

if the action was adequate to correct the unsafe condition. The respondents are aircraft owners and operators.

*Estimated Annual Burden Hours:* A total of 2,800 hours annually.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention FAA Desk Officer.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimates of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued in Washington, DC, on May 12, 2004.

**Judith D. Street,**

*FAA Information Collection Clearance Officer, Standards and Information Division, APF-100.*

[FR Doc. 04-11303 Filed 5-18-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Membership in the National Parks Overflights Advisory Group

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** By **Federal Register** notice published on March 11, 2004, the National Park Service (NPS) and the Federal Aviation Administration (FAA), asked interested persons to apply to fill a vacant position representing aviation interests on the National Parks Overflights Advisory Group (NPOAG) Aviation Rulemaking Committee (ARC). This notice informs the public of the person selected to fill that vacancy on the NPOAG ARC.

**FOR FURTHER INFORMATION CONTACT:** Barry Brayer, Executive Resource Staff, Western Pacific Region Headquarters, 15000 Aviation Blvd., Hawthorne, CA 90250, telephone: (310) 725-3800, E-mail: [Barry.Brayer@faa.gov](mailto:Barry.Brayer@faa.gov), or Karen Trevino, National Park Service, Natural Sounds Program, 1201 Oakridge Dr., Suite 350, Ft. Collins, CO 80525,

telephone (970) 225-3563, or [Karen\\_Trevino@nps.gov](mailto:Karen_Trevino@nps.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The National Parks Air Tour Management Act of 2000 (the Act) was enacted on April 5, 2000, as Public Law 106-181. The Act required the establishment of the advisory group within 1 year after its enactment. The NPOAG was established in March 2001. The advisory group is comprised of a balanced group of representatives of general aviation, commercial air tour operations, environmental concerns, and Native American tribes. The Administrator and the Director (or their designees) serve as ex officio members of the group. Representatives of the Administrator and Director serve alternating 1-year terms as chairman of the NPOAG ARC.

The NPOAG ARC provides "advice, information, and recommendations to the Administrator and the Director—

(1) On the implementation of this title [the Act] and the amendments made by this title;

(2) on commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given air tour management plan;

(3) on other measures that might be taken to accommodate the interests of visitors to national parks; and

(4) at the request of the Administrator and the Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands."

##### Changes in Membership

To maintain the balanced representation of the group, the FAA and the NPS recently published a notice in the **Federal Register** asking interested persons to apply to fill a vacancy representing aviation interests on the NPOAG ARC. The person selected to fill that position is Mr. Elling Halverson, Papillon Airways, Inc. The current members of the NPOAG ARC now are Heidi Williams (general aviation), Richard Larew, Elling Halverson, and Alan Stephen (commercial air tour operations), Chip Dennerlein, Charles Maynard, Steve Bosak, and Susan Gunn (environmental interests), and Germaine White and Richard Deertrack (Indian tribes).

Issued in Washington, DC, on May 13, 2004.

**Steven W. Douglas,**

*Acting Director, Flight Standards Service.*

[FR Doc. 04-11301 Filed 5-18-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Proposed Order 8100.9A, DAS, DOA, and SFAR 36 Authorization Procedures

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of availability and request for public comments.

**SUMMARY:** This notice announces the availability of and requests comments on a proposed revision to Order 8100.9, DAS, DOA, and SFAR 36 Authorization Procedures, implementing a new evaluation program for these organizations. This notice is necessary to give all interested persons an opportunity to present their views on the proposed policy.

**DATES:** Comments must be received on or before June 18, 2004.

**ADDRESSES:** Send all comments on the proposed revised Order to: Ralph Meyer, Delegation and Airworthiness Programs Branch, P.O. Box 26460, Oklahoma City, OK 73125. Comments may be faxed to: (405) 954-7072 or e-mailed to: [ralph.meyer@faa.gov](mailto:ralph.meyer@faa.gov).

##### FOR FURTHER INFORMATION CONTACT:

Ralph Meyer, Aircraft Engineering Division, Airworthiness Programs Branch (AIR-140), P.O. Box 26460, Oklahoma City, OK 73125. Telephone: (405) 954-7072 or FAX: (405) 954-4104.

##### SUPPLEMENTARY INFORMATION:

##### Comments Invited

You are invited to comment on the proposed revised Order by submitting such written data, views, or arguments to the address or FAX number listed above. Your comments should identify "Order 8100.9A." The Associate Administrator for Regulation and Certification will consider all communications received on or before the closing date before issuing the final Order.

##### Background

The revision to Order 8100.9 establishes a new evaluation program to evaluate all aspects of an authorization holder's performance. Currently, these organizations are evaluated under both the Aircraft Certification Systems Evaluation Program (ACSEP) and Order 8100.9 Technical Evaluations. When

implemented, organizations will not be subject to ACSEP evaluations unless warranted by their status as a production approval holder. This proposed revised Order also incorporates the content of Order 8100.12 that pertains to Designated Alteration Station Project Limitations and it also clarifies FAA oversight requirements for delegated organizations.

#### How To Obtain Copies

You may get a copy of the proposed revised Order from the Internet at: <http://www.faa.gov/certification/aircraft/av-info/dst/dds.htm>. You may also request a copy from Ralph Meyer. See the section entitled **FOR FURTHER INFORMATION CONTACT** for the complete address.

Issued in Washington, DC, on May 12, 2004.

