

REQUIREMENTS FOR FIRE PROTECTION FEATURES FOR STOWAGE COMPARTMENTS DEPENDING ON INTERIOR VOLUME SIZE

Fire protection features	Applicability of fire protection requirements by interior volume		
	Less than 25 cubic feet	25 Cubic feet to less than 57 cubic feet	57 Cubic feet to 200 cubic feet
Materials of Construction <sup>1</sup> .....	Yes .....	Yes .....	Yes.
Smoke or Fire Detectors <sup>2</sup> .....	No .....	Yes .....	Yes.
Liner <sup>3</sup> .....	No .....	Conditional .....	Yes.
Location Detector <sup>4</sup> .....	No .....	Yes .....	Yes.

<sup>1</sup> *Material*: The material used to construct each enclosed stowage compartment must at least be fire resistant and must meet the flammability standards established for interior components (i.e., 14 CFR Part 25 Appendix F, Parts I, IV, and V) per the requirements of §25.853. For compartments less than 25 ft<sup>3</sup> in interior volume, the design must ensure the ability to contain a fire likely to occur within the compartment under normal use.

<sup>2</sup> *Smoke or Fire Detectors*: Enclosed stowage compartments equal to or exceeding 25 ft<sup>3</sup> in interior volume must be provided with a smoke or fire detection system to ensure that a fire can be detected within a one-minute detection time. Flight tests must be conducted to show compliance with this requirement. Each system (or systems) must provide: (a) A visual indication in the flight deck within one minute after the start of a fire. (b) An aural warning in the OHCR compartment. (c) A warning in the main passenger cabin. This warning must be readily detectable by a flight attendant, taking into consideration the positioning of flight attendants throughout the main passenger compartment during various phases of flight.

<sup>3</sup> *Liner*: If it can be shown that the material used to construct the stowage compartment meets the flammability requirements of a liner for a Class B cargo compartment (i.e., §25.855 at Amendment 25-93, and Appendix F, part I, paragraph (a)(2)(ii)), then no liner would be required for enclosed stowage compartments equal to or greater than 25 ft<sup>3</sup> in interior volume but less than 57 ft<sup>3</sup> in interior volume. For all enclosed stowage compartments equal to or greater than 57 ft<sup>3</sup> in interior volume but less than or equal to 200 ft<sup>3</sup>, a liner must be provided that meets the requirements of §25.855 for a Class B cargo compartment.

<sup>4</sup> *Location Detector*: OHCR compartments that contain enclosed stowage compartments exceeding 25 ft<sup>3</sup> in interior volume and are located away from one central location such as the entry to the OHCR compartment or a common area within the OHCR compartment would require additional fire protection features and/or devices to assist the firefighter in determining the location of a fire.

Issued in Renton, Washington, on April 14, 2004.

Mike Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04-9515 Filed 4-26-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[FAA Docket No. FAA-2003-17383; Airspace Docket No. 04-AWA-01]

RIN 2120-AA66

Correction to Modification of the Houston Class B Airspace Area; TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, correction.

**SUMMARY:** This action corrects a final rule published in the **Federal Register** on September 17, 2003. In that rule, inadvertent errors were made in the legal description of the Houston, TX, Class B airspace area. This action corrects those errors.

**EFFECTIVE DATE:** 0901 UTC, September 30, 2004.

**FOR FURTHER INFORMATION CONTACT:** Steve Rohring, Airspace and Rules, Office of System Operations and Safety, ATO-R, Federal Aviation Administration, 800 Independence

Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

History

On September 17, 2003, the FAA modified the Houston Class B airspace area (FAA Docket No. FAA-2003-14402/Airspace Docket No. 01-AWA-4; 68 FR 54329). That action contained several inadvertent errors in the legal description for the airspace area. Specifically, some areas were not the same as presented in the public meetings or studied by the *ad hoc* committee and were not sufficient to contain turbojet operations within the Houston Class B Airspace Area during the conduct of triple simultaneous operations. Subsequent to the publication of the final rule, the *ad hoc* committee met regarding the erroneous descriptions and agreed to corrections. This action corrects those inadvertent errors.

Corrections to Final Rule

■ Accordingly, pursuant to the authority delegated to me, the legal description for the Houston Class B airspace area, as published in the **Federal Register** on September 17, 2003 (68 FR 54329), and incorporated in 14 CFR 71.1, is corrected as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

§ 71.1 [Corrected]

■ On page 54329, correct the legal description of the Houston Class B Airspace, to read as follows:

Paragraph 3000—Subpart B—Class B Airspace

\* \* \* \* \*

**ASW TX B Houston, TX (Revised)**

George Bush Intercontinental Airport (IAH)(Primary Airport)  
(Lat. 29°59'04" N., long. 95°20'29" W.)  
William P. Hobby Airport (HOU) (Secondary Airport)  
(Lat. 29°38'44" N., long. 95°16'44" W.)  
Ellington Field (EFD)  
(Lat. 29°36'26" N., long. 95°09'32" W.)  
Humble VORTAC (IAH)  
(Lat. 29°57'25" N., long. 95°20'45" W.)  
Point of Origin  
(Lat. 29°39'01" N., long. 95°16'45" W.)

**Boundaries**

*Area A.* That airspace extending upward from the surface to and including 10,000 feet MSL bounded by a line beginning at the intersection of the Humble VORTAC 8-mile DME arc and the 090° radial; thence clockwise along the Humble VORTAC 8-mile DME arc to the Humble VORTAC 069° radial; thence east along the Humble VORTAC 069° radial to the 10-mile DME arc of Humble VORTAC; thence clockwise along the Humble VORTAC 10-mile DME arc to the Humble VORTAC 090° radial; thence west to the point of beginning; and that airspace bounded by a line beginning at lat. 29°45'37" N., long. 95°21'58" W.; to lat. 29°45'46" N., long. 95°11'47" W.; thence clockwise along

the 8-mile arc from the Point of Origin to the 056° bearing from the Point of Origin; thence southwest along the 056° bearing to the 5.1-mile fix from the Point of Origin, thence direct to the Point of Origin 131° bearing/5.8 mile fix from the Point of Origin; thence southeast along the 131° bearing from the Point of Origin to the 7-mile arc from the Point of Origin; thence clockwise on the 7-mile arc to the 156° bearing from the Point of Origin; thence north along the 156° bearing to the 6-mile fix from the Point of Origin; thence clockwise along the 6-mile arc to the 211° bearing from the Point of Origin; thence south along the 211° bearing from the Point of Origin to the 8-mile arc from the Point of Origin; thence clockwise on the 8-mile arc to the point of beginning.

*Area B.* That airspace extending upward from 2,000 feet MSL to and including 10,000 feet MSL bounded by a line beginning at the intersection of State Highway 59 (SH 59) and the 15-mile arc from the Point of Origin; thence counterclockwise along the 15-mile arc to State Road 6 (SR 6); thence southeast along SR 6 to the intersection of SR 6 and Farm Road 521 (FR 521); thence south along FR 521 to the intersection of FR 521 and the 15-mile arc from the Point of Origin; thence counterclockwise along the 15-mile arc to the 211° bearing from the Point of Origin; thence northeast along the 211° bearing to the 10-mile arc from the Point of Origin; thence counterclockwise along the 10-mile arc to the 156° bearing from the Point of Origin; thence southeast along the 156° bearing to the 15-mile arc from the Point of Origin; thence counterclockwise on the 15-mile arc to the intersection of the 15-mile arc and Interstate 10 (I-10); thence east on I-10 to the intersection of I-10 and the Humble VORTAC 20-mile DME arc; thence counterclockwise on the Humble VORTAC 20-mile DME arc to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 060° radial; thence west to the intersection of the Humble VORTAC 15-mile DME arc and Humble VORTAC 048° radial; thence counterclockwise along the Humble VORTAC 15-mile DME arc to the intersection of the Humble VORTAC 15-mile DME arc and the Humble VORTAC 312° radial; thence west to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 300° radial; thence counterclockwise on the Humble VORTAC 20-mile DME arc to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 250° radial; thence east to the intersection of the Humble VORTAC 243° radial and the Humble VORTAC 15-mile DME arc; thence counterclockwise along the Humble VORTAC 15-mile DME arc to lat. 29°43'40" N., long. 95°27'40" W.; thence southwest to and along SH 59 to the point of beginning, excluding Area A.

