

license to conduct launch operations from NTS. Because licensing Kistler's operations is a major Federal action, compliance with NEPA is required.

The DOE is a cooperating agency regarding the proposed action because it is responsible for operating and managing the NTS. The Record of Decision for the Environmental Impact Statement for the NTS and Off-Site Locations in the State of Nevada, prepared by DOE and issued December 9, 1996, found that non-defense research activities, like the Kistler project, are an appropriate use for the NTS.

The Nevada Test Site Development Corporation (NTSDC) is a nonprofit Nevada corporation formed at the direction of Nevada Governor Miller to encourage economic development projects at NTS. DOE has designated NTSDC as a community reuse organization and issued grants to NTSDC in support of that organizational purpose. Under a use permit to be issued by the DOE to the NTSDC, the NTSDC may sub-permit use of a particular site on the NTS.

The EA will be provided for review to the States of Nevada, Utah, and Idaho because of overflights by the Kistler K-1 vehicle during proposed orbital launches and to other interested Federal, state, local, and private entities.

Proposed Action

The Proposed Action is licensing Kistler for the purpose of conducting commercial launch activities involving reentry/recovery activities as part of the launch mission. The operations will be conducted from a proposed site which would include newly-constructed facilities and infrastructure for testing and operating the Kistler K-1 reusable launch vehicle. The function of K-1 will be to launch satellites and other payloads into prescribed orbits for commercial and government customers. Under the proposed action, the FAA would license Kistler to conduct flight tests involving launches of its reusable launch vehicles and their recovery at the site and, as appropriate, determine approval for ongoing launch/flight operations at NTS for the purpose of launching communications and other commercial satellites as well as government satellites into low earth orbits. The FAA would also evaluate reentry and recovery/landing operations as part of launch missions. The activities within the NTS will include the conduct of launch and recovery operations utilizing a vehicle processing facility, a launch pad, and vehicle landing/recovery area. One to three suborbital test flights, followed by one to three orbital test flights would be

conducted, with the first test flight scheduled for 1998. Following successful test flights, and upon issuance of required FAA approvals, Kistler plans to begin commercial operations, on northerly (84-92 degree inclination) and northeasterly headings (52-60 degree inclinations). The northerly flights would overfly the states of Nevada and Idaho before entering low earth orbit. The northeasterly flights would overfly the states of Nevada, Utah, and Wyoming before entering low earth orbit. Operating plans estimate 6 test launches in 1998—3 suborbital and 3 orbital, and a commercial launch capability of one launch per week by 2005, depending on commercial market requirements.

Alternative Sites

Proposed locations for the Kistler facilities are being identified by DOE through a siting process that considers existing and planned land uses at the NTS. Site selection within the NTS also takes into consideration alternatives proposed by Kistler and concerns raised by other users of the NTS. Included among the alternatives under consideration are the no action alternative and Area 18, which is in the northwest section of the NTS. The FAA will independently review the site selection process with respect to feasibility and environmental considerations and determine whether there are additional alternatives that are reasonable for detailed study in the EA.

If the environmental assessment process does not identify significant environmental impacts, AST will issue a Finding of No Significant Impact (FONSI). The FAA would make the FONSI available for public review for 30 days by announcing its availability in the **Federal Register** because of the unprecedented nature of the proposed action. Any questions and comments regarding the EA may be directed to FAA, Attn: Mr. Nikos Himaras, Commercial Space Transportation, FAA, DOT, 400 Seventh Street, Room No. 5402a, SW., Washington, DC 20590. He may also be reached at his Internet address of: nick.himaras@faa.dot.gov.

Issued in Washington, DC on June 24, 1997.

Patricia Grace Smith,

Acting Associate Administrator for Commercial Space Transportation.

[FR Doc. 97-17303 Filed 7-1-97; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-97-35]

Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of the 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 any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before July 22, 1997.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. _____, 800 Independence Avenue, SW., Washington, D.C. 20591..

Comments may also be sent electronically to the following internet address: 9-NPRM-CMNTSfaa.dot.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Heather Thorson (202) 267-7470 or Angela Anderson (202) 267-9681 Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on June 26, 1997.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

Petitions for Exemption

Docket No.: 28938

Petitioner: Learjet, Inc.

Sections of the FAR Affected: 14 CFR 25.783(h)

Description of Relief Sought: To permit exemption for the Learjet Model 45, from the emergency exit type requirements of § 25.783(h) for the passenger entry door, to allow an oversized Type III exit in lieu of the required minimum Type II exit.

