

trajectory because under § 401.7, a suborbital trajectory is when the vacuum instantaneous impact point (IIP) of a vehicle's flight path does not leave the surface of the Earth. Starship's nominal IIP leaves the earth for a few seconds. Secondly, the near orbital trajectory is not an orbital trajectory because it does not lead to orbital insertion. Orbital insertion is defined in § 401.7 as the point at which a vehicle achieves a minimum 70-nautical mile perigee based on a computation that accounts for drag. In this case, the Starship Super Heavy does not achieve a 70-nautical mile perigee. Because Starship does not achieve orbital insertion, it conducts a suborbital reentry, which is different from a reentry from Earth orbit that involves a final health check prior to initiating deorbit. The near-orbital trajectory presents a unique circumstance as it relates to the application of the safety criteria outlined in § 450.101.

The FAA finds that granting SpaceX a waiver to § 450.101(a)(1)(i) with the following terms and conditions would not jeopardize public health and safety or safety of property:

- The risk to all members of the public, excluding persons in aircraft and neighboring operations personnel, must not exceed $1 \times 10^{-4} E_c$ for the phases of flight from the lift-off of the Super Heavy first stage to the initial SECO-1 of Starship.
- The risk to all members of the public, excluding persons in aircraft and neighboring operations personnel, must not exceed $1 \times 10^{-4} E_c$ for the phases of flight from the initial SECO-1 to final impact or landing.
- The risk to all members of the public, excluding persons in aircraft and neighboring operations personnel, must not exceed $2 \times 10^{-4} E_c$ for all phases of flight from lift-off through final impact or landing.
- The Starship mission profile utilizes a near-orbital trajectory where maximum perigee is less than positive 130 km and greater than negative 50 km, and the normal trajectory limits predicted debris impacts to broad ocean areas in the Indian Ocean.

ii. National Security and Foreign Policy Implications

The FAA has identified no national security or foreign policy implications associated with granting this waiver.

iii. Public Interest

On June 20, 2024, the FAA received a letter from the National Aeronautics and Space Administration (NASA) Human Landing System (HLS) program conveying the importance and criticality

of the Starship Super Heavy system and rapid iterations of flight test operations to NASA and its Artemis program. The Starship program, and these test flights, are essential to further the technology required to support the NASA Artemis program and key to returning U.S. Government astronauts to the moon, as reinforced by the letter from NASA. For these reasons, the FAA finds that granting this waiver will be in the public interest.

Endnotes

¹ § 401.7 states that “Orbital insertion means the point at which a vehicle achieves a minimum 70-nautical mile perigee based on a computation that accounts for drag.” Seventy nautical miles equals 130 km.

² The FAA notes that this is different from the FAA's definition of launch in 14 CFR 401.7, which encompasses certain pre- and post-flight activities when the launch occurs from a U.S. site.

³ This is because the loads on the Starship would exceed its structural limits.

⁴ § 401.7 states that “Hazardous debris means any object or substance capable of causing a casualty or loss of functionality to a critical asset. Hazardous debris includes inert debris and explosive debris such as an intact vehicle, vehicle fragments, any detached vehicle component whether intact or in fragments, payload, and any planned jettison bodies.”

⁵ The FAA introduced suborbital reentry in its experimental permit final rulemaking in 2007 and reaffirmed its position in the *Streamlined Launch and Reentry License Requirements* final rule (85 FR 79566, 79583 (2020)). The CSLAA describes suborbital rockets as reentering. See 51 U.S.C. 50905(b)(4) and 50906. Congress made clear that a suborbital rocket can “reenter” for purposes of licensing or permitting. It is not necessary to reach orbit to be in outer space. Although a suborbital rocket does not reach the velocity necessary to orbit the Earth, the vehicle can reach altitudes sufficient to be considered outer space.

James Hatt,

Space Policy Division Manager, Commercial Space Transportation, Federal Aviation Administration.

