

impacts from supersonic aircraft by notice in the **Federal Register** (68 FR 28181, May 23, 2003). The comment period ended September 30, 2003. Also in the May 23 notice the FAA stated that it was planning to conduct a technical workshop in the next six months and the FAA will publish a notice announcing the date and place of the workshop. The May 23 notice is available at <http://www.aee.faa.gov/noise/SST.htm>.

This notice announces the date and place of the Civil Supersonic Aircraft Workshop. The purpose of the workshop is to allow subject matter experts to discuss recent research data and findings on mitigating the environmental impacts from supersonic aircraft. The workshop is scheduled to be on: Thursday, November 13, 2003, Centra, 4121 Wilson Boulevard, Suite 800, Arlington, Virginia.

You may submit a written statement at the workshop and it will be placed in Docket No. FAA-2003-15230. You may review the public docket containing comments to the May 23 notice and the workshop in person at the Docket Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office is on the plaza level at the NASSIF Building at the U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001.

Information presented in a workshop setting is not considered proprietary.

Look for any updates on this workshop at <http://www.aee.faa.gov/noise/SST.htm>.

Issued in Washington, DC, on October 6, 2003.

**Carl Burleson,**

*Director of Environment and Energy.*

[FR Doc. 03-25952 Filed 10-10-03; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Policy Statement No. ANM-03-115-28]

#### Use of Surrogate Parts When Evaluating Seatbacks and Seatback Mounted Accessories for Compliance With §§ 25.562(c)(5) and 25.785(b) and (d)

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

**ACTION:** Notice of final policy.

**SUMMARY:** The Federal Aviation Administration (FAA) announces the availability of the final policy on the use of surrogate parts when evaluating seatbacks and seatback mount

accessories for compliance with 14 CFR 25.562(c)(5) and 25.785(b) and (d).

**DATES:** This final policy was issued by the Transport Airplane Directorate on October 2, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Michael T. Thompson, Federal Aviation Administration, Transport Airplane Directorate, Transport Standards Staff, Airframe and Cabin Safety Branch, ANM-115, 1601 Lind Avenue SW., Renton, WA 98055-4056; telephone (425) 227-1157; fax (425) 227-1149; e-mail: [michael.t.thompson@faa.gov](mailto:michael.t.thompson@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Discussion of Comments

A notice of proposed policy was published in the **Federal Register** on July 8, 2003 (68 FR 40732). Four (4) commenters responded to the request for comments.

##### Background

The policy streamlines the seat certification process by providing Federal Aviation Administration certification policy on using surrogate test articles in lieu of actual production seatback mounted accessories (e.g., video monitor, telephone) or part similar in construction to these production parts, during blunt trauma tests in accordance with §§ 25.562(c)(5) and 25.785(b) and (d).

The final policy as well as the disposition of public comments received is available on the Internet at the following address: <http://www.airweb.faa.gov/rgl>. If you do not have access to the Internet, you can obtain a copy of the policy by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

Issued in Renton, Washington, on October 2, 2003.

**K.C. Yanamura,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 03-25958 Filed 10-10-03; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Proposed Technical Standard Order (TSO)-C167, Personnel Carrying Device Systems (PCDS), Also Known as Human Harnesses

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

**ACTION:** Notice of Availability and requests for public comment.

**SUMMARY:** This notice announces the availability of and requests comments

on proposed Technical Standard Order (TSO)-C167, Personnel Carrying Device Systems (PCDS), also known as Human Harnesses. This proposed TSO tells PCDS manufacturers what minimum performance standards (MPS) their systems must first meet to obtain approval and identification with the applicable TSO marking.

**DATES:** Comments must identify the TSO and arrive by January 31, 2004.

**ADDRESSES:** Send all comments on the proposed TSO to: Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, Technical Programs and Continued Airworthiness Branch, AIR-120, Room 815, 800 Independence Avenue, SW, Washington, DC 20591. ATTN: Mr. Dave Rich, AIR-120. Or, deliver comments to: Federal Aviation Administration, Room 815, 800 Independence Avenue, SW, Washington, DC 20591.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dave Rich, Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, Technical Programs and Continued Airworthiness Branch, AIR-120, Room 815, 800 Independence Avenue, SW, Washington, DC 20591. Telephone (202) 267-7141, fax (202) 267-5340, e-mail [dave.rich@faa.gov](mailto:dave.rich@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

You may comment on the proposed TSO listed in this notice by sending written data, views, or arguments to the above listed address. You may also examine comments received on the proposed TSO, before and after the comment closing date, in Room 815, FAA Headquarters, 800 Independence Avenue, SW, Washington, DC 20591, weekdays except Federal holidays, between 8:30 a.m. and 4:30 p.m. The Director of the Aircraft Certification Service will consider all communications received by the closing date before issuing the final TSO.

