

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Office of Commercial Space Transportation; Notice of Availability of the Final Environmental Assessment (EA) for the Midland International Air and Space Port, City of Midland, Midland County, Texas, and Finding of No Significant Impact (FONSI)**

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

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended (NEPA; 42 U.S.C. 4321, et seq.), Council on Environmental Quality NEPA implementing regulations (40 CFR Parts 1500–1508), and FAA Order 1050.1E, Change 1, the FAA is announcing the availability of the Final EA for the Midland International Air and Space Port, City of Midland, Midland County, Texas, and FONSI.

**FOR FURTHER INFORMATION CONTACT:** Mr. Daniel Czelusniak, Federal Aviation Administration, 800 Independence Avenue SW., Suite 325, Washington, DC 20591; email [Daniel.Czelusniak@faa.gov](mailto:Daniel.Czelusniak@faa.gov); or phone (202) 267-5924.

**SUPPLEMENTARY INFORMATION:** The Final EA was prepared to analyze the potential environmental impacts of the City of Midland's proposal to operate a commercial space launch site at the Midland International Airport (MAF) in Midland County, Texas and offer the site to XCOR Aerospace, Inc. (XCOR) for the operation of the Lynx horizontal take-off and horizontal landing reusable launch vehicle (RLV) and engine testing. To operate a commercial space launch site, the City of Midland must obtain a commercial space launch site operator license from the FAA. Under the Proposed Action addressed in the EA, the FAA would: (1) Issue a launch site operator license to the City of Midland for the operation of a commercial space launch site at MAF, (2) issue experimental permits and/or launch licenses to XCOR that would allow XCOR to conduct launches of the Lynx RLV from MAF, and (3) provide approval to modify the existing Airport Layout Plan (ALP) to reflect the designation of a launch site boundary, installation of aboveground propellant storage tanks, and construction of a concrete pad for engine testing. Proposed launch operations would begin in 2014 and continue through 2018. The frequency of launch

operations would initially be one launch per week, eventually increasing to two launches per day, five days a week. Fifty-two annual launch operations are proposed in 2014. The total number of annual launch operations would increase each year until 2018 when 520 annual launch operations are proposed.

The Final EA addresses the potential environmental impacts of implementing the Proposed Action and the No Action Alternative. Under the No Action Alternative, the FAA would not issue a launch site operator license to the City of Midland and thus would not issue experimental permits and/or launch licenses to XCOR for operation of the Lynx RLV at MAF. Also, there would be no need to update the ALP for MAF, and thus there would be no approval of a revised ALP. Existing commercial aviation and military operations would continue at MAF.

The impact categories considered in the Final EA include air quality; compatible land use; Department of Transportation Act: Section 4(f); fish, wildlife, and plants; floodplains; hazardous materials, pollution prevention, and solid waste; historical, architectural, archaeological, and cultural resources; natural resources and energy supply; noise; socioeconomic impacts, environmental justice, and children's environmental health and safety risks; water quality; and wetlands. The Final EA also considers the potential cumulative environmental impacts.

The FAA has posted the Final EA and FONSI on the FAA Web site at [http://www.faa.gov/about/office\\_org/headquarters\\_offices/ast/environmental/nepa\\_docs/review/operator/](http://www.faa.gov/about/office_org/headquarters_offices/ast/environmental/nepa_docs/review/operator/).

The FAA published a Notice of Availability of the Draft EA in the **Federal Register** on March 24, 2014. A Notice of Availability of the Draft EA was also published in the Midland Reporter-Telegram, Odessa American, and Big Spring Herald on March 30, 2014 and in the Big Lake Wildcat on April 3, 2014. The FAA mailed copies of the Draft EA to the following agencies: Texas Historical Commission (State Historic Preservation Officer), Texas Parks and Wildlife Department, and U.S. Fish and Wildlife Service. An electronic version of the Draft EA was also made available on the FAA Web site. In addition, the FAA printed and mailed a copy of the Draft EA to the following libraries: Midland County Library, Ector County Library, and Reagan County Library. The FAA held an open house public meeting on April 8, 2014 from 5:30 p.m. to 8:30 p.m. at

the University of Texas of the Permian Basin, Center for Energy and Economic Diversification. The public comment period ended on April 24, 2014. The FAA received two public comments on the Draft EA, both in support of the Proposed Action. No substantive changes were made to this Final EA.

Issued in Washington, DC, on September 9, 2014.