*Area C.* That airspace extending upward from 3,000 feet MSL to and including 10,000 feet MSL bounded by a line beginning at the intersection of SH 59 and the Humble VORTAC 20-mile DME arc; thence clockwise along the Humble VORTAC 20-mile DME arc to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 250° radial; thence west to the intersection of the Humble VORTAC 30-mile DME arc and

the Humble VORTAC 257° radial; thence clockwise on the Humble VORTAC 30-mile DME arc to the intersection of the Humble VORTAC 30-mile DME arc and the Humble VORTAC 290° radial; thence east to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 300° radial; thence clockwise on the Humble VORTAC 20-mile DME arc to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 060° radial; thence east to the intersection of the Humble VORTAC 30-mile DME arc and the Humble VORTAC 070° radial; thence clockwise on the Humble VORTAC 30-mile DME arc to the intersection of the Humble VORTAC 30-mile DME arc and the Humble VORTAC 103° radial; thence west to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 110° radial; thence counterclockwise on the Humble VORTAC 20-mile DME arc to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 060° radial; thence west to the intersection of the Humble VORTAC 15-mile DME arc and the Humble VORTAC 048° radial; thence counterclockwise on the Humble VORTAC 15-mile DME arc to the intersection of the Humble VORTAC 15-mile DME arc and the Humble VORTAC 312° radial; thence west to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 300° radial; thence counterclockwise on the Humble VORTAC 20-mile DME arc to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 250° radial; thence east to the intersection of the Humble VORTAC 15-mile DME arc and the Humble VORTAC 243° radial; thence counterclockwise along the Humble VORTAC 15-mile DME arc to lat. 29°43'40" N., long. 95°27'40" W.; thence southwest to and along SH 59 to the point of beginning; and that airspace beginning at the intersection of the 15-mile arc and the 211° bearing from the Point of Origin; thence clockwise along the 15-mile arc to the intersection of the 15-mile arc and the 254° bearing from the Point of Origin; thence southwest to the intersection of the 20-mile arc and the 248° bearing from the Point of Origin; thence counterclockwise along the 20-mile arc from the Point of Origin to the intersection of the 20-mile arc and the 211° bearing from the Point of Origin; thence northeast along the 211° bearing from the Point of Origin to the intersection of the 10-mile arc and the 211° bearing from the Point of Origin; thence counterclockwise along the 10-mile arc to the intersection of the 10-mile arc and the 156° bearing from the Point of Origin; thence southeast along the 156° bearing to the 15-mile arc and 156° bearing from the Point of Origin; thence clockwise along the 15-mile arc from the Point of Origin to the point of beginning, excluding Areas A, B, D, and E.