[FR Doc. 2024-25851 Filed 11-6-24; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Improvement of Publication of Helicopter Air Ambulance (HAA) Operations

AGENCY: Federal Aviation Administration (FAA), Department of Transportation.

ACTION: Notice of availability.

The Federal Aviation Administration (FAA) is announcing the availability of

Helicopter Air Ambulance Operations data. The Helicopter Air Ambulance Operations data has been posted in accordance with 49 U.S.C. 44731, as amended.

DATES: The most recently posted Helicopter Air Ambulance Operations data is for 2023. The FAA will continue to collect, analyze, and make available the HAA data in accordance with 49 U.S.C. 44731(d)(2).

ADDRESSES: How to obtain copies: A copy of this publication may be downloaded from: https://www.faa.gov/about/office_org/headquarters_offices/avs/offices/afx/afs/afs200.

FOR FURTHER INFORMATION CONTACT: Nolan Crawford, 202-267-8166, Flight Standards Service, AFS-220, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591, 9-AFS-200-Correspondence@faa.gov.

Issued in Washington, DC, on October 31, 2024.

James Nolan Crawford,

Air Transportation Division, 135 Flight Operation Section, Aviation Safety Inspector.

[FR Doc. 2024-25707 Filed 11-6-24; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA-2019-0013]

Renewal Package From the State of Texas to the Surface Transportation Project Delivery Program and Proposed Second Renewed Memorandum of Understanding (MOU) Assigning Environmental Responsibilities to the State

AGENCY: Federal Highway Administration (FHWA), U.S. Department of Transportation (DOT).

ACTION: Notice of proposed MOU and request for comments.

SUMMARY: This notice announces that FHWA has received and reviewed a renewal package from the Texas Department of Transportation (TxDOT) requesting participation in the Surface Transportation Project Delivery Program (Program). This Program allows FHWA to assign, and States to assume, responsibilities under the National Environmental Policy Act (NEPA), and all or part of FHWA's responsibilities for environmental review, consultation, or other actions required under any Federal environmental law with respect to one or more Federal highway projects within the State. The FHWA has determined the renewal package to be

complete, and developed a draft renewal MOU with TxDOT outlining how the State will implement the Program with FHWA oversight. The public is invited to comment on TxDOT's request, including its renewal package and the proposed renewed MOU, which includes the proposed assignments and assumptions of environmental review, consultation, and other activities.

DATES: Please submit comments by December 9, 2024.

ADDRESSES: To ensure that you do not duplicate your docket submissions, please submit them by only one of the following means:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for submitting comments.
- *Facsimile (Fax):* 1–202–493–2251.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Ave. SE, West Building Ground Floor Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Ave. SE, Washington, DC 20590 between 9:00 a.m. and 5:00 p.m. e.t., Monday through Friday, except Federal holidays.

Instructions: You must include the agency name and docket number at the beginning of your comments. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: For FHWA: Tom Bruechert by email at tom.bruechert@dot.gov or by telephone at 512–536–5948. The FHWA Texas Division office's normal business hours are 8 a.m. to 4:30 p.m. (Central Time), Monday–Friday, except for Federal holidays. For the State of Texas: Doug Booher by email at Doug.Booher@txdot.gov or by telephone at 512–466–7435. State business hours are the same as above although State holidays may not completely coincide with Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

You may submit or retrieve comments online through the Federal eRulemaking portal at: <http://www.regulations.gov>. The website is available 24 hours each day, 365 days each year. Please follow the instructions. Electronic submission and retrieval help and guidelines are available under the help section of the website.

An electronic copy of this document may also be downloaded from the Office

of the Federal Register's home page at: <https://www.archives.gov> and the U.S. Government Publishing Office's web page at: <https://www.access.gpo.gov/nara>.

Background

Section 327 of title 23, United States Code (23 U.S.C. 327), allows the Secretary of DOT to assign, and a State to assume, the responsibilities under the NEPA of 1969 (42 U.S.C. 4321 *et seq.*) and all or part of the responsibilities for environmental review, consultation, or other actions required under certain Federal environmental laws with respect to one or more Federal-aid highway projects within the State. The FHWA is authorized to act on behalf of the Secretary with respect to these matters.