**David W. Hempe,**

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

[FR Doc. 04-11304 Filed 5-18-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2004-17679; Notice 1]

#### General Motors Corporation, Receipt of Petition for Decision of Inconsequential Noncompliance

General Motors Corporation (GM), has determined that certain 2004 model year vehicles that it produced do not comply with S5.1 of 49 CFR 571.124, Federal Motor Vehicle Safety Standard (FMVSS) No. 124, "Accelerator control systems." GM has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), GM 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.

This notice of receipt of GM's petition 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 petition.

Approximately 19,924 model year 2004 Cadillac SRX, Cadillac XLR, and Pontiac Grand Prix vehicles are affected. S5.1 of FMVSS No. 124 requires that:

There shall be at least two sources of energy capable of returning the throttle to the

idle position within the time limit specified by S5.3 . . . . In the event of failure of one source of energy by a single severance or disconnection, the throttle shall return to the idle position within the time limits specified by S5.3 . . . .

In the event of failure of either of the two Electronic Throttle Control (ETC) Pedal return springs, at ambient temperatures of  $-30^{\circ}\text{C}$  to  $-40^{\circ}\text{C}$  for the Grand Prix and XLR and  $-10^{\circ}\text{C}$  to  $-40^{\circ}\text{C}$  for the SXR, the engine in some of the subject vehicles may not return to idle within the time limits specified by S5.3.

GM believes that the noncompliance is inconsequential to motor vehicle safety for the following reasons:

**Vehicle Controllability:** A number of conditions must occur for the noncompliance to occur. A return spring must be severed, the stack-up of tolerances in the ETC Pedal Position Sensor must exist, the vehicle must have soaked at an ambient temperature of  $-30^{\circ}\text{C}$  to  $-40^{\circ}\text{C}$  for the Grand Prix and XLR and  $-10^{\circ}\text{C}$  to  $-40^{\circ}\text{C}$  for the SXR, and the customer must drive the vehicle prior to the vehicle interior warming up. In the extremely low likelihood of all of these conditions existing, the condition would occur upon the first application of the throttle pedal. The vehicle would continue to be controllable by steering and braking, and the ETC Pedal assembly would return to normal operation once the passenger compartment warmed up.

**Pedal Assembly is Protected:** When FMVSS No. 124 was established in 1973, the accelerator control systems of vehicles consisted of a mechanical connection between the accelerator pedal and the engine's carburetor. The throttle return springs required by FMVSS No. 124 were typically part of the carburetor, and subject to the harsh engine environment. The requirements of S5.1 were established to ensure that if one of those springs in that environment were to fail, the engine would return to idle in a timely manner.

The ETC Accelerator Pedal Module in the subject vehicles consists of the accelerator pedal at the end of the accelerator pedal lever. The lever is connected to the ETC Pedal Sensor shaft, and is returned to the idle position by two return springs. The ETC Pedal Sensor provides two redundant signals to the engine control module to indicate accelerator pedal position. The ETC Accelerator Pedal Module is located entirely within the passenger compartment of the vehicle. The return springs are in a protected area under the instrument panel, and are not subject to the harsh environment of the engine compartment.

**Condition Requires Failed Return Spring:** The condition that is described can only occur if one of the two return springs is severed or disconnected. The springs in the subject Accelerator Pedal Module, however, have extremely high reliability and are not likely to fail in the real world.

**Durability Testing:** The ETC Accelerator Pedal Module is designed for a service life of at least 100,000 miles or 10 years working life for passenger car application. The Minimum

Typical Predicted Usage Profile of the Component Technical Specification states that the Accelerator Pedal mechanism may be subject to 35,000,000 dithers / 70,000,000 sensor direction changes. The GM Test Procedure TP3750, Accelerator Pedal Lab Durability Cycling Test, that is used during the development and validation of this system, subjects these parts to 2 million cycles, an equivalent usage greater than 6 lives for an automatic transmission passenger vehicle and 3 lives for a manual transmission passenger vehicle. There were no accelerator pedal return spring failures after testing multiple samples to 10 million cycles during the durability testing that was performed on the ETC Accelerator Pedal Module for the subject vehicles.

**Condition Requires Extreme Temperatures, Pedal Assembly Warms Quickly:** The root cause of the condition is an increase in friction that may occur on some ETC Accelerator Pedal Modules due to a stack-up of tolerances, but only when the Module is subjected to extreme ambient temperatures. All tests at temperatures above those extremes resulted in full compliance with the FMVSS No. 124 time limits for all pedal assemblies tested. Therefore, the ambient temperatures required for the possibility of the noncompliance to exist are severe. Even if a vehicle with a disconnected return spring soaked under the necessary harsh conditions for a sufficient time, the potential for the noncompliance to occur would exist for only a short time, because the pedal assembly would warm up quickly with activation of the vehicle heating system.

**Warranty Data:** GM has reviewed warranty data for these 2004 vehicles, as well as complaint data. GM is unaware of any data suggesting the subject condition is a real world safety issue.

**Prior NHTSA Decision:** On August 3, 1998, NHTSA granted a petition for decision of inconsequential noncompliance to GM for 1997 Chevrolet Corvettes that failed to meet the requirements of FMVSS No. 124, with respect to the requirement to return to idle in less than 3 seconds at  $-40^{\circ}\text{C}$ .

Interested persons are invited to submit written data, views, and arguments on the petition described above. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods. Mail: Docket Management Facility, U.S. Department of Transportation, Nassif Building, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. Hand delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC. It is requested, but not required, that two copies of the comments be provided. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal holidays. Comments may be submitted electronically by logging onto the Docket Management System Web site at <http://dms.dot.gov>. Click on