must require that minimum separation distances are used to protect all public areas, including public roads, based on the estimated net explosive weight (NEW) and DoD 6055.9–STD, Rev 4,5, requirements.

I. For any ground operation where any energetic liquid is present in support of a launch vehicle, including storage and handling, the plan must require the launch site operator to document in advance the minimum separation distances to public areas, including public roads, based on DoD 6055.9–STD, Rev 4,5, requirements.

J. For any ground operation where any energetic liquid is present in support of a launch vehicle, including storage and handling, the plan must require that minimum separation distances are used to protect all public areas, including public roads, based on DoD 6055.9–STD, Rev 4,5, requirements.

K. For operations involving energetic liquid transfer to or from a RLV, and static test firings of an RLV with energetic liquid present, the plan must require the following: (The source that gave rise to each standard is in parentheses.)

1. All tanks must be hydrostatically proof tested to 1.5 times the maximum expected operating pressure. (See paragraph C9.5.5.6.2.1 of DoD 6055.9–STD, Rev 4,5.)

2. For cryogenic propellants, the tank wall will be surrounded by insulation, and the insulation will be covered by a secondary shell (which may be the vehicle skin), to reduce the risk of damage to the tank wall. (See paragraph C9.5.5.6.2.2 of DoD 6055.9–STD, Rev 4,5.)

3. All tanks will be fitted with pressure relief devices; the set point and tolerance of these devices shall be such that they are closed at maximum expected operating pressure, and that they open before reaching the hydrostatic proof test pressure. (Compressed Gas Association, Oxygen, publication G–4, edition 9, Dec. 1,1996, republished Sept 4, 2002, paragraph 3.2.3 (CGA G4))

4. Transfer operations for oxidizer must take place over a non-combustible surface such as concrete or earth. In particular, asphalt pavement is a porous combustible material that must not be exposed to liquid oxygen. (CGA G–4, 1996, paragraph 6.1.1)

5. Both the fuel and oxidizer lines must contain two independent, redundant valves to shut off the flow in the event of a malfunction. (See paragraph C9.5.5.6.2.4 of DoD 6055.9–STD, Rev 4,5.)

6. The design is such that the system is closed except for approved venting while propellant is not being fed to the engine. (See paragraph C9.5.5.8 of DoD 6055.9–STD, Rev 4,5.)

7. Once fuel is transferred into the system, the fuel system is closed off and made airtight, preventing ingress of oxygen vapor into the fuel system or escape of fuel vapor. (See paragraph C9.5.5.8 of DoD 6055.9–STD, Rev 4,5.)

8. Fuel and oxidizer are never transferred to or from the system concurrently. (See paragraph C9.5.5.8 of DoD 6055.9–STD, Rev 4,5.)

9. The fuel and oxidizer systems must be separated from each other; it must not be possible for any commanded or accidental valve action to cross-connect the fuel and oxidizer system, and the design of the ullage pressurization system must prevent cross-flow of fuel and oxidizer. (See paragraph C9.5.5.8 of DoD 6055.9–STD, Rev 4,5.)

10. The fuel and oxidizer transfer fittings must have separate and physically incompatible fitting types or other means to prevent connecting the wrong fill hose to the fill port. (See paragraph C9.5.5.8 of DoD 6055.9–STD, Rev 4,5.)

11. Propellants used must not be contaminated (*i.e.*, no fuel in the oxidizer, no oxidizer in the fuel). (See paragraph C9.5.5.8 of DoD 6055.9–STD, Rev 4,5.)

12. The vehicle tankage must be protected from fragments produced by an engine hard start. (See C9.5.5.6.2.3 of DoD 6055.9–STD, Rev 4,5.)

13. No common bulkhead exists between the fuel and oxidizer; the space between them must be drained and vented, such that it takes two independent punctures of fuel and oxidizer tanks to make mixing possible and that such a leak would be drained from the intertank volume.

14. Whenever the system is in a ready-to-fire state, such that a single malfunction or erroneous action would allow fuel and oxidizer to enter the engine combustion chamber, areas around the vehicle, including public roads, must be kept free of the public. Minimum distances shall be based upon the explosive equivalence and other requirements of DoD 6055.9–STD, Rev 4,5 .

Based on the foregoing reasons and conditions, the FAA has waived the liquid propellant storage and handling requirements of 14 CFR part 420 for East Kern Airport District to operate a launch site at Mojave Airport, California, and requires in their place, compliance by EKAD with requirements of DoD 6055.9–STD, Rev 4,5, and certain conditions as described in this Notice. The FAA is considering whether to initiate rulemaking to revise requirements for explosive siting under 14 CFR part 420 based upon DoD 6055.9–STD, Rev 4,5.

