

On June 3, 2004, the FAA determined that the application to impose and use a PFC, submitted by the County of Routt, Colorado, was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than September 4, 2004.

The following is a brief overview of the application.

*Level of the proposed PFC:* \$4.50.

*Proposed charge effective date:* November 1, 2004.

*Proposed charge expiration date:* May 1, 2007.

*Total requested for use approval:* \$1,051,507.00.

*Brief description of proposed projects:* Commercial terminal expansion/modification (Phase I), Commercial terminal expansion/modification with associated access road (Phase II and III), commercial apron rehabilitation, security badging upgrade, commercial apron expansion (design).

*Class or classes of air carrier which the public agency has requested not be required to collect PFC's:* None.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Office located at: Federal Aviation Administration, Northwest Mountain Region, Airports Division, ANM-600, 1601 Lind Avenue SW., Suite 315, Renton, WA 98055-4056.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Yampa Valley Regional Airport.

Issued in Renton, Washington, on June 3, 2004.

**David A. Field,**

*Manager, Planning, Programming and Capacity Branch, Northwest Mountain Region.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Waiver Petition Docket Number FRA-2003-16439]

#### Notice of Public Hearing; Canadian Pacific Railway

On December 11, 2003, FRA published a notice in the **Federal Register** announcing Canadian Pacific Railway Company's (CPR) intent to be granted a waiver of compliance from certain provisions of the Railroad

Locomotive Safety Standards, 49 CFR Part 229 on behalf of themselves, their U.S. subsidiaries, the Delaware & Hudson and the Soo Line Railroads, and the New York Air Brake Corporation (NYAB). See 68 FR 69122. Specifically, CPR requested relief from the requirements of 49 CFR 229.27(a)(2) *Annual Tests* and 49 CFR 229.29(a) *Biennial Tests*, in order to evaluate extending the required periodic maintenance time intervals for NYAB generation II Computer Controlled Brake (CCB) equipment.

CPR has proposed evaluating the extended COT&S intervals according to a test plan that NYAB developed for CPR and Transport Canada. The test plan has assigned locomotives into tests groups based on the scheduled periodic maintenance cycles. Candidate locomotives for test tear-downs would only include those units which have not had a prior COT&S and which have had the least amount of air brake maintenance activity since entering service. Approval of this waiver would permit the continued operation of the test locomotives in the United States, as the COT&S time intervals are extended beyond the five-year requirement. It will also add to the industry's knowledge of the reliability of the CCB technology, building on a similar waiver (FRA-1999-6252) which was granted to CSXT on September 1, 2000. It is CPR's intention that FRA would join Transport Canada and NYAB in evaluating the extended COT&S intervals for their CCB equipped locomotives, if this waiver is approved.

As a result of the comments received by FRA concerning this waiver petition, FRA has determined that a public hearing is necessary before a final decision is made on this petition. Accordingly, a public hearing is hereby set for 1 p.m. on July 13, 2004, at the Washington Plaza Hotel, 10 Thomas Circle, NW (at Massachusetts Avenue and 14th Street), Washington, DC 20005. Interested parties are invited to present oral statements at this hearing.

The hearing will be informal and will be conducted in accordance with FRA's Rules of Practice (49 CFR 211.25) by a representative designated by FRA. FRA's representative will make an opening statement outlining the scope of the hearing, as well as any additional procedures for the conduct of the hearing. The hearing will be a non-adversarial proceeding in which all interested parties will be given the opportunity to express their views regarding this waiver petition, without cross-examination. After all initial statements have been completed, those persons wishing to make a brief rebuttal

will be given an opportunity to do so in the same order in which initial statements were made.

Issued in Washington, DC, on June 4, 2004.

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

*Acting Associate Administrator for Safety.*

[FR Doc. 04-13259 Filed 6-10-04; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Waiver Petition Docket Number FRA-2003-16306]

#### Notice of Public Hearing; Union Pacific Railroad Company

On December 11, 2003, FRA published a notice in the **Federal Register** announcing the Union Pacific Railroad Company's (UP) intent to be granted a waiver of compliance from certain provisions of the *Railroad Locomotive Safety Standards*, 49 CFR Part 229. See 68 FR 69123. Specifically, UP requests relief from the requirements of 49 CFR 229.27(a)(2) *Annual Tests* and 49 CFR 229.29(a) *Biennial Tests*, applicable to all existing and future installations of electronic air brake equipment furnished by Wabtec Corporation of Wilmerding, Pennsylvania on UP locomotives.

