

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****[Summary Notice No. PE-2000-54]****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 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 October 23, 2000.

**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, DC 20591.

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, DC 20591; telephone (202) 267-3132.

**FOR FURTHER INFORMATION CONTACT:**

Forest Rawls (202) 267-8033, or Vanessa Wilkins (202) 267-8029 Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to § 11.85 and 11.91 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, DC, on September 27, 2000.

**Donald P. Byrne,***Assistant Chief Counsel for Regulations.***Dispositions of Petitions***Docket No.: 30010**Petitioner: Avcon Industries, Inc.**Section of the FAR Affected: 14 CFR § 25.87(e)(4)**Description of Relief Sought/*

*Disposition:* To permit supplemental type certification of the Learjet Models 20 and 30 series airplanes, modified for the carriage of cargo, to exclude hazardous quantities of smoke, flames, or noxious gases from the flight crew compartment.

*Grant, 09/05/00, Exemption No. 7341**Docket No.: 28660**Petitioner: The Collings Foundation**Section of the FAR Affected: 14 CFR §§ 91.315, 93.319(a), 119.5(g), and 119.21(a)**Description of Relief Sought/*

*Disposition:* To permit Collings to operate its Boeing B-17 (B-17) aircraft, which is certificated in the limited category, and its Consolidated B-24 (B-24) aircraft, which is certificated in the experimental category, for the purpose of carrying passengers on local flights for compensation or hire. You request that the jurisdictional Flight Standards District Office (FSDO) be changed in the grant of exemption (*i.e.*, Condition No. 10) from "NE FSDO No. 1" to the FAA's SO FSDO No. 15, 5950 Hazeltine National Drive, Suite 550, Orlando, Florida 32822-5023, because Collings is relocating its base of maintenance and operations to Orlando, Florida and Smyrna Beach, Florida.

*Grant, 09/05/00, Exemption No. 6540C**Docket No.: 29914**Petitioner: Gemini Air Cargo, Inc.**Section of the FAR Affected: 14 CFR § 121.583(a)(8)**Description of Relief Sought/*

*Disposition:* To permit up to three dependents of GAC employees who are accompanied by an employee sponsor traveling on official business only and who are trained and qualified in the operation of the emergency equipment on GAC's Boeing-DC-10-30F and MD-11F all-cargo airplanes, to be added to the list of persons specified in § 121.583(a)(8) that GAC is authorized to transport without complying with the passenger-carrying airplane requirements in §§ 121.309(f), 121.310, 121.391, 121.571, and 121.587; the passenger-carrying operation requirements in

§§ 121.157(c), 121.161, and 121.291; and the requirements pertaining to passengers in §§ 121.285, 121.313(f), 121.317, 121.547, and 121.573.

*Grant, 08/25/00, Exemption No. 7339**Docket No.: 30179**Petitioner: Evergreen International Airlines, Inc.**Section of the FAR Affected: 14 CFR Special Federal Aviation Regulation No. 79**Description of Relief Sought/*

*Disposition:* To permit one flight to Pyongyang, the capital city of the Democratic People's Republic of Korea, on or about August 28, 2000.

*Grant, 08/24/00, Exemption No. 7325**Docket No.: 30189**Petitioner: Experimental Aircraft Association Chapter 1056**Section of the FAR Affected: 14 CFR §§ 135.251, 135.255, 135.353, and appendixes I and J to part 121**Description of Relief Sought/*

*Disposition:* To permit EAA Chapter 1056 to conduct local sightseeing flights at Maple Grove Airport, Fowlerville, Michigan, for a two-day charitable event in September 2000, for compensation or hire, without complying with certain anti-drug and alcohol misuse prevention requirements of part 135.

*Grant, 09/08/00, Exemption No. 7343*

[FR Doc. 00-25266 Filed 10-3-00; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Environmental Impact Statement; Highway 75, Timmerman Junction to Ketchum, Blaine County, ID****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for proposed transportation improvements within the Highway 75 corridor from Timmerman Junction to Ketchum, Idaho.

**FOR FURTHER INFORMATION CONTACT:** Ms. Mary Gray, Environmental /Right-of-Way Program Manager, Federal Highway Administration, 3050 Lakeharbor Lane, Suite 126, Boise, ID 83702, (208) 334-1843; or Mr. Charles Carnohan, Senior Environmental Planner, Idaho Department of Transportation, P.O. Box 2-A, Shoshone, ID 83205-4700, (208) 886-7823.