*Area D.* That airspace extending upward from 4,000 feet MSL to and including 10,000 feet MSL bounded by a line beginning at the intersection of SH 59 and the Humble VORTAC 30-mile DME arc; thence clockwise along the Humble VORTAC 30-mile DME arc to the intersection of the Humble VORTAC 30-mile DME arc and the Humble VORTAC 257° radial; thence east to the intersection of

the Humble VORTAC 20-mile DME arc and the Humble VORTAC 250° radial; thence counterclockwise on the Humble VORTAC 20-mile DME arc to the intersection of the Humble VORTAC 20-mile DME arc and SH 59; thence southwest to and along SH 59 to the intersection of the 15-mile arc from the Point of Origin and SH 59; thence counterclockwise on the 15-mile arc from the Point of Origin to the intersection of the 15-mile arc from the Point of Origin and the 254° bearing from the Point of Origin; thence southwest to the intersection of the 20-mile arc from the Point of Origin and the 248° bearing from the Point of Origin; thence clockwise on the 20-mile arc from the Point of Origin to the intersection of the 20-mile arc from the Point of Origin and SH 59; thence southwest along SH 59 to the point of beginning; and that airspace beginning at the intersection of the 211° bearing and the 20-mile arc from the Point of Origin; thence northeast to the intersection of the 15-mile arc from the Point of Origin and the 211° bearing from the Point of Origin; thence counterclockwise on the 15-mile arc from the Point of Origin and I-10; thence east along I-10 to the intersection of the Humble VORTAC 20-mile DME arc and I-10; thence counterclockwise on the Humble VORTAC 20-mile DME arc to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 110° radial; thence east to the intersection of the Humble VORTAC 30-mile DME arc and the Humble VORTAC 103° radial; thence clockwise on the Humble VORTAC 30-mile DME arc until the intersection of the Humble VORTAC 30-mile DME arc and the 20-mile arc from the Point of Origin; thence clockwise on the 20-mile arc from the Point of Origin to the intersection of the 20-mile arc from the Point of Origin and the 248° bearing from the Point of Origin; thence southwest to the intersection of the 25-mile arc from the Point of Origin and the 245° bearing from the Point of Origin; thence counterclockwise on the 25-mile arc from the Point of Origin to the intersection of the 25-mile arc from the Point of Origin and the 211° bearing from the Point of Origin; thence northeast on the 211° bearing from the Point of Origin to the point of beginning; and that airspace beginning at the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 300° radial; thence west to the intersection of the Humble VORTAC 30-mile DME arc and the Humble VORTAC 290° radial; thence clockwise along the Humble VORTAC 30-mile DME arc to the intersection of the Humble VORTAC 30-mile DME arc and the Humble VORTAC 070° radial; thence west to the intersection of the Humble VORTAC 20-mile DME arc and the Humble VORTAC 060° radial; thence counterclockwise along the Humble VORTAC 20-mile DME arc to the point of beginning, excluding Areas B and C.

*Area E.* That airspace extending upward from 2,500 feet MSL to and including 10,000 feet MSL bounded by a line beginning at the intersection of the 15-mile arc from the Point of Origin and State Road 6 (SR 6); thence southeast along SR 6 to the intersection of SR 6 and Farm Road 521 (FR 521); thence south

along FR 521 to the intersection of FR 521 and the 15-mile arc from the Point of Origin; thence clockwise along the 15-mile arc from the Point of Origin to the point of the beginning.

\* \* \* \* \*

Issued in Washington, DC, on April 14, 2004.

**Reginald C. Matthews,**

*Manager, Airspace and Rules.*

[FR Doc. 04-9555 Filed 4-26-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 77

[Docket No. FAA-2004-16982; Notice No. 04-03]

#### Colo Void Clause Coalition; Antenna Systems Co-Location; Voluntary Best Practices

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

**ACTION:** Statement of policy and disposition of comments.

**SUMMARY:** The FAA is revising its policy about the co-location of antenna systems on structures previously studied by the FAA. Under certain circumstances, the FAA will not require a person to file notice for an aeronautical study to add frequencies to an existing structure that has a current and valid No Hazard Determination on file with the FAA. On December 23, 2003, the Colo Void Clause Coalition (CVCC) wrote to Marion C. Blakey, FAA Administrator, and forwarded a Voluntary Best Practices Agreement Regarding the Potential for Electromagnetic Interference Upon FAA Facilities. The FAA finds that it can amend its policy to accommodate certain issues raised by the CVCC's Best Practices Agreement.