UP requested that the provisions of § 229.27(a)(2) and § 229.29(a) be temporarily waived to allow them to conduct a long term test program designed to show that Wabtec's electronic air brake technology has sufficiently improved the overall system reliability and safety to a point where it is now possible to move toward a "component repair as required, performance based COT&S criterion," similar in scope to that outlined a previous waiver granted September 1, 2000, to CSX Transportation in Docket FRA-1999-6252.

UP proposes to initiate a test program to extend the Wabtec electronic air brake COT&S based on the following assertions: (1) A reduction of pneumatic devices by substitution of computer-based logic; (2) real time fault detection and control of critical faults to a known fail-safe condition made possible by constant "vigilance" of the controlling computer; (3) development of emergency brake cylinder pressure accomplished conventionally by a back-up pneumatic control valve, as well as electronically under all conditions; (4) demonstrated performance to date of Wabtec "EPIC" brake system under the current waiver FRA 2002-13397 (formally H-92-3); and (5) supporting

test and inspection results documented over the past decade for the "EPIC" equipment as required by the current waiver. As part of this waiver request, UP recommends that a detailed test plan, necessary for properly tracking and documenting the results, be jointly developed between UP, Wabtec Corporation, and FRA. At the completion of the test program, UP further requests that FRA conduct a formal review of the results relative to the objective of moving toward a "performance-based COT&S" criterion.

As a result of the comments received by FRA concerning this waiver petition, FRA has determined that a public hearing is necessary before a final decision is made on this petition. Accordingly, a public hearing is hereby set to begin at 10 a.m. on July 13, 2004, at the Washington Plaza Hotel, 10 Thomas Circle, NW. (at Massachusetts Avenue and 14th Street), Washington, DC 20005. Interested parties are invited to present oral statements at this hearing.

The hearing will be informal and will be conducted in accordance with FRA's Rules of Practice (49 CFR 211.25) by a representative designated by FRA. FRA's representative will make an opening statement outlining the scope of the hearing, as well as any additional procedures for the conduct of the hearing. The hearing will be a non-adversarial proceeding in which all interested parties will be given the opportunity to express their views regarding this waiver petition, without cross-examination. After all initial statements have been completed, those persons wishing to make a brief rebuttal statements will be given an opportunity to do so in the same order in which initial statements were made.

Issued in Washington, DC, on June 4, 2004.

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

*Acting Associate Administrator for Safety.*

[FR Doc. 04-13258 Filed 6-9-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2004-17942]

#### Decision that Certain Nonconforming Motor Vehicles Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Notice of decision by NHTSA that certain nonconforming motor vehicles are eligible for importation.

**SUMMARY:** This document announces decisions by NHTSA that certain motor vehicles not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for importation into and/or sale in the United States and certified by their manufacturers as complying with the safety standards, and they are capable of being readily altered to conform to the standards.

**DATES:** These decisions became effective on the dates specified in Annex A.

**FOR FURTHER INFORMATION CONTACT:** Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

#### SUPPLEMENTARY INFORMATION:

##### Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

NHTSA received petitions from registered importers to decide whether the vehicles listed in Annex A to this notice are eligible for importation into the United States. To afford an opportunity for public comment, NHTSA published notice of these petitions as specified in Annex A. The reader is referred to those notices for a thorough description of the petitions. No substantive comments were received in response to these notices. Based on its review of the information submitted

by the petitioners, NHTSA has decided to grant the petitions.

#### Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. Vehicle eligibility numbers assigned to vehicles admissible under this decision are specified in Annex A.

#### Final Decision

Accordingly, on the basis of the foregoing, NHTSA has decided that each motor vehicle listed in Annex A to this notice, which was not originally manufactured to comply with all applicable Federal motor vehicle safety standards, is substantially similar to a motor vehicle manufactured for importation into and/or sale in the United States, and certified under 49 U.S.C. 30115, as specified in Annex A, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

**Authority:** 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

#### Annex A—Nonconforming Motor Vehicles Decided to be Eligible for Importation

##### 1. Docket No. NHTSA-2003-16629

*Nonconforming Vehicles:* 2000 Ford F150 Pickup Trucks.

Substantially Similar

*U.S.-Certified Vehicles:* 2000 Ford F150 Pickup Trucks.

Notice of Petition

*Published at:* 68 FR 69765 (December 15, 2003).

*Vehicle Eligibility Number:* VSP-425 (effective date January 20, 2004).

##### 2. Docket No. NHTSA-2003-16672

*Nonconforming Vehicles:* 2003 Saab 9.3 Passenger Cars.

Substantially Similar

*U.S.-Certified Vehicles:* 2003 Saab 9.3 Passenger Cars.

Notice of Petition

*Published at:* 68 FR 69766 (December 15, 2003).

*Vehicle Eligibility Number:* VSP-426 (effective date January 22, 2004).