowling Green, KY 42103. Under the provisions of AIR 21 (49 U.S.C. 47107(h)(2)).

On August 11, 2011, the FAA determined that the request to release property at Bowling Green—Warren County Regional Airport meets the procedural requirements of the Federal Aviation Administration. The FAA may approve the request, in whole or in part, no later than *September 22, 2011*.

The following is a brief overview of the request:

The Bowling Green—Warren County Airport Authority is proposing the release of approximately 4.66 acres located at the northwest corner of Airway Court and Searcy Way and along the west side of Airway Court; and as contained in Parcels 052A-03-021 and 052A-03-037. The property address is

listed as 2325 Airway Court, Bowling Green, KY 42103. This release is for the sale of said property to KYCORE, LLC for commercial development.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

Issued in Memphis, TN, on August 11, 2011.

Phillip J. Braden,

Manager, Memphis Airports District Office, Southern Region.

[FR Doc. 2011-21426 Filed 8-22-11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Underwater Locating Devices (Acoustic) (Self-Powered)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of the planned revocation of the Technical Standard Order (TSO) authorizations (TSOA) for TSO-C121 and C121a, Underwater Locating Devices (ULD), and request for public comment.

SUMMARY: This notice announces the planned revocation of all Technical Standard Order authorizations (TSOA) issued for the production of Underwater Locating Devices (Acoustic) (Self-Powered) manufactured to the TSO-C121 and TSO-C121a specifications. These actions are necessary because the planned issuance of TSO-C121b, Underwater Locating Devices (Acoustic) (Self-Powered), with a minimum performance standard (MPS) that will increase the minimum operating life of Underwater Locating Devices from 30 days to 90 days.

DATES: Comments must be received on or before November 21, 2011.

FOR FURTHER INFORMATION CONTACT: Mr. Gregory Borsari, AIR-130, Federal Aviation Administration, 470 L'Enfant Plaza, Suite 4102, Washington, DC 20024. Telephone (202) 385-4578, fax (202) 385-4651, e-mail to: gregory.borsari@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

You are invited to comment on the revocation of the TSOAs granted for TSO-C121 and C121a, by submitting written data, views, or arguments to the above address. Comments received may be examined, both before and after the closing date, at the above address, weekdays except federal holidays, between 8:30 a.m. and 4:30 p.m. The

Director, Aircraft Certification Service, will consider all comments received on or before the closing date.

Background

On May 31, 2009, an Airbus A330-203 operated by Air France as flight number 447 (AF 447), bound for the Charles de Gaulle Airport, Paris, France, crashed into the Atlantic Ocean 2 hours and 10 minutes after taking off from Rio de Janeiro's, Galeão Airport. Search and rescue operations were conducted by the French and Brazilian authorities but the flight data recorder and cockpit voice recorder were not recovered until April 2011 during a fourth search and recovery effort.

The Bureau d'Enquêtes et d'Analyses pour la Sécurité de L'aviation Civile (BEA), which is the authority responsible for the investigation of the AF 447 accident, released a second interim report, dated December 17, 2009. The report includes safety recommendations to the European Aviation Safety Agency (EASA) and the International Civil Aviation Organization (ICAO), one of which is to "extend as rapidly as possible to 90 days the regulatory transmission time for underwater locator beacons installed on flight recorders on airplanes performing public transport flights over maritime areas." The FAA agrees with the BEA's recommendation, and via a letter dated January 28, 2010, requested that SAE International form an industry working group to revise the minimum performance standard (MPS), AS8045, Underwater Locating Devices (Acoustic) (Self-Powered), to increase the minimum operating life of Underwater Locating Devices (Acoustic) (Self-Powered), from 30 days to 90 days. SAE International published AS8045A, dated August 3, 2011. The FAA will revise TSO-C121a to invoke the new SAE standard. When TSO-C121b is published the FAA will withdraw TSO-C121 and TSO-C121a authorizations no later than March 1, 2014. All Underwater Locating Devices (Acoustic) (Self-Powered) equipment manufacturers seeking TSO authorization will need to obtain authorization to manufacture in accordance with TSO-C121b.

Issued in Washington, DC, on August 18, 2011.

Susan J.M. Cabler,

Assistant Manager, Aircraft Engineering Division, Aircraft Certification Service.

[FR Doc. 2011-21536 Filed 8-22-11; 8:45 am]

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