Issued in Washington, DC, on June 30, 2004.

Patricia Grace Smith,

Associate Administrator for Commercial Space Transportation.

[FR Doc. 04–15551 Filed 7–7–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2004–39]

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 a summary of certain 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.

FOR FURTHER INFORMATION CONTACT: Tim Adams (202) 267–8033, or Sandy Buchanan-Sumter (202) 267–7271, Office of Rulemaking (ARM–1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

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

Issued in Washington, DC, on July 2, 2004.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

Dispositions of Petitions

Docket No.: FAA–2001–10876.

Petitioner: Experimental Aircraft Association, Inc.

Section of 14 CFR Affected: 14 CFR 91.319(a)(2), 119.5(g), and 119.21(a).

Description of Relief Sought/ Disposition: To permit Experimental Aircraft Association, Inc., to operate the Boeing B–17G, N9563Z in addition to the Boeing B–17.

Grant, 6/18/2004 , Exemption No. 6541H.

Docket No.: FAA–2000–8533.

Petitioner: Israel Aircraft Industries, Ltd.

Section of 14 CFR Affected: 14 CFR 61.77(a).

Description of Relief Sought/ Disposition: To permit pilots employed

by or under contract to Israel Aircraft Industries to obtain special purpose pilot authorizations in order to perform certain flights of aircraft being delivered by Israel Aircraft Industries from its facilities within Israel, the U.S., and at a number of locations throughout the World, for Israel Aircraft Industries' U.S. and international customers, subject to certain conditions and limitations.

Grant, 6/18/2004, Exemption No. 7406C.

Docket No.: FAA–2001–10362.

Petitioner: Alpine Aviation, Inc., d.b.a. Alpine Air.

Section of 14 CFR Affected: 14 CFR 61.51(e)(1).

Description of Relief Sought/ Disposition: To permit certain Alpine Air seconds in command who perform ''the duties of pilot in command (PIC) under the supervision of a qualified PIC'' to log their flight time in Beechcraft 99 and 1900 airplanes as PIC flight time.

Denial, 6/16/2004, Exemption No. 8343.

Docket No.: FAA–2004–17204.

Petitioner: Mr. Mike Vande Guchte.

Section of 14 CFR Affected: 14 CFR 135.251, 135.255, and 135.353, and appendices I and J to part 121.

Description of Relief Sought/ Disposition: To permit Mr. Mike Vande Guchte to conduct local sightseeing flights to benefit Wings of Mercy at the Tulip City Airport, Holland, Michigan, on or about June 19, 2004, for compensation or hire, without complying with certain anti-drug and alcohol misuse prevention requirements of part 135.

Grant, 6/18/2004, Exemption No. 8345.

Docket No.: FAA–2002–12562.

Petitioner: Frontier Flying Service, Inc.

Section of 14 CFR Affected: 14 CFR 61.3(a) and (c) and 121.383(a)(2).

Description of Relief Sought/ Disposition: To permit Frontier Flying Service, Inc., to issue to its pilot flight crewmembers written confirmation of an individual Federal Aviation Administration-issued crewmember certificate based upon information in the Frontier Flying Service's approved record system.

Grant, 6/17/2004, Exemption No. 8344.

Docket No.: FAA–2003–15381.

Petitioner: Amerijet International, Inc.

Section of 14 CFR Affected: 14 CFR 91.303(f) and 91.307(c).

Description of Relief Sought/ Disposition: To permit Amerijet International, Inc., to operate a specially modified Boeing 727 aircraft, in accordance with Supplemental Type Certificate No. ST01051LA, on behalf of Zero-G in parabolic flight operations (1) when flight visibility is less than 3 statute miles and (2) without each occupant of the aircraft wearing an approved parachute when the pilot executes an intentional maneuver that exceeds a nose-up or nose-down altitude of 30 degrees relative to the horizon.

Grant, 5/18/2004, Exemption No. 8333.

Docket No.: FAA–2002–12009.

Petitioner: Chautauqua Airlines, Inc.

Section of 14 CFR Affected: 14 CFR 121.434(c)(1)(ii).

Description of Relief Sought/ Disposition: To permit Chautauqua Airlines, Inc., to substitute a qualified and authorized check airman in place of an Federal Aviation Administration inspector to observe a qualifying pilot in command (PIC) while that PIC is performing prescribed duties during at least one flight leg that includes a takeoff and a landing when completing initial or upgrade training as specified in § 121.424.

Grant, 6/15/2004, Exemption No. 7353B.

Docket No.: FAA–2001–8870.

Petitioner: Massachusetts Institute of Technology.

Section of 14 CFR Affected: 14 CFR 91.319(c).

