

and safety, safety of property, and national security and foreign policy interests of the United States. 49 U.S.C. 70105(b)(3).

On April 1st, the FAA issued the first commercial Reusable Launch Vehicle (RLV) mission license authorizing Scaled Composites, LLC, to conduct manned suborbital RLV missions. The license, issued in accordance with licensing requirements under 14 CFR part 431, is valid for up to one year or until the authorized missions are completed, whichever occurs first.

Scaled Composites, LLC (Scaled Composites) plans to conduct piloted RLV missions using its SpaceShipOne vehicle, an RLV that is operated at all times under an Experimental Airworthiness Certificate (EAC). SpaceShipOne is an air-launched, winged, hybrid rocket-powered, horizontal landing vehicle that is a suborbital rocket as defined by the FAA. See **Federal Register Notice**, 68 FR 59977–59980, issued October 20, 2003, as corrected. It is carried aloft using a carrier aircraft, known as the White Knight. The White Knight is operated under an EAC. At the designated altitude, the SpaceShipOne is released from the White Knight, and after a brief glide for vehicle separation, the pilot ignites its rocket motor. Licensed activity commences upon rocket motor ignition.

Scaled Composites plans to conduct flight activities commencing upon take-off of the White Knight carrier aircraft from Mojave Airport, East Kern Airport District (EKAD). Licensed launch activity will commence, under the terms and conditions of the RLV mission license, in R–2515 airspace within the shared use areas of the R–2508 complex around and above Edwards Air Force Base, and will conclude, for nominal flight, upon landing at Mojave Airport.

As specified in the license, rocket-powered ballistic flight will occur over unpopulated area east of Mojave Airport. Ballistic flight resembles a parabolic arc with steep ascent, followed by a coast period during which weightlessness occurs, and then atmospheric entry. Following atmospheric entry, SpaceShipOne will circle down in a glide phase containment area, defined in the license, and must avoid identified population centers. In a nominal situation, the SpaceShipOne operates as a glider after its ballistic flight profile is concluded, having used up its fuel supply. It will fly back to Mojave Airport, where it will land on the designated Mojave Airport runway.

Under 14 CFR part 431, a licensee is required to maintain an emergency

response plan that contains procedures for informing the affected public of a planned RLV mission. 14 CFR 431.45(a). The FAA has determined to waive the public notice requirement for SpaceShipOne flights, relieving Scaled Composites of the requirement to issue local notice of planned launch events. While risk to public safety from SpaceShipOne launches is within allowable limits under 14 CFR part 431, and is expected to be highly remote, the FAA is concerned that public notice may have the unintended effect of drawing spectators to the launch area thereby increasing risk to public safety and the safety of property. Accordingly, the FAA has determined that waiver of the public notice requirement is in the public interest.

Waiving the public notice requirement will not jeopardize public health and safety or the safety of property, and is consistent with U.S. national interests. Public notice is intended to alert the public in the vicinity of an RLV mission that a launch event will be occurring that includes ascent and descent flight. Without notice, the public may be alarmed at the sight of a launch vehicle and believe it to be unauthorized activity. Concerned persons may wish to seek shelter. However, for SpaceShipOne launches, the FAA has determined that because the most hazardous operations will occur in remote, unpopulated area, there should be little opportunity for the public to be alarmed at the sight of the vehicle. During glide flight, when the vehicle will briefly pass over populated area, the vehicle will be in a safe, non-explosive configuration and should not pose unusual risk to the local population. Moreover, Scaled Composites has conducted limited test flights using the SpaceShipOne vehicle, up to 15-second rocket motor burn-time, and has performed return glide flight to Mojave Airport. On all occasions, return glide flight of the SpaceShipOne vehicle to Mojave Airport has been uneventful from a public safety perspective and has not been hazardous to public health and safety or the safety of property.

