

*Description of Relief Sought/*  
*Disposition:* To permit Aviation Services Group, Inc., to operate certain aircraft under part 135 without a TSO-C112 (Mode S) transponder installed on those aircraft. *Grant, 3/16/04, Exemption No. 7807A.*

*Docket No.:* FAA-2004-17018.  
*Petitioner:* Clifford S. Kamm d.b.a. SeaWind Aviation.

*Section of 14 CFR Affected:* 14 CFR 135.203(a)(1).

*Description of Relief Sought/*  
*Disposition:* To permit Clifford S. Kamm d.b.a. SeaWind Aviation to conduct operations under visual flight rules outside controlled airspace, over water, at an altitude below 500 feet above the surface, subject to certain conditions and limitations. *Grant, 3/16/04, Exemption No. 8274.*

*Docket No.:* FAA-2003-15584.  
*Petitioner:* Pacific Coast Air Museum Flight Foundation.

*Section of 14 CFR Affected:* 14 CFR 91.315, 91.319(a), 119.5(g), and 119.21(a)

*Description of Relief Sought/*  
*Disposition:* To permit Pacific Coast Air Museum Flight Foundation to operate its North American B-25 Mitchell and Douglas A-26 Invader for the purpose of carrying passengers for compensation or hire, subject to certain conditions and limitations. *Grant, 3/16/04, Exemption No. 8273.*

*Docket No.:* FAA-2004-17338.  
*Petitioner:* Experimental Aircraft Association, Inc., and EAA Aviation Foundation, Inc.

*Section of 14 CFR Affected:* 14 CFR 119.5(g), 119.21(a), 135.251, 135.255, and appendixes I and J to part 121.

*Description of Relief Sought/*  
*Disposition:* To permit the Experimental Aircraft Association, Inc., and EAA Aviation Foundation, Inc., to operate its Douglas DC-3, Ford Tri-Motor, and various single-engine aircraft for the purpose of carrying passengers for compensation or hire. *Denial, 3/16/04, Exemption No. 8272.*

*Docket No.:* FAA-2003-14731.  
*Petitioner:* Planes of Fame Air Museum.

*Section of 14 CFR Affected:* 14 CFR 91.315, 91.319(a), 119.5(g), and 119.21(a).

*Description of Relief Sought/*  
*Disposition:* To permit the Planes of Fame Air Museum to operate its former military North American B-25 and Douglas SDB-5 airplanes, for the purpose of exhibition, to be used for the carriage of passengers on local educational flights for compensation or hire. *Grant, 3/16/04, Exemption No. 8271.*

*Docket No.:* FAA-2004-17267.  
*Petitioner:* Spirit Aviation, Inc.  
*Section of 14 CFR Affected:* 14 CFR 135.299(a).

*Description of Relief Sought/*  
*Disposition:* To permit Spirit Aviation, Inc., pilots to accomplish a line operational evaluation in a Level C or Level D flight simulator in lieu of a line check in an aircraft. *Denial, 3/11/04, Exemption No. 8275.*

*Docket No.:* FAA-2004-17268.  
*Petitioner:* Windham Aviation, Inc.  
*Section of 14 CFR Affected:* 14 CFR 135.299(a).

*Description of Relief Sought/*  
*Disposition:* To permit Windham Aviation, Inc., pilots to accomplish a line operational evaluation in a Level C or Level D flight simulator in lieu of a line check in an aircraft. *Denial, 3/10/04, Exemption No. 8276.*

*Docket No.:* FAA-2001-10441.  
*Petitioner:* Taylor Aviation, Inc.  
*Section of 14 CFR Affected:* 14 CFR 135.143(c)(2).

*Description of Relief Sought/*  
*Disposition:* To permit Taylor Aviation, Inc., to operate certain aircraft under part 135 without a TSO-C112 (Mode S) transponder installed on those aircraft. *Grant, 3/22/04, Exemption No. 8277.*

*Docket No.:* FAA-2002-11559.  
*Petitioner:* Brim Equipment Leasing, Inc., d.b.a. Brim Aviation.  
*Section of 14 CFR Affected:* 14 CFR 135.143(c)(2).

*Description of Relief Sought/*  
*Disposition:* To permit Brim Equipment Leasing, Inc., d.b.a. Brim Aviation to operate certain aircraft under part 135 without a TSO-C112 (Mode S) transponder installed on those aircraft. *Grant, 3/22/04, Exemption No. 7176B.*

*Docket No.:* FAA-2001-10814.  
*Petitioner:* Eagle Canyon Airlines, Inc., d.b.a. Scenic Airlines.  
*Section of 14 CFR Affected:* 14 CFR 135.143(c)(2).