Description of Relief Sought/ Disposition: To permit Massachusetts Institute of Technology to operate certain single-engine and multi-engine aircraft certified in the experimental category, over densely populated areas or in congested airways.

Grant, 6/15/2004, Exemption No. 5210H.

Docket No.: FAA–2002–12152.

Petitioner: Ameriflight, Inc.

Section of 14 CFR Affected: 14 CFR 135.143(c)(2).

Description of Relief Sought/ Disposition: To permit Ameriflight, Inc., to operate certain aircraft under part 135 without a TSO–C112 transponder (Mode S) installed on those aircraft.

Grant, 6/15/2004, Exemption No. 6830C.

Docket No.: FAA–2000–7945.

Petitioner: The Boeing Company.

Section of 14 CFR Affected: 14 CFR 61.57(a) and (b).

Description of Relief Sought/ Disposition: To permit The Boeing Company production and engineering flight test pilots to use any type of Boeing airplane or a Level B, C, or D simulator that represents Boeing aircraft listed in type certificate data sheets A6WE, A16WE, A20WE, A2NM, A1NM, and T00001SE to meet the takeoff and landing recency of experience requirements of § 61.57 in any one of those aircraft types without Boeing holding a part 142 certificate, subject to certain conditions and limitations.

Grant, 6/14/2004, Exemption No. 6843C.

Docket No.: FAA–2001–10425.

Petitioner: National Test Pilot School.

Section of 14 CFR Affected: 14 CFR 91.319(a)(1) and (2).

Description of Relief Sought/ Disposition: To permit the National Test Pilot School to operate aircraft that have experimental certificates to train flight-test students, who are pilots and flight engineers, through the demonstration and practice of flight-test techniques and to teach those students flight-test data acquisition methods for compensation.

Grant, 6/14/2004, Exemption No. 5778I.

Docket No.: FAA–2003–15165.

Petitioner: Palmyra Airport, Inc.

Section of 14 CFR Affected: 14 CFR 135.251, 135.255, and 135.353, and appendices I and J to part 121.

Description of Relief Sought/ Disposition: To permit Palmyra Airport, Inc., to conduct local sightseeing flights at the Palmyra Airport, Palmyra, Wisconsin, for sightseeing flights on June 20, 2004, for compensation or hire, without complying with certain anti-drug and alcohol misuse prevention requirements of part 135.

Grant, 6/14/2004, Exemption No. 8342.

Docket No.: FAA–2004–17684.

Petitioner: Mr. Lee S. Elson.

Section of 14 CFR Affected: 14 CFR 91.109(a) and (b)(3).

Description of Relief Sought/ Disposition: To permit Mr. Lee S. Elson to conduct certain flight training and to provide simulated instrument flight experience in certain Beech airplanes that are equipped with a functioning throwover control wheel.

Grant, 6/9/2004, Exemption No. 8341.

Docket No.: FAA–2002–12455.

Petitioner: Air Transport Association of America, Inc.

Section of 14 CFR Affected: 14 CFR 61.3(a) and (c), 63.3(a), and 121.383(a)(2).

Description of Relief Sought/ Disposition: To permit the member air carriers of the Air Transport Association of America, Inc., to issue written confirmation of an Federal Aviation Administration-issued crewmember certificate to a flight crewmember employed by that air carrier based on information in the air carrier's approved record system.

Grant, 6/9/2004, Exemption No. 5487F.

Docket No.: FAA–2004–18018.

Petitioner: Crossville Memorial Airport.

Section of 14 CFR Affected: 14 CFR 135.251, 135.255, 135.353, and appendices I and J to part 121.

Description of Relief Sought/ Disposition: To permit Crossville Memorial Airport to conduct local sightseeing flights at the Crossville Airport, Crossville, TN, for charity on June 12, 2004, for compensation or hire, without complying with certain anti-drug and alcohol misuse prevention requirements of part 135.

Grant, 6/9/2004, Exemption No. 8340.

Docket No.: FAA–2004–17923.

Petitioner: EAA Warbirds of America Squadron 14, Inc.

Section of 14 CFR Affected: 14 CFR 61.63(d)(5).

Description of Relief Sought/ Disposition: To permit EAA Warbirds of America Squadron 14, Inc. (Squadron 14), pilots to conduct nonstop sightseeing or demonstration flights for compensation or hire within 25 statute miles of the departure airport in Squadron 14's Douglas DC–3 (DC–3) airplane (registration No. N2805J, serial No. 20835) without those pilots having completed the practical test for a DC–3 type rating in actual or simulated instrument conditions.

Denial, 6/8/2004, Exemption No. 8339.

Docket No.: FAA–2004–18021.

Petitioner: Safari Aviation, Inc.

Section of 14 CFR Affected: 14 CFR 135.143(c)(2).

