

noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under section 104(b) of the Act.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by Akron-Canton Regional Airport Authority. The specific maps under consideration are Figure 8.2, Pages 107-108 of the NEM, and Figure 4.1, Pages 43-44 of the NCP, in the submission. The FAA has determined that these maps for Akron-Canton Regional Airport are in compliance with applicable requirements. This determination is effective October 16, 1997. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in appendix A of FAR Part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 107 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detail overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator which submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 103 of the Act. The FAA has relied on the certification of by the airport operator, under section 150.21 of FAR Part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for Akron-Canton Regional Airport, also effective on October 16, 1997. Preliminary review of the submitted material indicates that it conforms to the requirements for the

submission of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before April 14, 1998.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR Part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations:

Federal Aviation Administration,
Detroit Airports District Office,
Willow Run Airport, East, 8820 Beck
Road, Belleville, Michigan 48111
Mr. Frederick J. Krum, Director of
Aviation, Akron-Canton Regional
Airport, 5400 Lauby Road, N.W., P.O.
Box 9, North Canton, OH 44720-1598

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT**.

Issued in Belleville, Michigan, on October 16, 1997.

Lawrence C. King,

*Acting Assistant Manager, Detroit Airports
District Office FAA Great Lakes Region.*

[FR Doc. 97-29572 Filed 11-7-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Approval of Noise Compatibility Program Sarasota-Bradenton International Airport Sarasota, FL

AGENCY: Federal Aviation
Administration, DOT.

ACTION: Notice

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Sarasota Manatee Airport Authority under the

provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Public Law 96-193) and 14 CFR Part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On May 7, 1996 and April 15, 1997, the FAA determined that the noise exposure maps submitted by the Sarasota Manatee Airport Authority under Part 150 were in compliance with applicable requirements. On October 9, 1997, the Administrator approved the Sarasota-Bradenton International Airport noise compatibility program. All of the program measures were fully approved.

EFFECTIVE DATE: The effective date of the FAA's approval of the Sarasota-Bradenton International Airport noise compatibility program is October 9, 1997.

FOR FURTHER INFORMATION CONTACT:

Mr. Tommy J. Pickering, P.E., Federal Aviation Administration, Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando Florida 32822, (407) 812-6331, Extension 29. Documents reflecting this FAA action may be reviewed at this same location.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA has given its overall approval to the noise compatibility program for Sarasota-Bradenton International Airport, effective October 9, 1997.

Under Section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator who has previously submitted a noise exposure map may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport operator for the reduction of existing noncompatible land uses and prevention of additional noncompatible land uses within the area covered by the noise exposure maps. The Act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel.

Each airport noise compatibility program developed in accordance with Federal Aviation Regulations (FAR) Part 150 is a local program, not a Federal program. The FAA does not substitute its judgment for that of the airport proprietor with respect to which measure should be recommended for action. The FAA's approval or disapproval of FAR Part 150 program recommendations is measured according to the standards expressed in

Part 150 and the Act, and is limited to the following determinations:

a. The noise compatibility program was developed in accordance with the provisions and procedures of FAR Part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing noncompatible land uses around the airport and preventing the introduction of additional noncompatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical users, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations with respect to FAA's approval of an airport noise compatibility program are delineated in FAR Part 150, Section 150.5. Approval is not a determination concerning the

acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Where Federal funding is sought, requests for project grants must be submitted to the FAA Airports District Office in Orlando, Florida.

The Sarasota Manatee Airport Authority submitted to the FAA on May 2, 1996 and April 9, 1997, updated noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from May 1, 1993 through April 7, 1997. The Sarasota-Bradenton International Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on May 7, 1996 and April 15, 1997. Notice of this determination was published in the **Federal Register**.

The Sarasota-Bradenton International Airport study contains a proposed noise

compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from the date of study completion to the year 2002. It was requested that FAA evaluate and approve this material as a noise compatibility program as described in Section 104(b) of the Act. The FAA began its review of the program on April 15, 1997, and was required by a provision of the Act to approve or disapprove the program within 180-days (other than the use of new flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period shall be deemed to be an approval of such program.

The submitted program contained four (4) proposed actions for noise mitigation on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied. The overall program, therefore, was approved by the Administrator effective October 9, 1997.