Dispositions of Petitions

Docket No.: 28891

Petitioner: Kachina Aviation

Sections of the FAR Affected: 14 CFR 133.19(a)(3) and 133.51

Description of Relief Sought/

Disposition: To permit Kachina to conduct external-load operations in the United States using its dry-leased, Canadian-registered Bell 212 helicopter.

Grant, June 9, 1997, Exemption No. 6638

Docket No.: 24427

Petitioner: United States Ultralight Association, Inc.

Sections of the FAR Affected: 14 CFR 103.1(a) and (e)(1) through (e)(4)

Description of Relief Sought/

Disposition: To permit individuals authorized by the USUA to give instruction in powered ultralight vehicles that have a maximum empty weight of not more than 496 pounds, have a maximum fuel capacity of not more than 10 U.S. gallons, are not capable of more than 75 knots of calibrated airspeed at full power in level flight, and have a power-staff stall speed that does not exceed 35 knots calibrated airspeed.

Grant, June 9, 1997, Exemption No. 4274G

Docket No.: 28775

Petitioner: American Flyers, Inc.

Sections of the FAR Affected: 14 CFR part 141, paragraph 3 (c) and (d) of appendix C

Description of Relief Sought/

Disposition: To permit American Flyers to provide an applicant for the instrument rating approach systems and one precision approach system, rather than exclusively using VOR (very high frequency omnidirectional range), ADF (automatic direction finder) and, ILS (instrument landing system) approaches, as required by the rule.

Grant, June 6, 1997, Exemption No. 6640

Docket No.: 28896

Petitioner: Era Helicopters

Sections of the FAR Affected: 14 CFR 61.77 (a), (b), (d), and (e)(1)

Description of Relief Sought/

Disposition: To permit China Southern Airlines Helicopter Company pilots to be eligible to hold special purpose pilot certificates to perform pilot duties on two U.S. registered Super Puma AS332L helicopters (Registration Nos. N170EH and N171EH) that do not meet the aircraft class, passenger seating configuration, and payload requirements of § 61.77.

Grant, June 9, 1997, Exemption No. 6639

Docket No.: 28905

Petitioner: Petroleum Helicopters, Inc.

Sections of the FAR Affected: 14 CFR 135.152(a)

Description of Relief Sought/

Disposition: To permit PHI to place three Bell 214ST helicopters (Registration Nos. N59805, N59806, and N6957Y, Serial nos. 28139, 28140, 28141, respectively) on its Operations Specifications and to operate those helicopters in nonscheduled operations under part 135 without a digital flight data recorder (DFDR) as required by § 135.152.

Grant, June 11, 1997, Exemption No. 6641

Docket No.: 28257

Petitioner: Flight Structures, Inc.

Sections of the FAR Affected: 14 CFR 25.785(d), 25.813(b), 25.857(e), and 25.1447 (c)(1) & (c)(3)(ii)

Description of Relief Sought/

Disposition: To permit supplemental type certification of Airbus Model A300-B4-100 series and -200 series passenger-to-freighter airplane conversions, with provisions for the carriage of persons other than flight crewmembers when the airplane is equipped with two floor-level exits with escape slides, within the occupied main deck area.

Grant, June 4, 1997, Exemption No. 6178A

Docket No.: 28768

Petitioner: Franklin Products, Inc.

Sections of the FAR Affected: 14 CFR 25.853(a)

Description of Relief Sought/

Disposition: To permit Franklin Products, Inc., to be exempt from vertical burn test requirements for water-based adhesives used in the manufacture of their seat cushions.

Water-based adhesives are the only viable alternatives to solvent-based adhesives which do comply with these requirements, but which are becoming no longer available.

Grant, June 4, 1997, Exemption No. 6634

Docket No.: 28710

Petitioner: United Airlines, Inc.

Sections of the FAR Affected: 14 CFR 121.434(c)(3)

Description of Relief Sought/

Disposition: To revise Condition No. 7 to state, "No observation may be conducted under this exemption prior to the flight leg during which the qualifying PIC will complete the minimum number of hours specified in § 121.434(c)(3)".

Grant, June 11, 1997, Exemption No. 6570A

Docket No.: 28787

Petitioner: Ameriflight, Inc.

Sections of the FAR Affected: 14 CFR 61.5 (a) and (c), and 91.203 (a) and (c)

Description of Relief Sought/

Disposition: To permit Ameriflight to temporarily operate its aircraft without those aircraft's airworthiness and registration certificates on board (and properly displayed in the case of airworthiness certificates) while obtaining replacements. This exemption also permits Ameriflight's pilots to temporarily operate Ameriflight's aircraft without those pilots having their pilot and medical certificates in their personal possession.

Grant, June 11, 1997, Exemption No. 6645

[FR Doc. 97-17302 Filed 7-1-97; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-97-36]

Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified