

and operational judgment that must form the basis of any compliance findings relative to paragraph §§ 25.1353(a) and 25.1353(c)(6). These paragraphs concern electrical equipment, nickel cadmium battery installations, and nickel cadmium battery storage.

### Harmonization of Standards and Guidance

The AC is based on recommendations submitted to the FAA by the Aviation Rulemaking Advisory Committee (ARAC). The FAA tasked ARAC (63 FR 50954, September 23, 1998) to provide advice and recommendations on "harmonizing" certain sections of part 25 with the counterpart standards contained in Joint Aviation Requirements (JAR) 25. The goal of "harmonization tasks," such as this, is to ensure that:

- Where possible, standards and guidance do not require domestic and foreign parties to manufacture or operate to different standards for each country involved; and
- The standards and guidance adopted are mutually acceptable to the FAA and the foreign aviation authorities.

The guidance contained in the AC has been harmonized with that of the JAA, and provides a method of compliance that has been found acceptable to both the FAA and JAA.

Issued in Renton, Washington, on March 25, 2004.

**Kalene C. Yanamura,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Public Notice for a Change in Use of Aeronautical Property at Martin County Airport/Witham Field in Stuart, FL

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

**ACTION:** Request for public comment.

**SUMMARY:** The Federal Aviation Administration is requesting public comment on the Martin County Board of County Commissioners (Sponsor) request to change approximately 30 acres of airport property from aeronautical use to non-aeronautical use.

The property is located on the west side of the airport and is bordered by Monterey Road to the North, Taxiway D

to the East, Runway 7-25 to the south, and Runway 12-30 to the West. The property is currently designated as future aeronautical use on the currently approved Airport Layout Plan. The Sponsor proposes changing the land-use to non-aeronautical/commercial development for the purposes of generating revenue to cover operational and capital expenses of the airport. The property would remain airport property under the ownership of the sponsor.

Documents reflecting the sponsor's request are available, by appointment only, for inspection at the Airport Manager's office and the FAA Airports District Office.

**DATES:** Comments must be received on or before May 13, 2004.

**ADDRESSES:** Documents are available for review at the Airport Manager's office, Martin County Airport/Witham Field, 1805 SE Airport Road, Stuart, FL 34996 and the FAA Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, FL 32822. Written comments on the sponsor's request must be delivered or mailed to: Matthew J. Thys, Assistant Manager, Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, FL 32822-5024.

**FOR FURTHER INFORMATION CONTACT:** Matthew J. Thys, Assistant Manager, Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, FL 32822-5024.

**SUPPLEMENTARY INFORMATION:** Section 125 of The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21) requires the FAA to provide an opportunity for public notice and comment prior to the "waiver" or "modification" of a sponsor's Federal obligation to use certain airport land for non-aeronautical purposes.

The property is located on the west side of the airport and is bordered by Monterey Road to the North, Taxiway D to the East, Runway 7-25 to the South, and Runway 12-30 to the West.

The property was owned by Martin County and leased to the Federal Government on May 27, 1943. The Federal Government transferred the property back to the Martin County Board of County Commissioners through a Surplus Property Agreement under Regulation 16-War Asset Administration, dated July 1, 1949.

The property is currently designated as future aeronautical use on the currently approved Airport Layout Plan. The Sponsor proposes changing the land-use to non-aeronautical/commercial development for the purposes of generating revenue to cover operational and capital expenses of the

airport. The property is currently vacant. The property would remain airport property under the ownership of the sponsor and leased for the purposes of revenue generation.

**Matthew J. Thys,**

*Acting Manager, Orlando Airports District Office, Southern Region.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Commercial Space Transportation; Waiver of Public Notice Requirement for Suborbital Rocket Launch

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

**ACTION:** Notice of waiver.

**SUMMARY:** The FAA has determined to waive the public notice requirement of 14 CFR part 431 for Reusable Launch Vehicle (RLV) missions to be conducted by Scaled Composites, LLC, under License No. LRLS 04-067, issued by the FAA on April 1, 2004. The FAA finds that waiving the public notice requirement is in the public interest and will not jeopardize public health and safety, safety of property, and national security and foreign policy interests of the United States.

**FOR FURTHER INFORMATION CONTACT:** George Nield, Deputy Associate Administrator for Commercial Space Transportation and Acting Manager, Licensing and Safety Division, Office of the Associate Administrator for Commercial Space Transportation, Federal Aviation Administration, U.S. Department of Transportation, 800 Independence Avenue SW., Washington, DC 20591, (202) 267-9222.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Federal Aviation Administration (FAA) licenses the launch of a launch vehicle, reentry of a reentry vehicle and the operation of a launch or reentry site under authority granted to the Secretary of Transportation in the Commercial Space Launch Act of 1984, as amended (CSLA), codified in 49 U.S.C. Subtitle IX, chapter 701, and delegated to the FAA Administrator. Licensing authority under the CSLA is carried out by the Associate Administrator for Commercial Space Transportation.

The CSLA allows the FAA to waive a requirement for an individual license applicant if the Administrator decides that the waiver is in the public interest and will not jeopardize public health