**DATES:** This policy is effective April 27, 2004.

**FOR FURTHER INFORMATION CONTACT:**

René J. Balanga, Office of Spectrum Policy and Management, ASR-100, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591, Telephone (202) 267-3819 or (202) 267-8534.

**SUPPLEMENTARY INFORMATION:**

#### Availability of Documents

You can get an electronic copy of this Notice using the Internet by:

(1) Searching the Department of Transportation's electronic Docket Management System (DMS) Web page (<http://dms.dot.gov/search>); or

(2) Visiting the Office of Rulemaking's Web page at <http://www.faa.gov/avr/arm/index.cfm>; or

(3) Accessing the Government Printing Office's Web page at [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html).

You can also get a copy by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-9680. Make sure to identify the Notice number or docket number of this document.

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) or you may visit <http://dms.dot.gov>.

#### Definitions

##### 1. *Colo(cation) Void Clause Coalition (CVCC)*

The CVCC is a coalition of wireless cellular phone and Personal Communication Services (PCS) service providers, tower companies, and trade associations, including the Personal Communications Industry Association (PCIA) and the Cellular Telecommunications and Internet Association (CTIA). According to the CVCC, its members currently own or manage most of the radio towers throughout the United States. Major wireless service providers and tower companies primarily make up the coalition, but other wireless service providers in the cellular phone and PCS industries, as well as tower companies, are represented by the CVCC through membership with PCIA and CTIA.

##### 2. *"Frequency-Only" Notice Requirements*

When the FAA issues a Determination of No Hazard for proposed construction or alteration of an antenna structure, the Determination includes the following condition: "This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, frequency(ies) or use of greater power will void this determination. Any future construction or alteration, including the increase in heights, power, or the addition of other transmitters requires separate notice to the FAA." As a result

of this condition, a proponent seeking to only add frequencies to a previously studied structure for which the FAA has issued a Determination of No Hazard must file notice with the FAA. They must file the notice on FAA Form 7460-1, in accordance with the previously discussed condition.

##### 3. *Electromagnetic Interference (EMI)*

Electromagnetic interference (EMI) is defined as any electromagnetic disturbance that interrupts, obstructs, or otherwise degrades or limits the effective performance of electronics/electrical equipment. It can be induced intentionally, as in some forms of electronic warfare, or unintentionally, as a result of spurious emissions and responses, intermodulation products, and the like. EMI is also referred to as radio frequency interference (RFI).

#### Background

Under title 14 of the Code of Federal Regulations (14 CFR) part 77, the FAA requires notice for certain proposed construction and alteration of structures that may affect the safe and efficient use of the navigable airspace. The FAA studies these proposals and determines whether they would cause harmful EMI. If the proposal would cause harmful EMI, it would constitute a hazard to air navigation. Under title 49 of the United States Code (U.S.C.) sections 40103 and 40113, the FAA may also study proposed antenna systems that may result in interference to air navigation, radio communication, or surveillance facilities or equipment. These studies include the frequencies and the mounting locations of Federal Communications Commission (FCC) regulated transmitters for certain wireless services authorized under 47 CFR parts 1 (Practice and Procedure), 22 (Public Mobile Services), 24 (Personal Communications Services), 90 (Private Land Mobile Radio Services), and 101 (Fixed Microwave Services).

If a person seeks to add frequency(ies) that might involve co-locating antenna systems on an existing structure for which the FAA issued a Determination of No Hazard to Air Navigation, the person must file a notice with the FAA (Frequency-only notice requirement).

Recently, the FAA evaluated submissions from the CVCC about the FAA's EMI evaluation process and procedures under 14 CFR part 77 and FAA Order 7400.2, Procedures for Handling Airspace Matters. In particular, the CVCC voiced concerns about the "requirement" to file notice with the FAA to add frequency-only proposals to the original structure. The CVCC proposed that the FAA grant