**SUPPLEMENTARY INFORMATION:**

## Electronic Access

An electronic copy of this document may be downloaded by using a computer, modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202)512-1661. Internet users may reach the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's web site at: <http://www.access.gpo.gov/nara>.

## Background

The FHWA, in cooperation with the Idaho Transportation Department, will prepare an environmental impact statement (EIS) on proposed transportation improvements to the Highway 75 corridor from the intersection with Highway 20 (Timmerman Junction) north to Ketchum, Idaho. The EIS process will include identification of issues, development of the project's purpose and need, and identification and evaluation of a range of multi modal transportation alternatives as well as project mitigation measures.

A series of public scoping meetings will be held in Hailey and Ketchum Idaho to ensure that the full range of issues related to this proposed action are identified. Notices of specific meeting times and places will be placed in local newspapers. In addition, public meetings and consultation with Federal, State and local agencies will also be held. Comments and suggestions are invited from all interested parties. Comments or questions can be directed to the contacts listed in the caption **FOR FURTHER INFORMATION CONTACT**.

**Authority:** 23 U.S.C. 315; 23 CFR 1.48.

Issued on: September 28, 2000.

**Stephen A. Moreno,**  
Division Administrator.

[FR Doc. 00-25435 Filed 10-3-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2000-8014; Notice 1]

### Mercedes-Benz USA, Receipt of Application for Decision of Inconsequential Noncompliance

Mercedes-Benz, U.S.A., L.L.C., Montvale, New Jersey (MBUSA), has determined that a limited number of model year 2000 Mercedes-Benz CL500 vehicles were produced and sold with upper beam headlamps that do not meet the photometric requirements mandated

by Federal Motor Vehicle Safety Standard (FMVSS) No. 108, "Lamps, Reflective Devices, and Associated Equipment." A number of Mercedes-Benz CL500 vehicles were produced with upper beam headlamps that exceed the photometric limits of FMVSS 108.

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Mercedes-Benz 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."

This notice of receipt of this application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

Mercedes-Benz CL500 vehicles are equipped with Xenon headlamps. The lamps are a type of lighting technology that replaces the filament of the light bulb with a capsule of gas, in this case Xenon. When high voltage is applied, the Xenon gas is ignited to produce an arc of light. The amount of light produced is greater than a standard halogen bulb, while consuming less power, and more closely approximating the color temperature of natural daylight. When the lower beams of the Mercedes-Benz CL500 are illuminated, the Xenon lamps are illuminated and, through the use of a mechanical flap, are directed at an angle that optimizes illumination of road surfaces in front of the vehicle. In lower-beam mode the Xenon lamps meet all photometric requirements outlined in FMVSS 108. When the upper beam headlamps are activated, the mechanical flap alters the angle of the Xenon lamp illumination to provide higher angle illumination. In 613 Model Year 2000 CL500 vehicles, in addition to the Xenon lamp, a separate H7 lamp was improperly wired to illuminate at the same time the mechanical flap was activated to increase the Xenon light angle. In upper-beam mode, the Xenon and H7 lamp combination emit 89,000 candela of light and 12,731 candela of light at test points H,V and 4D-V respectively. This measurement exceeds the maximum photometric requirements of FMVSS 108 by approximately 20 percent.

MBUSA does not believe that the foregoing noncompliance will impact motor vehicle safety for the following reasons:

(1) Only a very limited number of Mercedes-Benz CL500 vehicles were produced containing the foregoing noncompliance (613 units). This number represents only minimal

percentage of all vehicles operating in the United States.

(2) Upper beam headlamps are not legal in States for operation in the presence of oncoming traffic. Therefore, the higher output upper beam headlamps will likely not even be noticed by other drivers or vehicle occupants. Moreover, MBUSA believes that the approximately 20% increase in upper beam headlamp output in affected CL500's is indistinguishable to occupants of oncoming vehicles.

(3) With regards to the driver of the affected vehicles, MBUSA believes that the increase in output for upper beam headlamps may actually enhance vehicle safety in that drivers will have a greater view down the road thereby providing earlier warning of obstacles in the vehicle's intended path of travel.

MBUSA has not received, nor is the Company aware of, any complaints, accidents or injuries caused by the higher output upper beam headlamps.

Interested persons are invited to submit written data, views, and arguments on the application described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation, Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below. Comment closing date: November 3, 2000.

(49 U.S.C. 301118, 301120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: September 28, 2000.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 00-25436 Filed 10-3-00; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

### Actions on Exemption Applications

**AGENCY:** Research and Special Programs Administration, DOT

**ACTION:** Notice of actions on Exemption Applications.