

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****[Policy Statement No. ANM-01-03]****Factors To Consider When Reviewing an Applicant's Proposed Human Factors Methods of Compliance for Flight Deck Certification****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of final policy.

SUMMARY: The Federal Aviation Administration (FAA), announces the availability of final policy that clarifies current FAA policy with respect to compliance with human factors-related regulations during certification projects on transport category airplanes.

DATES: This final policy was issued by the Transport Airplane Directorate on February 7, 2003.

FOR FURTHER INFORMATION CONTACT: Steve Boyd, Federal Aviation Administration, Transport Airplane Directorate, Transport Standards Staff, Airplanes & Flightcrew Interface Branch, ANM-111, 1601 Lind Avenue, SW., Renton, WA 98055-4056; telephone (425) 227-1138; fax (425) 227-1320; e-mail: 9-ANM-111-human-factors@faa.gov.

SUPPLEMENTARY INFORMATION:**Discussion of Comments**

A notice of proposed policy was published in the **Federal Register** on May 16, 2001 (66 FR 27196). Seven (7) commenters responded to the request for comments.

Background

The final policy provides guidance with respect to the recommended content of a Human Factors Certification Plan. A Human Factors Certification Plan is not a required document, but may be included as part of a transport category airplane certification project if an applicant so chooses. These recommendations can be used as a means by which the applicant and the FAA can establish an early and formal written agreement on the methods of compliance for regulations that relate to human factors and that are applicable to the certification project.

The final policy as well as the disposition of public comments received are available on the Internet at the following address: <http://www.faa.gov/certification/aircraft/anminfo/finalpaper.cfm>. If you do not have access to the Internet, you can obtain a copy of the policy by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

Issued in Renton, Washington, on February 7, 2003.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 03-3973 Filed 2-18-03; 8:45 am]

BILLING CODE 4910-13-M

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 favor of relief.

New York Susquehanna and Western Railway

[Docket Number: FRA-2002-14086]

The New York Susquehanna and Western Railway (NYSW) seeks a permanent waiver of compliance from the requirement that a *Qualified maintenance person* (QMP), as defined in *Passenger Equipment Safety Standards*, 49 CFR 238.5, be a person whose primary responsibility includes work generally consistent with troubleshooting, inspection, maintenance, or repair of the equipment being inspected or tested. NYSW indicates they are operating passenger service utilizing a single Budd Rail Diesel Car (RDC) over a light density rail line within the City of Syracuse, NY. The service operates between 11:15 a.m. and 6:35 p.m. during the months of June, July, and August, and five days a week the rest of the year. The railroad indicates that they have met all requirements to designate the operating crew as a QMP with the exception of the primary responsibility requirement.

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-2002-14086) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, 400 7th Street, SW., Room PL-401 (Plaza Level), 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 the above facility. 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>.

Issued in Washington, DC, on February 13, 2003.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 03-3983 Filed 2-18-03; 8:45 am]

BILLING CODE 4910-06-P

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 favor of relief.

San Luis Central Railroad

[Docket Number FRA-2002-14084]

The San Luis Central Railroad (SLC) seeks a waiver of compliance from certain provisions of the Safety Glazing Standards, 49 CFR Part 223, that requires certified glazing for two locomotives. The SLC is located in Monte Vista, Colorado. The SLC states they operate as a short line railroad and have yard limits of 13 miles. Both locomotives are presently equipped with laminated tinted glass with .030 lamination and an AS-1 rating. The present glazing is in good condition.

The two locomotives, specifically SLC 70 and SLC 71, operate alternating one at a time and noted locomotives never operate on any other railroad lines and have a record of good compliance with

the Federal Railroad Administration (FRA). The two locomotives are in very good condition. There is also no record of vandalism on their property.

The field investigation reveals the terrain in the SLC traverses is largely farm grade. The grade of the track is flat with a few short curves.

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 2002-14084) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. 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 the above facility. 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>.

Issued in Washington, DC on February 13, 2003.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 03-3984 Filed 2-18-03; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) Part 235 and 49 U.S.C. 20502(a), the following railroad has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR Part 236 as detailed below.

Docket Number FRA-2002-14116

Applicant: Canadian National Railway, Mr. Kenneth J. Bagby, Signals Supervisor, 3460 Bristol Road, Flint, Michigan 48507.

The Canadian National Railway (CN) seeks relief from the requirements of the Rules, Standard and Instructions, Title 49 CFR, Part 236, Section 236.408, to the extent that route locking need not be provided for the "32nd Street Crossover" power-operated switches at milepost 333.28 in the existing traffic control system at Port Huron, Michigan, on the Flint Subdivision, Midwest Division.

Applicant's justification for relief: The installation is not uncommon in the railroad industry and provides all of the requisite components and safety features of a standard interlocking or an electric lock location that would be found in TCS territory. CN has three similar installations.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, 400 7th Street, SW., Room PL-401 (Plaza Level), Washington, DC 20590-0001. Communications received within 45 days of the date of this notice will be considered by the 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 the above facility. 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>.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on February 13, 2003.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 03-3985 Filed 2-18-03; 8:45 am]

BILLING CODE 4910-06-P

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 favor of relief.

Wilton Scenic Railroad

[Docket Number FRA-2002-14085]

The Wilton Scenic Railroad seeks a permanent waiver of compliance for two MU passenger type locomotives from the requirements of the Safety Glazing Standards, 49 CFR Part 223, which requires certified glazing in all windows, and the requirement to equip the passenger compartments with emergency window exits. The railroad indicates that the MU locomotives numbered RDC 1 and RDC 3 are equipped with glazing material approved for use in Canada. If approved the MU locomotives would be utilized in tourist and scenic train operations between Wilton and Greenfield, New Hampshire, over track owned by the State of New Hampshire and maintained by the Milford Bennington Railroad.

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-2002-14085) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, 400 7th Street, SW., Room PL-401 (Plaza Level),