##### Background

This TSO gives the MPS for personnel carrying device systems. The MPS are based on National Fire Protection Association (NFPA) 1983, Standard on Fire Service Life Safety Rope and System Components, 2001 edition, and Society of Automotive Engineers (SAE) Aerospace Standard (AS) 8043, Revision A, Restraint Systems for Civil Aircraft, issued March 2000. We modified NFPA 1983 and SAE AS 8043, and show those modifications in Appendix 1 of the proposed TSO. This TSO's standards apply to equipment intended to allow personnel to be transported external

from a helicopter (human external cargo (HEC) operations).

### How To Get Copies

You may get a copy of the proposed TSO via the Internet at <http://www.faa.gov/certification/aircraft/TSOA.htm>, or by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC, on October 2, 2003.

**David W. Hempe,**

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

[FR Doc. 03-25436 Filed 10-10-03; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### New Jersey Transit Rail Operations

[Docket Number FRA-1999-6356]

The New Jersey Transit Rail Operations (NJTR) requests an extension of time for a previously granted temporary waiver of compliance with the *Passenger Equipment Safety Standards*, 49 CFR part 238.235, for seventy (70) Comet I, low level door passenger coaches. The previously granted waiver requiring that each power operated door that is partitioned from the passenger compartment shall be equipped with a manual override adjacent to that door will expire on December 31, 2003. NJTR expected to retire the 70 cars after receiving 265 new Comet V cars and 160 re-manufactured Comet II cars. NJTR indicates that there have been numerous delays in the delivery of the replacement equipment and requests that the waiver extension be granted until a sufficient number of these cars are delivered to maintain their service.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since

the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-1999-6356) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401, Washington, DC 20590.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. 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 October 7, 2003.

**Grady C. Cothen,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 03-25896 Filed 10-10-03; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No.: 2002-13234]

#### Denial of Petition for Rulemaking; Code of Federal Regulations

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

**ACTION:** Denial of petition for rulemaking.

**SUMMARY:** This document denies the petition submitted by Bluewater Network, requesting that NHTSA initiate rulemaking to amend testing and

calculation procedures and/or correction factors used to determine the fuel economy information relayed to consumers and policy makers, because NHTSA has no statutory authority to take the requested actions. It also denies the request that NHTSA use such amended calculations as the basis for data presented in the agency's annual report on the corporate average fuel economy (CAFE) program.

**FOR FURTHER INFORMATION CONTACT:** Ms. Henrietta L. Spinner, Office of Planning and Consumer Standards, NHTSA, 400 Seventh Street SW., Washington, DC 20590 at (202) 366-4802, facsimile (202) 493-2290.

**SUPPLEMENTARY INFORMATION:** In a letter dated June 11, 2002, the Bluewater Network (Bluewater) petitioned the Environmental Protection Agency (EPA) and the Department of Transportation (DOT) to initiate rulemaking to revise the test procedures, calculation methods, and correction factors employed in the calculations used to determine the fuel economy information relayed to consumers and policy makers so that these values more accurately reflect the actual, real-world fuel economy that vehicles achieve on the road. DOT's authority under the CAFE program has been delegated to NHTSA. The petitioner also requested that NHTSA use more accurate fuel economy information in its annual report to Congress titled *Automotive Fuel Economy Program Annual Update*.

The Energy Policy Conservation Act passed by Congress in 1975 added Title V, "Improving Automotive Efficiency," to the Motor Vehicle Information and Cost Savings Act and established the CAFE program, under which CAFE standards are set for passenger cars and light trucks. CAFE is the sales weighted average fuel economy, expressed in miles per gallon (mpg), of a manufacturer's fleet of passenger cars or light trucks with a gross vehicle weight rating (GVWR) of 8,500 lbs. or less, manufactured for sale in the United States, for any given model year.

Both EPA and NHTSA have executive responsibilities for CAFE. The EPA administers the testing program, which generates the fuel economy data and determines the procedures for calculating the fuel economy values for CAFE. It also compiles the production data from manufacturers' reports and furnishes CAFE results to both NHTSA and Department of Energy (DOE).

For CAFE, the test data are adjusted upward to account for the incentives authorized for dual fuel and dedicated alternative fuel vehicles. For passenger cars only, it is also adjusted upward to