*Description of Relief Sought/*  
*Disposition:* To permit Eagle Canyon Airlines, Inc., d.b.a. Scenic Airlines to operate certain aircraft under part 135 without a TSO-C112 (Mode S) transponder installed on those aircraft. *Grant, 3/22/04, Exemption No. 7147B.* [FR Doc. 04-7114 Filed 3-30-04; 8:45 am]

**BILLING CODE 4910-13-P**

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.

#### **Almanor Railroad (AL)**

(Waiver Petition Docket Number FRA-2004-17030)

The Almanor Railroad has petitioned for a permanent waiver of compliance for one (1) locomotive, specifically Locomotive #165, from the requirements of Safety Glazing Standards, 49 CFR 223.11. Section 223.11 states, "(a) Locomotives, other than yard locomotives built or rebuilt prior to July 1, 1980 which are equipped in the forward and rearward end facing glazing locations of the locomotive cab windshield with a glazing material that meets the criteria for either portion of the impact testing required for a Type I test under the provisions of appendix A of this part, will not require the installation of certified glazing in the windshield location except to replace windshield glazing material that is broken or damaged. (b) Locomotives other than yard locomotives built or rebuilt prior to July 1, 1980 which are equipped in all locomotive cab side facing glazing locations with a glazing material that meets the criteria for either portion of the impact testing required for a Type II test under the provisions of appendix A of this part, will not require the installation of certified glazing in the side facing glazing location except to replace side facing glazing material that is broken or damaged.

The locomotive was purchased from the Lions Club in Spokane, Washington, as POVA 103, 70-Ton GE manufactured in 1956; it is now AL Locomotive #165. The Lions Club maintained a FRA waiver for safety glazing on this locomotive prior to the AL purchasing the locomotive.

The AL Railroad operates in a private yard and over 13 miles of private track to the main line junction in Plumas County.

The AL has also recently taken Locomotive #166 out of commission. This locomotive also had an FRA waiver for safety glazing in place during its tenure.

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

## **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

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 (*e.g.*, Waiver Petition Docket Number 2004-17030) and must be submitted to the Docket Clerk, DOT 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 22, 1000 (Volume 65, Number 70; Pages 19477-78). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington DC on March 25, 2004.

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

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

[FR Doc. 04-7120 Filed 3-30-04; 8:45 am]

**BILLING CODE 4910-06-M**

## 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.

#### Dubois County Railroad (DCR)

(Waiver Petition Docket Number FRA-2004-16890)

The Dubois County Railroad has petitioned for a permanent waiver of compliance for one (1) locomotive, specifically DCRR 78, from the requirements of Safety Glazing Standards, 49 CFR 223.11. Section 223.11 states, (a) Locomotives, other than yard locomotives, built or rebuilt prior to July 1, 1980, which are equipped in the forward and rearward end facing glazing locations of the locomotive cab windshield with a glazing material that meets the criteria for either portion of the impact testing required for a Type I test under the provisions of appendix A of this part, will not require the installation of certified glazing in the windshield location except to replace windshield glazing material that is broken or damaged. (b) Locomotives, other than yard locomotives built or rebuilt prior to July 1, 1980 which are equipped in all locomotive cab side facing glazing locations with a glazing material that meets the criteria for either portion of the impact testing required for a Type II test under the provisions of appendix A of this part, will not require the installation of certified glazing in the side facing glazing location except to replace side facing glazing material that is broken or damaged.

The locomotive, an ALCO S-2 1,000 HP switcher manufactured in 1950, presently has safety glass in good condition, but operating without FRA approved safety glazing.

The DCR operates over 16 miles of railroad in a rural area between Huntingburg, IN and Dubois, IN, under yard limit rules for the entire 16 miles of the operation. Maximum operating speed is 10 miles per hour. The DCRR has experienced no problems with vandalism. Presently, the DCRR maintains an FRA waiver for safety glazing on locomotive DCRR 101.

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 (*e.g.*, Waiver Petition Docket Number 2004-16890) and must be submitted to the Docket

Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 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 March 25, 2004.

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

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

[FR Doc. 04-7119 Filed 3-30-04; 8:45 am]

**BILLING CODE 4910-06-M**

## 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.

#### Nebraska Railroad Museum (NRRM)

(Waiver Petition Docket Number FRA-2004-17098)

The Nebraska Railroad Museum (NRRM) seeks a waiver of compliance from certain provisions of the Safety Glazing Standards, 49 CFR part 223, which requires certified glazing in all windows. The NRRM operates 1-3 trains per week over 9.5 miles of track