Description of Relief Sought/ Disposition: To permit Safari Aviation, Inc., to operate certain aircraft under part 135 without a TSO–C112 (Mode S) transponder installed on those aircraft.

Grant, 6/8/2004, Exemption No. 8338.

Docket No.: FAA–2004–17389.

Petitioner: Red Baron Flyers, Inc.

Section of 14 CFR Affected: 14 CFR 135.251, 135.255, and 135.353, and appendices I and J to part 121.

Description of Relief Sought/ Disposition: To permit Red Baron Flyers, Inc., a nonprofit organization, to conduct local sightseeing flights at its annual Fly-In Breakfast at the Houston County Airport, during, June 2004, for compensation or hire, without complying with certain anti-drug and alcohol misuse prevention requirements of part 135.

Grant, 6/18/2004, Exemption No. 8346.

Docket No.: FAA–2003–16343.

Petitioner: Angel Flight South Central.

Section of 14 CFR Affected: 14 CFR 61.113(d)(1)(i), (ii), and (6).

Description of Relief Sought/ Disposition: To permit Angel Flight South Central (AFSC) to solicit funds from numerous corporations to support individual missions flown by AFSC pilots.

Denial, 06/21/2004, Exemption No. 8347.

[FR Doc. 04–15550 Filed 7–7–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Air Traffic Procedures Advisory Committee

AGENCY: Federal Aviation Administration (FAA), DOT.

SUMMARY: The FAA is issuing this notice to advise the public that a meeting of the Federal Aviation Air Traffic Procedures Advisory Committee (ATPAC) will be held to review present air traffic control procedures and practices for standardization, clarification, and upgrading of terminology and procedures.

DATES: The meeting will be held from Tuesday, July 13, 2004, from 2 p.m. to 4:30 p.m. and Wednesday, July14, 2004, from 9 a.m. to 4:30 p.m.

ADDRESSES: The meeting will be held at the SeaTac Towers Office Complex, 17930 Pacific Highway S., SeaTac Tower II., Bldg#: 7–181, Seattle, WA 98188.

FOR FURTHER INFORMATION CONTACT: Ms. Sabra Kaulia, Executive Director, ATPAC, System Operations and Safety, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267–9205.

SUPPLEMENTARY INFORMATION: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92–463; 5 U.S.C. App.2), notice is hereby given of a meeting of the ATPAC to be held Tuesday, July 13, 2004, from 2 p.m. to 4:30 p.m. and Wednesday, July 14, 2004, from 9 a.m. to 4:30 p.m. The agenda for this meeting will cover: a continuation of the Committee's review of present air traffic control procedures and practices for standardization, clarification, and upgrading of terminology and procedures. It will also include:

1. Approval of Minutes.
2. Submission and Discussion of Areas of Concern.
3. Discussion of Potential Safety Items.
4. Report from Executive Director.
5. Items of Interest.
6. Discussion and agreement of location and dates for subsequent meetings.

Attendance is open to the interested public but limited to space available. With the approval of the Chairperson, members of the public may present oral statements at the meeting. Persons desiring to attend and persons desiring to present oral statements should notify the person listed above not later than July 7, 2004. The next quarterly meeting of the FAA ATPAC is planned to be held from October 4–7, 2004, in Washington, DC.

Any member of the public may present a written statement to the Committee at any time at the address given above.

Issued in Washington, DC, on June 28, 2004.

Sabra Kaulia,

Executive Director, Air Traffic Procedures Advisory Committee.

[FR Doc. 04–15558 Filed 7–7–04; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2004–17539; Notice 2]

Delphi Corporation, Grant of Petition for Decision of Inconsequential Noncompliance

Delphi Corporation (Delphi), has determined that at least one of the fittings on the ends of certain brake hose assemblies that it produced between January 2001 and February 2004 do not comply with S5.2.4 and S5.2.4.1 of 49 CFR 571.106, Federal Motor Vehicle Safety Standard (FMVSS) No. 106, ''Brake hoses.'' Pursuant to 49 U.S.C. 30118(d) and 30120(h), Delphi has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, ''Defect and Noncompliance Reports.'' Notice of receipt of the petition was published, with a 30 day comment period, on April 20, 2004 in the **Federal Register** (69 FR 21185). NHTSA received no comments.

Delphi produced approximately 1534 aftermarket brake hose assemblies between January 2001 and February 2004 that did not have the manufacturer's logo embossed on the fitting. S5.2.4 requires that:

> Each hydraulic brake hose assembly, except those sold as part of a motor vehicle, shall be labeled by means of a band around the brake hose assembly as specified in this paragraph or, at the option of the manufacturer, by means of labeling as specified in S5.2.4.1.

S5.2.4.1 states that: