

**ACTION:** Notice extending the public comment period.

**SUMMARY:** This notice announces the time extension we are offering to the public to submit comments on proposed Order 8110.ICA. This time extension is necessary to give all interested persons an opportunity to present their views on the proposed policy.

**DATES:** Comments must be received on or before August 20, 2004.

**ADDRESSES:** Send all comments on the proposed policy to: Michael Reinert, Delegation and Airworthiness Programs Branch, P.O. Box 26460, Oklahoma City, OK 73125. Comments may be faxed to (405) 954-4104 or e-mailed to: [mike.reinert@faa.gov](mailto:mike.reinert@faa.gov).

**FOR FURTHER INFORMATION CONTACT:** Michael Reinert, Aircraft Engineering Division, Airworthiness Programs Branch (AIR-140), P.O. Box 26460, Oklahoma City, OK 73125. Telephone: (405) 954-4815, or FAX: (405) 954-4104.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

You are invited to comment on the proposed Order by submitting such written data, views, or arguments to the address or FAX number listed above. Your comments should identify "Order 8110.ICA." The Associated Administrator for Regulation and Certification will consider all communications received on or before the closing date before issuing the final Order.

**Background**

This proposed Order explains to the Aircraft/Engine Certification office (ACO/ECO) and Aircraft Evaluation Group (AEG) personnel their responsibilities and methods on how to review and accept Instructions for Continued Airworthiness (ICA). The contents of this order supplements the regulatory requirements contained in 14 CFR 21.50(b), 23.1529 Appendix G, 25.1529 Appendix H, 27.1529 Appendix A, 31.82 Appendix A, 33.4 Appendix A, and 35.4 Appendix A.

The guidance contained in this proposed Order cancels the following documents in their entirety:

- Order 8110.50, Submitting Instruction for Continued Airworthiness for Type Certificates, Amended Type Certificates and Supplemental Type Certificates, dated October 20, 2003.
- Office of Airworthiness Policy Memorandum, Interpretation of FAR 21.50B, dated August 3, 1982.

- Office of Airworthiness Policy Memorandum, Interpretation of FAR 21.50B, dated August 8, 1983.

**How To Obtain Copies**

You may get a copy of the proposed Order from the Internet at: [http://www.airweb.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rgDAC.nsf/MainFrame?OpenFrameSet](http://www.airweb.faa.gov/Regulatory_and_Guidance_Library/rgDAC.nsf/MainFrame?OpenFrameSet). You may also request a copy from Michael Reinert. See the section entitled **FOR FURTHER INFORMATION CONTACT** for the complete address.

Issued in Washington, DC, on June 25, 2004.

**Susan J.M. Cabler,**

*Acting Manager, Aircraft Engineering Division, Aircraft Certification Service.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

**[Waiver Petition Docket Number FRA-2003-16439]**

**Canadian Pacific Railway; Notice of Postponement of Public Hearing**

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.

As a result of the comments received by FRA concerning this waiver petition, FRA determined that a public hearing was necessary before a final decision could be made on this petition. Accordingly, on June 14, 2004, FRA issued a notice in the **Federal Register** announcing that a public hearing was set to begin at 1 p.m. on July 13, 2004, at the Washington Plaza Hotel, 10 Thomas Circle, NW., Washington DC 20005. See 69 FR 33097.

Subsequent to the issuance of that notice, FRA was informed by parties in a related waiver proceeding (Docket No. FRA-2003-16306), scheduled for a public hearing on same date and

location as the present proceeding, that they would like to postpone the scheduled public hearing in that matter in order to engage in additional outreach with the involved labor organizations. Due to the similarities between the two proceeding and in an effort to conserve time and resources, FRA has decided to postpone the public hearing scheduled in this matter. CPR and the commenter in this matter have informally agreed to the postponement of the scheduled public hearing. Consequently, FRA is postponing the public hearing in this matter until further notice. A new public hearing will be rescheduled if any interested party notifies FRA, in writing, within 45 days of the date of this notice of its desire to have an opportunity for oral comment and specifies the basis for their request. Furthermore, no decision will be rendered in this matter without conducting a public hearing unless the party or parties originally requesting the public hearing formally withdraws that request. FRA will issue a notice in the **Federal Register** at least 30 days prior to the date of any new public hearing scheduled in this matter.

All communications concerning these proceedings should identify the appropriate docket number (FRA-2003-16439) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. 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 June 29, 2004.

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

*Acting Associate Administrator for Safety.*

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