In accordance with RLV mission licensing requirements under 14 CFR part 431, proposed SpaceShipOne launch missions have undergone an interagency policy review. The review identified no concerns relating to national security or foreign policy considerations. The FAA has determined that waiving the public notice requirement will not jeopardize U.S. national security or foreign policy.

For the foregoing reasons, the FAA has waived the public notice requirement with respect to the conduct

by Scaled Composites of RLV missions authorized by License No. LRLS 04–067.

Issued in Washington DC, on April 8, 2004.

**Patricia Grace Smith,**

*Associate Administrator for Commercial Space Transportation.*

[FR Doc. 04–8308 Filed 4–12–04; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Notice of Public Hearing and Availability of a Draft Environmental Assessment (EA) for Installation of Category II/III Approaches at O'Hare International Airport at Chicago, IL**

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

**ACTION:** Notice to hold a public hearing and of availability of a draft Environmental Assessment for Installation of Category II/III approaches at Chicago O'Hare International Airport.

**SUMMARY:** The Federal Aviation Administration (FAA) has prepared and is making available the Draft Environmental Assessment (DEA) for the following proposed action at O'Hare International Airport: the upgrade of Runways 27LK and 27R from a category I approach to a Category II/III approach, the installation of an Approach Lighting System with Sequenced Flashing Lights (ALSF–2) system to Runways 27L and 27R, the construction of localizer buildings and associated equipment including removal of the existing buildings, installation of 1,000-gallon underground storage tanks at the localizer buildings, the replacement or potential relocation of the localizer antennae on Runway 27R, the installation of an Inner Marker and Far Field Monitor on Runways 27L and 27R, the removal of existing Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights (MALSR) systems from Runway 27L and 27R, the removal of the Runways 27L and 27R Middle Marker, shelter, and antenna, the replacement of the glide slope antenna and equipment for Runway 27R, the installation of taxiway centerline lights in the apron north of Gates B–17 through B–22, the installation of Runway Guard Lights (RGLs) at connecting taxiways to Runways 27L and 27R, the expansion of lease areas, by the FAA, from the City8 of Chicago on airport property, the development of Category II/III instrument approach procedures for Runways 27L and 27R, and the issuance of National Airspace System (NAS)

Change Proposal (NCP) waivers associated with design and installation of the preceding.

The Draft EA is being prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, FAA Order 1050.1D, "Policies and Procedures for Considering Environmental Impacts," and FAA Order 5050.4A, "Airport Environmental Handbook." The proposed development action is consistent with the National Airspace System Plan prepared by the U.S. Department of Transportation, Federal Aviation Administration (FAA).

A Draft Environmental Assessment will be available for public review 30 days prior to the Public Hearing during normal business hours at the following locations:

Arlington Heights Memorial Library, 500 N. Dunton Ave., Arlington Heights, IL 60004  
 Bensenville Public Library, 200 S. Church Rd., Bensenville, IL 60106  
 Chicago Department of Aviation Office, Terminal 2 E/F Concourse, Mezzanine Level Chicago O'Hare International Airport 60016  
 Des Plaines Public Library, 1501 Ellinwood St., Dews Plaines, IL 60016  
 Eisenhower Public Library, 4652 N. Olcott Ave., Harwood Heights, IL 60706  
 Elk Grove Village Public Library, 1001 Wellington Ave., Elk Grove Village, IL 60007  
 Elmhurst Public Library, 211 Prospect Ave., Elmhurst, IL 60126  
 Franklin Park Public Library, 10311 Grand Ave., Franklin Park, IL 60131  
 Harold Washington Library, 400 South State St., 5th Floor, Chicago, IL 60605  
 Norridge Village Hall, Office of the Village Clerk, 4000 N. Olcott Ave., Norridge, IL 60706  
 Northlake Public Library, 231 N. Wolf Rd., Northlake, IL 60164  
 Oakton Community College Library, Des Plaines, IL 60016  
 Park Ridge Public Library, 20 S. Prospect Ave., Park Ridge, IL 60068  
 Rosemont village Hall, Office of the Village Clerk, 9501 Devon Avenue, Rosemont, IL 60018  
 Schiller Park Public Library, 4200 Old River Rd., Schiller Park, IL 60176  
 Wood Dale Public Library, 520 N. Wood Dale Rd., Wood Dale, IL 60191  
 Northeast Illinois Planning Commission (NIPC), 222 South Riverside Plaza, Suite 1800, Chicago, Illinois 60606  
*Dates, Times and Place:* Oral or written comments may also be given at a Public Hearing that will be held on Tuesday, May 18, 2004, 2 p.m. to 7 p.m. at the Fountain Blue Banquets and Conference Center, 2300 Mannheim Road, Des Plaines, IL 60018.

