

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration**

[Policy Statement No. ANM-01-03]

Factors To Consider When Reviewing an Applicant's Proposed Human Factors Methods of Compliance for Flight Deck Certification**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of final policy; correction.

SUMMARY: The Federal Aviation Administration (FAA) announces a correction to a final policy memorandum that clarifies current FAA policy with respect to compliance with human factors-related regulations during certification projects on transport category airplanes.

DATE: This final policy was issued by the Transport Airplane Directorate on February 7, 2003.

FOR FURTHER INFORMATION CONTACT: Steve Boyd, Federal Aviation Administration, Transport Airplane Directorate, Transport Standards Staff, Airplane & Flightcrew Interface Branch, ANM-111, 1601 Lind Avenue SW., Renton, WA 98055-4056; telephone (425) 227-1138; fax (425) 227-1320; e-mail: 9-ANM-111-human-factors@faa.gov.

SUPPLEMENTARY INFORMATION:**Background**

On February 7, 2003, the FAA issued policy memorandum number ANM-01-03 on the subject of guidance with respect to the recommended content of a Human Factors Certification Plan. After issuance and publication of the notice of final policy, an inadvertent error in the memo was brought to our attention. The error occurs in the "Effect of Policy" paragraph, second sentence. This sentence is corrected to read: "The general policy stated in this document does *not* constitute a new regulation or create what the courts refer to as a 'binding norm.'" The error has been corrected and the revised memorandum, ANM-01-03(A) is available on the Internet at the following address: <http://www.airweb.faa.gov/rgl>.

If you do not have access to the Internet, you can obtain a copy of the policy by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

Issued in Renton, Washington, on July 14, 2003.

Kalene C. Yanamura,*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 03-18920 Filed 7-24-03; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Environmental Impact Statement, Riverside County, CA****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of withdrawal.

SUMMARY: The FHWA is issuing this notice to advise the public that the Notice of Intent to prepare an Environmental Impact Statement (EIS) for the proposed Bridge replacement, River Road Bridge, Riverside County, California will be withdrawn; and an Environmental Assessment (EA) in lieu of an EIS is being prepared for this proposed highway project.

FOR FURTHER INFORMATION CONTACT: Cesar Perez, Project Development and Environment Unit, Federal Highway Administration, California Division, 980 Ninth Street, Suite 400, Sacramento, California 95814-2724, Telephone: (916) 498-5020.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the California Department of Transportation (Caltrans), conducted studies of the potential environmental impacts associated with the proposed highway project to replace River Road Bridge, in Riverside County, California. During the course of conducting these studies and coordinating with regulatory and resource agencies, it was found that many of the potential environmental issues that led to issuing the Notice of Intent were not significant. In addition, changes to avoid or minimize potential impacts identified in early scoping have been made to the designs. One significant change in minimizing impacts is to replace the existing bridge with a significantly shorter bridge than originally planned (800 ft vs. 3000 ft), as well as utilizing stage construction in lieu of a full detour. The FHWA has determined that the proposed project is not likely to result in significant impacts to the environment; that an EA would be an appropriate environmental document for the project; and that the Notice of Intent, available on the **Federal Register** should be withdrawn.

The EA will be available for public inspection prior to the public meeting.

Comments or questions concerning this proposed action and the determination that an EA is the proper environmental document should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program 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: July 21, 2003.

Cesar Perez,*Team Leader, Project Development and Environment—South Sacramento, California.*

[FR Doc. 03-18953 Filed 7-24-03; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION**Federal Transit Administration****Notice of Granted Buy America Waiver****AGENCY:** Federal Transit Administration (FTA), DOT.**ACTION:** Notice of granted Buy America waiver.

SUMMARY: This waiver allows ticket vending machine manufacturers to install the Cash Code bill-handling unit and count it as domestic for purposes of Buy America compliance. It is predicated on the non-availability of the item domestically and was granted on June 11, 2003, for the period of two years. This notice shall insure that the public is aware of this waiver.

FOR FURTHER INFORMATION CONTACT: Meghan G. Ludtke, FTA Office of Chief Counsel, Room 9316, (202) 366-1936 (telephone) or (202) 366-3809 (fax).

SUPPLEMENTARY INFORMATION: See waiver below.

Issued: July 22, 2003.

Jennifer L. Dorn,
Administrator.

June 11, 2003.

Mr. Val Levitan,
*Senior V.P. Sales & Marketing, Cash Code,
553 Basaltic Road, Concord, Ontario
Canada L4K 4W8*

Dear Mr. Levitan: This letter responds to your correspondence of May 8, 2003, in which you request a non-availability waiver of the Buy America requirements for certain bill-handling units manufactured for use in ticket vending machines. These bill-handling units accept, validate, and mechanically escrow banknotes of various denominations until a transaction is complete. For the reasons below, I have determined that a waiver is appropriate here.

The Federal Transit Administration's (FTA) requirements concerning domestic preference for federally funded transit projects are set forth in 49 U.S.C. 5323(j).

