

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****[Summary Notice No. PE-2007-03]****Petitions for Exemption; Summary of Petitions Received****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of petition for exemption received.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of a certain petition seeking relief from specified requirements of 14 CFR. 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 the petition received must identify the petition docket number involved and must be received on or before February 20, 2007.

**ADDRESSES:** You may submit comments (identified by DOT DMS Docket Number FAA-2006-26659) by any of the following methods:

- Web Site: <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.

- Fax: 1-202-493-2251.
- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Docket: For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Frances Shaver (202) 267-9681, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC, on January 24, 2007.

**Pamela Hamilton-Powell,**  
*Director, Office of Rulemaking.*

**Petition for Exemption**

*Docket No.:* FAA-2006-26659.

*Petitioner:* Embraer, Av. Brig. Faria Lima, 2170 Putim, 12227-901—Sao Jose dos Campos—SP, Brazil.

*Section of 14 CFR Affected:* 14 CFR, Part 23, § 23.3(d).

*Description of Relief Sought:* Embraer requests an exemption from the requirements of 14 CFR, part 23, § 23.3(d), "Airplane categories," to permit the type certification of the EMB-505 in the commuter category. The EMB-505 is a twin-engine turboprop airplane. Under § 23.3(d), the commuter category is currently limited to propeller-driven multiengine aircraft.

[FR Doc. 07-410 Filed 1-30-07; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****[Summary Notice No. PE-2007-02]****Petitions for Exemption; Summary of Petitions Received****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of petitions for exemption received.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of certain petitions seeking relief from specified requirements of 14 CFR. 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 February 20, 2007.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket Number FAA-2006-26605] by any of the following methods: *Web Site:* <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site. *Fax:* 1-202-493-2251. *Mail:* Docket Management Facility; U.S. Department of

Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001. *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

*Docket:* For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** Tyneka Thomas (202) 267-8033, Sandy Buchanan-Sumter (202) 267-7271, or Frances Shaver (202) 267-9681, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC on January 24, 2007.

**Pamela Hamilton-Powell,**  
*Director, Office of Rulemaking.*

**Petitions for Exemption**

*Docket No.:* FAA-2006-26605.

*Petitioner:* Daniel Nachbar.

*Section of 14 CFR Affected:* 14 CFR 61.31(c) and 61.31(k)(2)(iii)(B).

*Description of Relief Sought:* To allow Mr. Daniel Nachbar, a private pilot, to operate and act as a pilot in command of a steerable lighter-than-air balloon while carrying passengers without a type rating for that aircraft.

[FR Doc. E7-1463 Filed 1-30-07; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Environmental Impact Statement: Seattle, WA****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Rescission of Notice of Intent, FR document 03-10244.

**SUMMARY:** This notice rescinds the previous Notice of Intent issued on April 18, 2003, to prepare an environmental impacts statement (EIS) for the proposed Magnolia Bridge Replacement transportation project in the city of Seattle, Washington.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Healy, Area Engineer, Federal

Highway Administration, 711 S. Capitol Way, Suite 501, Olympia, WA 98501, Telephone (360) 753-9480 and Ed Conyers, Washington State Department of Transportation, Local Programs Engineer for Northwest Region, P.O. Box 330310, 15700 Dayton Avenue, Seattle, WA 98133, Telephone (206) 440-4734.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Washington State Department of Transportation (WSDOT) and the Seattle Department of Transportation (SDOT), issued a Notice of Intent on April 18, 2003 to prepare an EIS to evaluate the potential environmental impacts associated with the proposed replacement of the Magnolia Bridge, which spans from the intersection of 15th Avenue West and West Garfield Street to the intersection of West Galer Street and Dartmouth Avenue West in Seattle, Washington.

The initial proposal included the consideration of four alternatives (three build alternatives and a no action alternative) for evaluation in the proposed EIS. Since then, as the project elements have been refined and completion of associated discipline reports have helped to more specifically identify potential impacts, the build alternative with significant impacts was eliminated from consideration. As such, the FHWA, WSDOT, and SDOT have jointly decided that the project will likely not result in significant impacts to the environment and that an Environmental Assessment (EA) is the most appropriate environmental document for compliance with the National Environmental Policy Act (NEPA). The EA will be circulated, as appropriate, once it is completed.

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

**Authority:** 23 U.S.C. 315; 49 CFR 1.48.

Issued on: January 25, 2007.

**Elizabeth Healy,**

*Area Engineer, Federal Highway Administration, Olympia, Washington.*

[FR Doc. E7-1495 Filed 1-30-07; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket FTA-2007-26859]

### Notice of Establishment of Emergency Relief Docket for Calendar Year 2007

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice.

**SUMMARY:** As provided for in 49 CFR Part 601, Subpart D, (72 FR 910, Jan. 9, 2007), the Federal Transit Administration (FTA) must, by January 31 of each calendar year, establish an Emergency Relief Docket so grantees and subgrantees affected by national or regional emergencies may request relief from policy statements, circulars, guidance documents and regulations. By this notice, FTA is establishing an Emergency Relief Docket for calendar year 2007.

**FOR FURTHER INFORMATION CONTACT:** Bonnie L. Graves, Attorney-Advisor, Legislation and Regulations Division, Office of Chief Counsel, Federal Transit Administration, 400 Seventh Street, SW., Room 9316, Washington, DC, 20590, *phone:* (202) 366-4011, *fax:* (202) 366-3809, or e-mail, *Bonnie.Graves@dot.gov*.

**SUPPLEMENTARY INFORMATION:** The Administrator in his/her sole discretion shall determine the need for opening the Emergency Relief Docket. It may be opened at the request of a grantee or subgrantee, or on the Administrator's own initiative. When the Emergency Relief Docket is opened, FTA will post a notice on its Web site, at *www.fta.dot.gov*. In addition, a notice will be posted in the docket.

In the event a grantee or subgrantee believes the Emergency Relief Docket should be opened and it has not been opened, that grantee or subgrantee may submit a petition in duplicate to the Administrator, via U.S. mail, to: Federal Transit Administration, 400 Seventh Street, SW., Washington, DC 20590; via telephone, at: (202) 366-4043; or via fax, at (202) 366-3472, requesting opening of the Docket for that emergency and including the information set forth below.

All petitions for relief must be posted in the docket in order to receive consideration by FTA. The docket is publicly accessible and can be accessed 24 hours a day, seven days a week, via the Internet at the docket facility's Web site at *http://dms.dot.gov*. Petitions may also be submitted by U.S. mail or by hand delivery to the DOT Docket Management Facility, Room PL-401

(Plaza Level), 400 Seventh Street, SW., Washington, DC 20590.

In the event a grantee or subgrantee needs to request immediate relief and does not have access to electronic means to request that relief, the grantee or subgrantee may contact any FTA regional office or FTA headquarters and request that FTA staff submit the petition on their behalf.

Any grantee or subgrantee submitting petitions for relief or comments to the docket must include the agency name (Federal Transit Administration) and docket number 26859. Grantees and subgrantees making submissions by mail or hand delivery should submit two copies.

A petition for relief shall:

(a) Identify the grantee or subgrantee and its geographic location;

(b) Specifically address how an FTA requirement in a policy statement, circular, or agency guidance will limit a grantee's or subgrantee's ability to respond to an emergency or disaster;

(c) Identify the policy statement, circular, guidance document and/or rule from which the grantee or subgrantee seeks relief; and

(d) Specify if the petition for relief is one-time or ongoing, and if ongoing identify the time period for which the relief is requested. The time period may not exceed three months; however, additional time may be requested through a second petition for relief.

A petition for relief will be conditionally granted for a period of three (3) business days from the date it is submitted to the Emergency Relief Docket. FTA will review the petition after the expiration of the three business days and review any comments submitted thereto. FTA may contact the grantee or subgrantee that submitted the request for relief, or any party that submits comments to the docket, to obtain more information prior to making a decision. FTA shall then post a decision to the Emergency Relief Docket. FTA's decision will be based on whether the petition meets the criteria for use of these emergency procedures, the substance of the request, and the comments submitted regarding the petition. If FTA does not respond to the request for relief to the docket within three business days, the grantee or subgrantee may assume its petition is granted for a period not to exceed three months until and unless FTA states otherwise.

FTA reserves the right to reopen any docket and reconsider any decision made pursuant to these emergency procedures based upon its own initiative, based upon information or comments received subsequent to the