

*Earliest Charge Effective Date:* November 1, 2006.  
*Estimated Charge Expiration Date:* November 1, 2017.  
*Class of Air Carriers Not Required To Collect PFC's:* Air taxi/commercial operators.  
*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Akron-Canton Regional Airport.

*Brief Description of Projects Approved For Collection and Use:*  
 Property acquisition—Ketrone.  
 Property acquisition—Goodyear.  
 Property acquisition—Fouts.  
 Property acquisition—Frayner.  
 Property acquisition—Salmons.  
 Property acquisition—Maynley.  
 Security enhancements.  
 Glycol recovery study.  
 Glycol recovery design.  
 Snow removal equipment—high speed rotary broom.

Snow removal equipment—high speed rotary broom.  
 Snow removal equipment—runway de-icing truck.  
 Aircraft apron rehabilitation.  
 Terminal rehabilitation.  
 Runway 14/32 closure/conversion to taxiway.  
*Decision Date:* March 23, 2005.  
**FOR FURTHER INFORMATION CONTACT:** Jason Watt, Detroit Airports District Office, (734) 229-2906.

**Amendments to PFC Approvals**

Amendment No. city, state	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
97-01-C-01-BRO Brownsville, TX	04/01/04	\$1,087,427	\$1,099,404	05/01/03	05/01/03
98-02-C-02-ABY Albany, GA	02/24/05	755,509	751,509	08/01/03	08/01/03
03-03-C-01-ABY Albany, GA	02/24/05	454,849	512,749	07/01/06	02/01/08
98-02-C-02-EAT Wenatchee, WA	02/24/05	404,184	379,526	10/01/00	10/01/00
03-03-C-02-EAT Wenatchee, WA	02/24/05	312,087	281,044	10/01/02	10/01/02
95-02-C-06-CVG Covington, KY	02/25/05	75,857,000	76,920,000	11/01/98	10/01/98
98-04-C-06-CVG Covington, KY	02/25/05	35,198,000	33,061,000	07/01/00	07/01/00
01-06-C-02-CVG Covington, KY	02/25/05	20,265,000	19,353,000	10/01/02	08/01/02
02-08-C-01-CVG Covington, KY	02/25/05	259,789,000	267,326,000	07/01/08	10/01/08
02-05-C-01-SYR Syracuse, NY	03/01/05	10,509,851	12,057,078	02/01/05	08/01/05
99-03-C-04-LBB Lubbock, TX	03/03/05	4,622,222	4,007,468	07/01/02	07/01/02
02-04-C-02-LBB Lubbock, TX	03/03/05	3,356,723	3,250,572	02/01/05	02/01/05
95-02-C-03-EWR Newark, NJ	03/14/05	321,607,000	329,043,000	03/01/03	03/01/02
95-02-C-03-JFK New York, NY	03/14/05	301,279,500	308,245,500	03/01/03	03/01/02
95-02-C-03-LGA New York, NY	03/14/05	242,113,500	247,711,500	03/01/03	03/01/02
96-03-U-01-EWR Newark, NJ	03/14/05	NA	NA	03/01/03	03/01/02
96-03-U-01-JFK New York, NY	03/14/05	NA	NA	03/01/03	03/01/02
96-03-U-01-LGA New York, NY	03/14/05	NA	NA	03/01/03	03/01/02
03-05-C-02-BUR Burbank, CA	03/16/05	20,135,816	22,648,756	03/01/10	05/01/10
97-03-C-03-ONT Ontario, CA	03/16/05	92,680,000	118,454,000	07/01/05	12/01/07
93-01-C-02-BLI Bellingham, WA	03/17/05	366,000	364,677	07/01/94	07/01/94
01-03-C-02-JNU Juneau, AK	03/23/05	371,748	420,712	01/01/02	01/01/02

Issued in Washington, DC on August 4, 2005.  
**Joe Hebert,**  
*Manager, Financial Analysis and Passenger Facility Charge Branch.*  
 [FR Doc. 05-15854 Filed 8-10-05; 8:45 am]  
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**DEPARTMENT OF TRANSPORTATION**  
**Federal Railroad Administration**  
**Petition for Waiver of Compliance**

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR),

notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions

involved, the nature of the relief being requested, and the petitioner's arguments in favour of relief.

#### Association of American Railroads

[Docket Number FRA-2005-21325]

The Association of American Railroads (AAR), on behalf of itself and its member railroads, seeks a permanent waiver of compliance from certain provisions of the Railroad Locomotive Safety Standards, 49 CFR Part 229. Specifically, the AAR requests to change the time interval requirements of 49 CFR 229.27 Annual Tests and 49 CFR 229.29 Biennial Tests for all locomotives equipped with 26-L type brake systems and air dryers, by extending the testing interval to four years.

In 1981, FRA granted a test waiver (H-80-7) to eight railroads, permitting them to exceed the annual and biennial testing requirements of § 229.27 and § 229.29, in order to conduct a study of the safe service life and reliability of the locomotive brake components. On January 29, 1985, FRA expanded the waiver to permit all railroads to inspect the 26-L type brake equipment on a triennial basis. In the 1990's, the Canadian Pacific Railroad (CP) and the Canadian National Railroad (CN) petitioned the FRA to allow them to operate locomotives into the United States that received periodic attention every four years. The requests were based on a decision by Transport Canada to institute a four-year inspection program following a thorough test program in Canada. In November 2000, FRA granted conditional waivers to both the CN and CP Railroads, extending the testing interval to four years for Canadian-based locomotives equipped with 26-L type brake systems and air dryers. The waiver also requires all air brake filtering devices be changed annually and the air compressor to be overhauled not less than every six years.

AAR does not see any rational basis for permitting Canadian-based locomotives with 26-L type brakes and air dryers to operate four years between inspections, while subjecting U.S.-based locomotives with the same brake systems and air dryers to a three-year inspection interval. AAR makes this conclusion based on the fact that Transport Canada has permitted this practice without any accident caused by the malfunction of a 26-L type brake system, and because the FRA approved the CN and CP waiver requests in 2000. Accordingly, AAR requests that the inspection interval for all locomotives equipped with 26-L type brake systems and air dryers be extended to four years.

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 for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2005-21325) and must be submitted in triplicate to the Docket Clerk, DOT Central Docket Management Facility, Room Pl-401, Washington, DC 20590-0001. Communications received within 45 days of the date 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.-5 p.m.) at DOT Central Docket Management Facility, Room Pl-401 (Plaza Level), 400 Seventh Street SW., Washington. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19377-78). The statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC on August 8, 2005.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance

with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favour of relief.

#### Association of American Railroads

[Docket Number FRA-2005-21613]

The Association of American Railroads (AAR), on behalf of itself and its member railroads, seeks a permanent waiver of compliance from certain provisions of the Railroad Locomotive Safety Standards, 49 CFR part 229. Specifically, the AAR requests relief from the requirements of 49 CFR 229.27(a)(2) Annual Tests and 49 CFR 229.29(a) Biennial Tests, as solely applicable to all present and future installations of the New York Air Brake Corporation (NYAB) and Wabtec Corporation electronic brake systems. AAR is requesting this waiver with the intent to move to a "performance-based criterion," with air brake components repaired or replaced as required. AAR makes this request based on their belief that electronic brake systems are inherently more reliable than their predecessors, along with the system's utilization of diagnostic tools which continuously monitor the function of critical components. AAR proposes a test program be permitted, similar to the CSX Transportation (CSXT) waiver test program, under which the performance of locomotive electric brake systems would be monitored.

On September 1, 2000, FRA granted CSXT a conditional waiver (FRA-1999-6252) from the annual and biennial test requirements for NYAB's Computer Controlled Brake (CCB) systems installed on CSXT locomotives, with a requirement that a Joint CSX/CCB Committee be established to monitor and approve all testing parameters and test functions. The committee is comprised of individuals from rail labor, railroad management, manufacturers, suppliers, and the FRA. The committee meets 2 to 4 times a year to perform functional tests and tear-down inspections on locomotives that have operated for specific periods of time without any air brake components being replaced. In AAR's written request for this waiver, they make a general statement that the CCB brake system has successfully operated for over eight years and that the CSXT test program has shown that the existing requirements for tests every five years is too restrictive.

The facts relative to waiver FRA-1999-6252 are as follows: The CSXT test program has only evaluated and