Outright approval was granted for all four (4) of the specific program measures. The approval action was for the following program controls:

| Noise abatement measure | Description | NCP pages |
|------------------------------------|--|---|
| OPERATIONAL MEASURES | | |
| 1. Departure Path for Runway 32 .. | Current ATC procedures by SRQ tower and Tampa TRACON instruct all aircraft weighing over 25,000 pounds and all jet aircraft departing northbound on Runway 32 to turn left at 0.9 DME (<i>i.e.</i> , the middle marker) to join the 295° radial outbound, then proceed on course as instructed by ATC. Southbound jet aircraft departing on Runway 32 are instructed to turn left at the 0.9 DME to a heading of 270° for vectors to on course. The airport's Flight Tracking System indicates some aircraft using the northbound procedure fly particularly close to residential areas on the eastern shore of Sarasota Bay. It is recommended that the existing procedure be modified so all aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 32 would be instructed to turn left at 0.9 DME to join the Sarasota 270° radial outbound to at least 7 DME, then proceed on course as instructed by ATC. Should, after implementation, the turn at 7 DME result in a splay of aircraft that is further east than anticipated, it is recommended that aircraft proceed outbound on the 270° radial to the 8 DME, then proceed on course as instructed by ATC. It is further recommended that should approval of the turn to the 270° radial be denied, then the current procedure be maintained until such time as the turn to the 270° radial becomes feasible. Implementation of the modified procedure will reduce noise exposure on sensitive areas northwest of the airport and reduce the number of impacted people with the 65 DNL contour by approximately 1,033 people. FAA Action: Approved. Any decision to implement this procedure is subject to appropriate environmental review, a flight check, and publication of the SID. | Pgs. 4-3 to 4-11, 6-1 and 6-2; Figures 4-1 to 4-3; Tables 4-1 and 6-10; and letter from Mr. Noah Lagos dated June 17, 1997. |

| Noise abatement measure | Description | NCP pages |
|---|--|---|
| LAND USE MEASURES | | |
| 1. Purchase and Resale with Avigation Easements and Sound Insulation. | It is recommended that the SMAA offer to purchase fee simple interest from homeowners who purchased their current home prior to January 1, 1980, and who are located within the 65+DNL contour of the 2000 NEM in Sarasota and Manatee Counties. Priority ranking based upon length of ownership will be given to homeowners located within the 70+DNL contour of the 1995 NEM. Homes purchased by the SMAA will be sound insulated only where feasible and cost effective and all homes will be resold with an avigation easement. This alternative will be implemented in accordance with 49 CFR Part 24 and other applicable guidance. This will reduce existing noncompatible land uses and provide mitigation for homeowners who purchased prior to January 1, 1980, to comply with existing Florida Development of Regional Impact (DRI) Development Order stipulations. FAA Action: Approved. | Pgs. 5-16 to 5-18, 6-13 and 6-14; Figures 5-1 to 5-3, 6-2 and 6-4; Tables 5-7, 5-9 and 6-11; Appendices D, E and F; and Letter from Mr. Noah Lagos dated June 17, 1997. |
| 2. Sound Insulation with Avigation Easements. | It is recommended that the SMAA offer to provide sound insulation, only where feasible and cost effective, in exchange for an avigation easement to fixed single family homeowners located within the 65+DNL contour of the 2000 NEM in Sarasota and Manatee Counties, who purchased their current home prior to December 15, 1986, the date of constructive notice. Mobile homes and large institutional buildings are not included in this program. Priority ranking based upon length of ownership will be given to homeowners located within the 70+DNL contour of the 1995 NEM. This will reduce existing noncompatible land uses and provide mitigation for homeowners who purchased prior to the date of construction notice. FAA Action: Approved. | Pgs. 5-11 to 5-14, 6-11 and 6-12; Figures 5-1, 5-3, 6-2 and 6-4; Tables 5-5, 6-7 and 6-11; Appendices D, E and F; and Letter from Mr. Noah Lagos dated June 17, 1997. |
| Purchase of Avigation Easement ... | It is recommended that the SMAA offer to purchase avigation easements from homeowners, including mobile homes where owners own their own lots, located within the 65-DNL contour of the 2000 NEM in Sarasota and Manatee Counties, who purchased their current home prior to December 15, 1986, the date of construction notice. Priority rating based upon length of ownership will be given to homeowners located within the 70+DNL contour of the 1995 NEM. This will reduce existing noncompatible land uses and provide mitigation for homeowners who purchased prior to the date of constructive notice. FAA Action: Approved. | Pgs. 5-14 to 5-16 and 6-13; Figures 5-1, 5-3, 6-2 and 6-4; Tables 5-6, 6-8 and 6-11; Appendices D, E and F; and Letter from Mr. Noah Lagos dated June 17, 1997. |

These determinations are set forth in detail in a Record of Approval endorsed by the Administrator on October 9, 1997. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative office of the Sarasota Manatee Airport Authority.

Issued in Orlando, Florida on October 24, 1997.

Gordon H. Shepardson,

Acting Manager, Orlando Airports District Office.

[FR Doc. 97-29580 Filed 11-7-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-97-55]

Petitions for Exemption; Summary of Petitions; Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. 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 November 26, 1997.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-

200), Petition Docket No. _____, 800 Independence Avenue, SW., Washington, D.C. 20591.

Comments may also be sent electronically to the following internet address: 9-NPRM-CMNTS@faa.dot.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Heather Thorson (202) 267-7470 or Angela Anderson (202) 267-9681 Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).