However, section 5323(j)(2)(B) states that those requirements shall not apply if the item or items being procured are not produced in the U.S. in sufficient and reasonably available quantities and of a satisfactory quality. The implementing regulation also provides that a waiver may be requested "for a specific item or material that is used in the production of a manufactured product." 49 CFR 661.7(g). The regulations allow a bidder or supplier to request a waiver only if it is being sought under this section. See, 49 CFR 661.7(g) and 49 CFR 661.9(d).

You state that there are no U.S. manufacturers of this component with a functionally equivalent product. This assertion is supported by GFI Genfare, a ticket vending machine manufacturer and potential end user of this component. GFI Genfare conducted a market survey, the results of which affirmed that there is no U.S. manufacturer of an equivalent bill-handling unit. FTA also posted a request for comments on this matter on our website and received no comments. FTA has granted similar waivers to other bill-handling unit manufacturers, Mars Electronics and Toyocom, U.S.A., also based on the non-availability of a U.S. alternative.

Based on the above-referenced information, I have determined that the grounds for a "non-availability" waiver exist. Therefore, pursuant to the provisions of 49 U.S.C. 5323(j)(2)(B), a waiver is hereby granted for manufacture of the BB-5001/2/3/4 bill-handling unit for a period of two years. In order to insure that the public is aware of this waiver it will be published in the **Federal Register**. If you have any questions, please contact Meghan Ludtke at (202) 366-1936.

Very truly yours,
Gregory B. McBride,
Deputy Chief Counsel.

[FR Doc. 03-19012 Filed 7-24-03; 8:45 am]

BILLING CODE 4910-57-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 01-9362; Notice 3]

Saleen, Inc.; Receipt of Application for Extension of Temporary Exemption From Federal Motor Vehicle Safety Standard No. 208

Saleen, Inc., of Irvine, California, has applied for an extension of its temporary exemption from the automatic restraint requirements of Federal Motor Vehicle Safety Standard No. 208 *Occupant Crash Protection*. The basis of the request is that compliance would cause substantial economic hardship to a manufacturer that has tried to comply with the standard in good faith. 49 U.S.C. 30113(b)(3)(B)(i).

We are publishing this notice of receipt of an application in accordance with the requirements of 49 U.S.C. 30113(b)(2). This action does not

represent any judgment of the agency on the merits of the application.

In June 2001, NHTSA granted Saleen a two-year hardship exemption from S4.1.5.3 of Standard No. 108 (66 FR 33298), expiring July 1, 2003. The reader is referred to that notice for background information on the company in support of its original petition. Because Saleen's application for renewal was received more than 60 days before the expiration of the extension, the exemption will remain in effect until the Administrator has made a decision on its request (49 CFR 555.8(e)).

Saleen's temporary exemption covers its model S7. It had anticipated shipping its initial production of cars in July 2001. However, it was not able to do so until March 2003, when it received Certificates of Conformity for the 2003 model year from the Environmental Protection Agency and the California Air Resources Board. Between then and June 11, 2003, it sold and shipped eight S7s. It hopes to be able to ship a total of 36 S7s by the end of the year. Saleen's other line of business is the alteration of Ford Mustangs. However, the company has "sustained a major slowdown" in sales of these vehicles which it attributes "to the downturn in the U.S. economy." The company has produced only 79 Saleen Mustangs as of June 11, 2003, compared with 327 in the comparable period in 2002. Its cumulative net losses in the three years preceding its original petition were \$9,716,334; this has been only slightly ameliorated in the most current three-year period, to a cumulative net loss of \$8,832,999.

Saleen had originally assumed that it needed 20 months and \$3,000,000 for the development of air bags, but in the absence of sales, did not generate these funds. According to its petition, "development delays almost completely exhausted all of our economic resources necessary to stay in business, let alone the development of air bags." One of the economic consequences is the shrinking of its payroll from 122 employees to 96. The company has asked for a three-year extension of its original two-year exemption in order to generate funds that would allow it to comply with the Advanced Air Bag requirements, S14 of Standard No. 208, which were issued during the period of its exemption. According to its projection of sales, it believes that it will be financially able to begin development of advanced air bags by July 2004. It anticipates that the project will take 24 months and \$3,800,000, and that it will be able to comply with S5.1.1(b)(1) on September 1, 2006.

If the petition is denied, the company would have to cease the production and sale of the S7, and estimates that its earnings before taxes would fall to \$7,000.

The company argued that a temporary exemption is in the public interest because the S7 "is a unique supercar designed and produced in the United States utilizing many U.S. sourced components." An exemption would also allow it to maintain its payroll of 96 full time employees and to continue its purchase of U.S.-sourced components for the Mustangs that it modifies. Its business "with U.S. suppliers indirectly provides employment for several hundred other Americans." An exemption would be consistent with vehicle safety objectives because the S7 otherwise will conform to all applicable Federal motor vehicle safety standards.

Interested persons are invited to submit comments on the application described above. Comments should refer to the docket number and the notice number, and be submitted to: Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. The Docket Room is open from 10 a.m. until 5 p.m. To the extent possible, comments filed after the closing date will also be considered.

Notice of final action on the application will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: August 25, 2003.

(49 U.S.C. 30113; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: July 17, 2003.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

[FR Doc. 03-18915 Filed 7-24-03; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34380]

Union Pacific Railroad Company—Temporary Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company

The Burlington Northern and Santa Fe Railway Company (BNSF) has agreed to