**ADDRESSES:** Written comments are encouraged from persons or interested parties unable to attend the public hearing or who do not wish to make public statements. Written comments concerning the Draft EA will be accepted until 5 p.m. CST, Tuesdy, June 1, 2004. Written comments may be sent to: Ms. Virginia Marcks, ANI-430, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, IL 60018.

**FOR FURTHER INFORMATION CONTACT:** Ms. Virginia Marcks, Environmental Engineer, ANI-430, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018. Telephone number: 847-294-7494.

**SUPPLEMENTARY INFORMATION:**

**Background**

O'Hare, the world's busiest airport in terms of aircraft operations in 2003, functions as both a gateway for international passengers and as a key component in the domestic network of the national air transportation system. In its domestic role, O'Hare is unique in that it serves as the nation's only dual major airline hub (for both United and American Airlines) and, due to its geographic location, serves as a logical connecting point for significant passenger flows across the United States. However, increasing traffic has resulted in record level delays at O'Hare, particularly during IFR or inclement weather conditions, placing O'Hare last in on-time performance among the 31 busiest U.S. airports. Since the mid-70's, the installation of Category II/III capability has been examined for the potential to benefit arrival and departure capabilities during poor weather conditions. The FAA's Proposed Action will allow existing scheduled operations to occur during IFR weather conditions, thereby reducing cancellations and delays benefiting the entire National Airspace System.

**Meeting Procedures**

(a) Persons wishing to speak at the meeting are asked to limit their comments to five minutes. This could be extended depending on the number of person wishing to speak.

(b) Persons wishing to make oral presentations will be required to identify themselves for the record.

(c) Proceedings of the meeting will be documented and recorded.

(d) Any person who wishes to submit a position paper or other written comments for the record may do so.

(e) The sessions may be adjourned at any time if persons present have had an opportunity to speak.

(f) This meeting is designed for listening carefully to public statements. As such, there will be no rebuttal from persons facilitating the meeting.

Issued in Des Plaines, Illinois April 7, 2004.

**Vincent Bridgeworth,**

*Manager, Chicago NAS Implementation Center, ANI-400, Great Lakes Region.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

[Summary Notice No. PE-2004-25]

**Petitions for Exemption; Dispositions of Petitions Issued**

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

**ACTION:** Notice of dispositions of prior petitions.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains the dispositions of certain petitions previously received. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**FOR FURTHER INFORMATION CONTACT:** John Linsenmeyer, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591. Tel. (202) 267-5174.

This notice is published pursuant to 14 CFR §§ 11.85 and 11.91.

Issued in Washington, DC, on April 8, 2004.

**Donald P. Byrne,**

*Assistant Chief Counsel for Regulations.*

**Dispositions of Petitions**

*Docket No.:* FAA-2004-17072.  
*Petitioner:* Cessna Aircraft Company.  
*Section of 14 CFR Affected:* 14 CFR 25.161(d).

*Description of Relief Sought/Disposition:* To grant relief concerning the engine-out lateral/directional trim requirements for Cessna Model 680 airplanes.

*Grant of Exemption, 03/24/2004, Exemption No. 8280*

[FR Doc. 04-8365 Filed 4-12-04; 8:45 am]

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