**Daniel Murray,**

*Manager, Space Transportation Development Division.*

[FR Doc. 2014-21905 Filed 9-12-14; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration**

[Summary Notice No. PE-2014-71]

**Petition for Exemption; Summary of Petition Received**

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

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. 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 the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number and must be received on or before October 6, 2014.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2014-0331 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.
- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.
- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy:* We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

*Docket:* To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Brenda Robeson, ARM–210, Federal Aviation Administration, Office of Rulemaking, 800 Independence Ave. SW., Washington, DC 20591; email [Brenda.Robeson@faa.gov](mailto:Brenda.Robeson@faa.gov); (202) 267–4712.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on September 10, 2014.

**Brenda D. Courtney,**  
*Acting Director, Office of Rulemaking.*

### Petition For Exemption

*Docket No.:* FAA–2014–0331.

*Petitioner:* PMI Global Services, Inc.

*Section of 14 CFR Affected:* 14 CFR 91.211(b)(1)(ii).

*Description of Relief Sought:* Petitioner requests relief from the requirement that one pilot crewmember wear and use an oxygen mask while at flight altitudes above flight level 410. The relief would enable domestic and international 14 CFR part 91 operations of company aircraft equipped with quick donning oxygen masks and automatic emergency descent mode technology.

[FR Doc. 2014–21939 Filed 9–12–14; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2013–0123; Notice 2]

#### Thor Industries, Inc., Grant of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Grant of petition.

**SUMMARY:** Livin' Lite RV, Inc. (Livin' Lite), a wholly owned subsidiary of Thor Industries, Inc. (Thor), has determined that certain model year Livin' Lite RV trailers manufactured between November 7, 2008 and September 10, 2013, do not fully comply with paragraph S9 of Federal Motor Vehicle Safety Standard (FMVSS) No. 110, *Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or less* and paragraph S10 of FMVSS No. 120, *Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of more than 4,536 kilograms (10,000 pounds)*. Thor has filed an appropriate report dated November 7, 2013, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*.

**ADDRESSES:** For further information on this decision contact Harry Thompson, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366–5289, facsimile (202) 366–5930.

#### SUPPLEMENTARY INFORMATION:

I. *Thor's Petition:* Pursuant to 49 U.S.C. 30118(d) and 30120(h) and the rule implementing those provisions at 49 CFR part 556, Thor has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the petition was published, with a 30-day public comment period, on March 28, 2014 in the **Federal Register** (79 FR 17649). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) Web site at: <http://www.regulations.gov/>. Then follow the online search instructions to locate docket number “NHTSA–2013–0123.”

II. *RV Trailers Involved:* Affected are approximately 3,465 RV trailers manufactured between November 7, 2008 and September 10, 2013. The trailer models affected are Livin' Lite model year (MY) 2008–2014 Quicksilver, MY 2009–2014 Camplite, MY 2009–2014 VRV, MY 2009–2014 Bearcat, and MY 2013–2014 Axxess.

III. *Noncompliance:* Thor explains that the noncompliance is that of the absence of the Cargo Carrying Capacity (CCC) label that is required by paragraph S9 of FMVSS No. 110 and paragraph S10 of FMVSS No. 120 for all motor homes and RV Trailers.

IV. *Rule Text:* Paragraph S9 of FMVSS No. 110 requires in pertinent part:

. . . S9.3 Each motor home and RV Trailer single stage or final stage manufacturer must affix either a motor home occupant and cargo carrying capacity (OCCC) label (Figure 3) or a RV trailer cargo carrying capacity (CCC) label (Figure 4) to its vehicles that meets the following criteria . . .

Paragraph S10 of FMVSS No. 120 requires in pertinent part:

. . . S10.4 Each motor home and RV Trailer single stage or final stage manufacturer must affix either a motor home occupant and cargo carrying capacity (OCCC) label (Figure 1) or a RV trailer cargo carrying capacity (CCC) label (Figure 2) to its vehicles that meets the following criteria . . .

V. *Summary of Thor's Analyses:* Thor stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

1. The cargo carrying capacity information displayed on the CCC label is redundant since it is also displayed on the Tire Placard Label as required by paragraph S4.3 of FMVSS No. 110.

2. Although the Tire Placard Label is not required on trailers over 10,000 lbs GVWR, Thor placed the Tire Placard Label on all trailers it produced and is located on the trailer tongue next to the Federal Certification Label.

3. The Livin' Lite Owner's manuals (which can be found on [www.livinlite.com](http://www.livinlite.com)) instruct owners on the loading of their vehicle and where to find the required ratings that are displayed on the Federal Certification Label.

4. The Manufacturer's Certificate of Origin (MSO) also contains both the Gross Vehicle Weight Rating (GVWR) and the unloaded vehicle weight (UVW). The difference of these two numbers would also give the owner the available CCC of the trailer.

5. Thor had received no complaints or inquiries regarding cargo carrying capacity from any of its owners or dealers.