The TxDOT entered the Program on December 16, 2014, after submitting its application to FHWA, obtaining FHWA's approval, and entering into a MOU in accordance with 23 U.S.C. 327 and FHWA's application regulations for the program (23 CFR part 773). On December 1, 2023, after coordination with FHWA, TxDOT submitted the renewal package in accordance with the renewal regulations in 23 CFR 773.115.

Under the proposed renewal MOU, FHWA would assign to the State, through TxDOT, the responsibility for making decisions on the following types of highway projects:

1. All Class I, or environmental impact statement projects, both on the State highway system (SHS) and local government projects off the SHS that are funded by FHWA or require FHWA approvals.
2. All Class II, or categorically excluded projects, both on the SHS and local government projects off the SHS that are funded by FHWA or require FHWA approvals.
3. All Class III, or environmental assessment projects, both on the SHS and local government projects off the SHS that are funded by FHWA or require FHWA approvals.
4. Projects funded by other Federal agencies (or projects without any Federal funding) of any Class that also include funding by FHWA or require FHWA approvals. For these projects, TxDOT would not assume the NEPA responsibilities of other Federal agencies.
5. Projects funded under a discretionary grant program whereby USDOT awards funding directly to a grantee.

Excluded from assignments are highway projects authorized under 23 U.S.C. 202 and 203, highway projects under 23 U.S.C. 204 unless the project

will be designed and constructed by TxDOT, projects that cross State boundaries, and projects that cross or are adjacent to international boundaries.

The assignment also would give TxDOT the responsibility to conduct the following environmental review, consultation, and other related activities:

Air Quality

- Clean Air Act (CAA), 42 U.S.C. 7401–7671q, with the exception of any conformity determinations

Noise

- Noise Control Act of 1972, 42 U.S.C. 4901–4918
- Compliance with the noise regulations in 23 CFR part 772

Wildlife

- Endangered Species Act of 1973, 16 U.S.C. 1531–1544
- Marine Mammal Protection Act, 16 U.S.C. 1361–1423h
- Anadromous Fish Conservation Act, 16 U.S.C. 757a–757f
- Fish and Wildlife Coordination Act, 16 U.S.C. 661–667d
- Migratory Bird Treaty Act, 16 U.S.C. 703–712
- Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended, 16 U.S.C. 1801–1891d *et seq.*, with Essential Fish Habitat requirements at 16 U.S.C. 1855(b)(1)(B)

Historic and Cultural Resources

- National Historic Preservation Act of 1966, as amended, 54 U.S.C. 300101, *et seq.*
- Archeological Resources Protection Act, 16 U.S.C. 470aa–mm
- Archeological and Historic Preservation Act of 1966, as amended, 54 U.S.C. 312501–312508
- Native American Grave Protection and Repatriation Act, 25 U.S.C. 3001–3013; 18 U.S.C. 1170

Social and Economic Impacts

- American Indian Religious Freedom Act, 42 U.S.C. 1996
- Farmland Protection Policy Act, 7 U.S.C. 4201–4209

Water Resources and Wetlands

- Clean Water Act, 33 U.S.C. 1251–1387 (Section 401, 402, 404, 408, and Section 319)
- Coastal Barrier Resources Act, 16 U.S.C. 3501–3510
- Coastal Zone Management Act, 16 U.S.C. 1451–1466
- Safe Drinking Water Act, 42 U.S.C. 300f–300j–26
- General Bridge Act of 1946, 33 U.S.C. 525–533

- Rivers and Harbors Act of 1899, 33 U.S.C. 401–406
- Wild and Scenic Rivers Act, 16 U.S.C. 1271–1287
- Emergency Wetlands Resources Act, 16 U.S.C. 3921
- Wetlands Mitigation, 23 U.S.C. 119(g), 133(b)
- Flood Disaster Protection Act, 42 U.S.C. 4001–4130

