

whether they need to obtain economic operating authority under 49 U.S.C. 41102.

The Department has long held that economic authority need not be obtained by operators of aircraft owned by or being exclusively operated for government entities so long as those aircraft are not used to engage in common carriage operations.³ The Department has also held that economic authority is not required in cases where a government aircraft owner or operator receives, on a limited basis, reimbursement for transportation of non-official passengers incidental to official government business.⁴ In such cases, the government aircraft owner or operator may not receive more than a pro-rata reimbursement of its expenses, or, if required by law, the commercial equivalent fare. Examples of situations in which such reimbursement would be permitted—or required—include transportation of a spouse of a government employee on official business⁵ and transportation of members of the media accompanying the President on government aircraft.

The amendments to 49 U.S.C. 40102 are entirely safety-related and have no effect on the Department's economic licensing requirements, including fitness determinations made under 49 U.S.C. 41102. Imposing an economic licensing requirement where none is needed would impose an unwarranted burden on government aircraft owners and operators.

In order to avoid any confusion over the matter, we have decided that it is in the public interest to grant an exemption from the requirements of 49 U.S.C. 41102 to the extent necessary to allow all government owners and operators of aircraft to provide not-for-hire, cost-reimbursable transportation incidental to official government business.

Accordingly,

1. We grant an exemption from the requirements of 49 U.S.C. 41102 to the extent necessary to allow all owners and operators of government aircraft to provide not-for-hire, cost-reimbursable transportation incidental to official government business.

2. This order may be amended, modified, or revoked at any time, without hearing, in the discretion of the Department.

3. This order will be effective immediately, and the filing of a petition for reconsideration shall not preclude such effectiveness.

4. This order shall be published in the **Federal Register**.

Patrick V. Murphy,

Acting Assistant Secretary for Aviation and International Affairs.

[FR Doc. 95-9945 Filed 4-20-95; 8:45 am]

BILLING CODE 4910-62-P

³ See, e.g., Order 92-2-8 (issued February 7, 1992) and Order 74-2-34 (issued February 11, 1974).

⁴ *Id.*

⁵ In such cases, at least some federal agencies, including the Department of Transportation, require reimbursement equivalent to the full coach commercial fare.

Aviation Proceedings; Agreements Filed During the Week Ended April 14, 1995

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C parts 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: 50277.

Date filed: April 10, 1995.

Parties: Members of the International Air Transport Association.

Subject: CAC/Reso/180 dated April 7, 1995, 18th CAC—Expedited Resolutions: r-1—801z r-2—803 r-3—833a.

Proposed Effective Date: Expedited May 1, 1995.

Docket Number: 50288.

Date filed: April 13, 1995.

Parties: Members of the International Air Transport Association.

Subject: Telex TC2 Mail Vote 737, Malawi-Zimbabwe fares, r-1—042c r-2—052c r-3—062c r-4—079c.

Proposed Effective Date: May 1, 1995.

Docket Number: 50293.

Date filed: April 13, 1995.

Parties: Members of the International Air Transport Association.

Subject: Telex TC2 Mail Vote 738, Fares within Africa.

Proposed Effective Date: May 1, 1995.

Paulette V. Twine,

Chief, Documentary Services Division.

[FR Doc. 95-9884 Filed 4-20-95; 8:45 am]

BILLING CODE 4910-62-P

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ended April 14, 1995

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: 50279.

Date filed: April 10, 1995.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: May 8, 1995.

Description: Application of Executive Airlines, Inc., Flagship Airlines, Inc., Simmons Airlines, Inc., and Wings West Airlines, Inc. (d/b/a American Eagle), pursuant to 49 U.S.C. 41008 and Subpart Q of the Regulations, applies for a certificate of public convenience and necessity authorizing foreign air transportation of persons, property, and mail between any point in the United States and any point in Canada, subject to the two- and three-year phase-in conditions for Vancouver, Montreal, and Toronto set forth in the United States-Canada Air Transport Agreement signed on February 24, 1995.

Docket Number: 50291.

Date filed: April 13, 1995.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: May 11, 1995.

Description: Application of Khors Air Company, pursuant to 49 U.S.C. Section 41203 and Subpart Q of the Regulations, applies for a foreign air carrier permit authorizing it to provide (1) foreign charter all-cargo air transportation between the United States and Ukraine, and (2) fifth Freedom foreign charter all-cargo air transportation between the United States and third countries pursuant to Part 212 of the Regulations.

Docket Number: 48075.

Date filed: April 13, 1995.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: May 11, 1995.

Description: Seventh Amendment to Application of Laker Airways (Bahamas) Limited, pursuant to 49 U.S.C. 41302, and Subpart Q of the Regulations, amends its currently pending application to the extent necessary to permit Laker to add the terminal point New Orleans, Louisiana to the points that Laker has applied to serve from Freeport and Nassau, Bahamas.

Paulette V. Twine,

Chief, Documentary Services Division.

[FR Doc. 95-9883 Filed 4-20-95; 8:45 am]

BILLING CODE 4910-62-P

Federal Highway Administration

Environmental Impact Statement: Chittenden County, Vermont

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a draft Supplemental Environmental Impact Statement will be prepared for a proposed highway project in Chittenden County, Vermont.

FOR FURTHER INFORMATION CONTACT:

Donald J. West, Division Administrator, Federal Highway Administration, Federal Building, Montpelier, VT 05601, Telephone (802)828-4423.

SUPPLEMENTARY INFORMATION:

The FHWA, in cooperation with the Vermont Agency of Transportation, will prepare a draft Supplemental Environmental Impact Statement (SEIS) to focus on a proposed temporary project change for a portion of the previously approved Burlington Southern Connector/Champlain Parkway Project. The entire project involves the construction of approximately 2.5 miles of a four lane, access controlled highway known as the Southern Connector, commencing at the interchange of I-189 with Shelburne Street (US Route 7), and extending westerly and northerly to the intersection of Battery and King Streets in the Burlington Central Business District.

A draft Environmental Impact Statement (EIS) for the project was completed in 1977, and a final EIS (FHWA-VT-EIS-77-02-F) was completed and approved in 1979. A portion of the original proposed project has been constructed. Final design for an additional portion has been completed. The remaining segment has been delayed due to the fact that it traverses an EPA Superfund Site. Resolution of issues on the cleanup of the Superfund Site have prohibited the entire project from being constructed. The proposed temporary project change would involve the construction of improvements to detour around the Superfund Site to allow the collector to function as intended and provide traffic relief until the Superfund Site issues are resolved.

The draft SEIS will summarize issues for the entire project, as covered in the original draft and final EIS. Additional information and impact analysis will be presented for a temporary detour around the Superfund Site, which will generally follow existing streets (Lakeside Avenue and Pine Streets); however, an approximately .5 mile section of the detour will involve new route location. Alternatives under consideration are: (1) Taking no action (i.e., no changes from the approved project); and (2) a range of alternatives for making a temporary connection via use of Lakeside Avenue and Pine Street to avoid the Superfund Site.

Impacts anticipated with the project change would be focused on right-of-way and possible section 106 and section 4(f) issues, primarily concerned with the northern portion of the

temporary detour. Impacts of the project change on wetlands, if any, are expected to be minimal. Secondary and cumulative impacts of the project change will also be addressed.

No formal scoping meeting will be held. However, comments will be solicited from the US Environmental Protection Agency (EPA), US Army Corps of Engineers (ACOE), US Fish and Wildlife Service (USFWS), State Historic Preservation Office (SHPO), and State Agency of Natural Resources (ANR). Also, a public informational meeting will be held in the project area early in the document development. The draft SEIS is expected to be filed on or about June 1, 1995, and will be sent to appropriate federal, state and local agencies, and to private organizations and citizens who have previously expressed interest in this project for their comments. A public hearing will be held following the filing of the draft SEIS.

Comments and suggestions are invited from all interested parties to ensure that the full range of issues related to this proposed action are addressed and that all significant issues are identified. Comments or questions concerning this proposal action and the SEIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental coordination consultation on Federal programs and activities apply to this program)

Issued on: April 13, 1995.

William K. Fung,

Engineering Coordinator, Montpelier.

[FR Doc. 95-9845 Filed 4-20-95; 8:45 am]

BILLING CODE 4910-22-P

Federal Railroad Administration**Petition for Test of New Technologies**

In accordance with title 49 CFR 211.9 and 211.41, notice is hereby given that the following railroads have petitioned the Federal Railroad Administration (FRA) for exemptions from or waivers of compliance with a requirement of its safety standards. The individual petitions are described below, including the party seeking relief, the regulatory provisions involved, and the nature of the relief being requested.

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 of their request.

All communications concerning these proceedings should identify the appropriate waiver petition docket number (e.g., Waiver Petition Docket Number HS-94-4) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street SW., Washington, DC 20590.

Communications received within 45 days of the date of publication 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. to 5 p.m.) in room 8201, Nassif Building, 400 Seventh Street SW., Washington, DC 20590.

The individual petitions are as follows:

Chicago and North Western Transportation Company

FRA Waiver Petition Docket No. HS-94-4

Chicago and North Western requests a permanent waiver.

Norfolk Southern Corporation

FRA Waiver Petition Docket No. HS-94-6

Norfolk Southern requests a six month test waiver with a permanent waiver at the conclusion of the test period.

Atchison, Topeka and Santa Fe Railway Company

FRA Waiver Docket No. HS-95-1

Atchison, Topeka and Santa Fe requests a permanent waiver.

The above railroads seek a waiver of compliance with certain provisions of FRA Safety Regulations (Hours of Service of Railroad Employees, 49 CFR part 228). The railroads seek a waiver of 49 CFR 228.9(a)(1) which requires that records maintained under part 228 be signed by the employee whose time of duty is being recorded, or in the case of train and engine crews, signed by the ranking crew member. Each railroad seeks to establish a program that utilizes a computerized system of recording hours of duty information which would not comply with the above requirement for a "signature" of the employee or