Parklands and Other Special Land Uses

- Section 4(f), 23 U.S.C. 138 and 49 U.S.C. 303
- FHWA/FTA Section 4(f) Regulations at 23 CFR 774
- Land and Water Conservation Fund Act, 54 U.S.C. 200302–200310

FHWA-Specific

- Planning and Environmental Linkages, 23 U.S.C. 168, with the exception of those FHWA responsibilities associated with 23 U.S.C. 134 and 135.
- Programmatic Mitigation Plans, 23 U.S.C. 169 with the exception of those FHWA responsibilities associated with 23 U.S.C. 134 and 135

Executive Orders (E.O.) Relating to Highway Projects

- E.O. 11990, Protection of Wetlands
- E.O. 11988, Floodplain Management (except approving design standards and determinations that a significant encroachment is the only practicable alternative under 23 CFR 650.113 and 650.115)
- E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations
- E.O. 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects (aka “One Federal Decision”)
- E.O. 13112, Invasive Species
- E.O. 13895, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government
- E.O. 13990, Protecting Public Health and Environment and Restoring Science to Tackle the Climate Crisis
- E.O. 14008, Tackling the Climate Crisis at Home and Abroad
- E.O. 14096, Revitalizing Our Nation’s Commitment to Environmental Justice.

The proposed renewal MOU would allow TxDOT to continue to act in the place of FHWA in carrying out the environmental review-related functions described above, except with respect to government-to-government consultations with federally recognized Indian Tribes. The FHWA will retain

responsibility for conducting formal government-to-government consultation with federally recognized Indian Tribes, which is required under some of the listed laws and executive orders. The TxDOT will continue to handle routine consultations with the Tribes and understands that a Tribe has the right to direct consultation with FHWA upon request. The TxDOT also may assist FHWA with formal consultations, with consent of a Tribe, but FHWA remains responsible for the consultation. The TxDOT also will not assume FHWA’s responsibilities for conformity determinations required under Section 176 of the CAA (42 U.S.C. 7506) or any responsibility under 23 U.S.C. 134 or 135, or under 49 U.S.C. 5303 or 5304.

A copy of the proposed renewal MOU and renewal package may be viewed on the docket at www.regulations.gov, as described above, or may be obtained by contacting FHWA or the State at the addresses provided above. A copy also may be viewed on TxDOT’s website at: <https://www.txdot.gov/inside-txdot/division/environmental/nepa-assignment.html>. The FHWA Texas Division, in consultation with FHWA Headquarters, will consider the comments submitted when making its decision on the proposed MOU revision. Any final renewal MOU approved by FHWA may include changes based on comments and consultations relating to the proposed renewal MOU and will be made publicly available.

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

Authority: 23 U.S.C. 327; 42 U.S.C. 4331, 4332; 23 CFR 771.117; 40 CFR 1507.3, 1508.4.

Kristin R. White,

Acting Administrator, Federal Highway Administration.

[FR Doc. 2024–25890 Filed 11–6–24; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2024–0070]

Agency Information Collection Activities; Notice and Request for Comment; Crash Avoidance Warning System Human-Machine Interface (HMI) Research

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice and request for comments on a request for approval of a new information collection.

SUMMARY: The National Highway Traffic Safety Administration (NHTSA) invites public comments on our intention to request approval from the Office of Management and Budget (OMB) for a new information collection. Before a Federal agency can collect certain information from the public, it must receive approval from OMB. Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections. This document describes a collection of information for which NHTSA intends to seek OMB approval titled, “Crash Avoidance Warning System Human-Machine Interface (HMI) Research.”

DATES: Comments must be submitted on or before January 6, 2025.

ADDRESSES: You may submit comments identified by the Docket No. NHTSA–2024–0070 through any of the following methods:

- *Electronic submissions:* Go to the Federal eRulemaking Portal at <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail or Hand Delivery:* Docket Management, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays. To be sure someone is there to help you, please call (202) 366–9322 before coming.

Instructions: All submissions must include the agency name and docket number for this notice. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.