

and 14 CFR Part 150. These findings are made in recognition of the description of federal and non-federal responsibilities in Senate Report No. 96-52 (1980). On June 23, 2008, the Airports Division Manager approved the Burlington International Airport noise compatibility program. All of the proposed program elements were approved.

DATES: *Effective Date:* The effective date of the FAA's approval of the Burlington International Airport noise compatibility program is June 23, 2008.

FOR FURTHER INFORMATION CONTACT: Richard Doucette, Federal Aviation Administration, New England Region, Airports Division, 12 New England Executive Park, Burlington, Massachusetts 01803, Telephone (781) 238-7613.

Documents reflecting this FAA action may be obtained from the same individual.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA has given its overall approval to the Burlington International Airport noise compatibility program, effective June 23, 2008.

Under Section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter 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 non-compatible land uses and prevention of additional non-compatible 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 Regulation (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 measures 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 non-compatible land uses around the airport and preventing the introduction of additional non-compatible land uses;

(c) Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, 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 as 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 a 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 under the Airport and Airway Improvement Act of 1982. Where Federal funding is sought, requests for project grants must be submitted to the FAA Regional Office in Burlington, Massachusetts.

The Burlington International Airport study contains a proposed noise compatibility program comprised of actions designed for implementation by airport management and adjacent jurisdictions from the date of study completion to beyond the year 2011. The Burlington International Airport, Burlington VT requested that the 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 23, 2008, 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 a

program within the 180-day period shall be deemed to be an approval of such a program.

The submitted program contained 1 proposed action for noise mitigation. The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied. The Airports Division Manager therefore approved the program effective June 23, 2008.

One new administrative program measure was under consideration and it was approved. Residences within the 70dB DNL noise contour were eligible for land acquisition under the prior Plan, and that eligibility will now be extended to residences within the 65dB DNL contour. Various noise abatement and land use measures from the 1989 Noise Compatibility Plan were restated in this Record of Approval, so that all measures now in effect would be documented in the most recent Record of Approval.

FAA's determinations are set forth in detail in a Record of Approval endorsed by the Airports Division Manager on June 23, 2008. 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 offices of Burlington International Airport, South Burlington VT.

Issued in Burlington, Massachusetts on June 23, 2008.

LaVerne F. Reid,

Manager, Airports Division, FAA New England Region.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Proposed Modification of the Cleveland, OH Class B Airspace Area; Public Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: This notice announces two fact-finding informal airspace meetings to solicit information from airspace users and others concerning a proposal to revise the Class B airspace area at Cleveland, OH. The purpose of these meetings is to provide interested parties an opportunity to present views, recommendations, and comments on the proposal. All comments received during these meetings will be considered prior

to any revision or issuance of a notice of proposed rulemaking.

Times and Dates: The informal airspace meetings will be held on Tuesday, September 16, 2008, from 2 p.m.–7 p.m., and Wednesday, September 17, 2008, from 9 a.m.–12 p.m. Comments must be received on or before September 25, 2008.

ADDRESSES: (1) The meeting on Tuesday, September 16, 2008, will be held at the Wellington Town Hall, 115 Willard Memorial Square, 2nd Floor Council Chambers, Wellington, OH 44090. (2) The meeting on Wednesday, September 17, 2008, will be held at Burke Lakefront Airport, Large Conference Room, 1501 North Marginal Road, Cleveland, OH 44114.

Comments: Send comments on the proposal to: Don Smith, Manager, Operations Support Group, Air Traffic Organization Central Service Area, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, Texas 76137, or by fax to (817) 222-5547.

FOR FURTHER INFORMATION CONTACT: Pete DiFranco, FAA Cleveland ATCT/TRACON, Cleveland Hopkins International Airport, 5300 Riverside Drive, Cleveland, Ohio 44135; Telephone (216) 898-2020.

SUPPLEMENTARY INFORMATION:

Meeting Procedures

(a) The meetings will be informal in nature and will be conducted by one or more representatives of the FAA Central Service Area. A representative from the FAA will present a formal briefing on the planned modification to the Class B airspace at Cleveland, OH. Each participant will be given an opportunity to deliver comments or make a presentation. Only comments concerning the plan to modify the Class B airspace area at Cleveland, OH, will be accepted.

(b) The meetings will be open to all persons on a space-available basis. There will be no admission fee or other charge to attend and participate.

(c) Any person wishing to make a presentation to the FAA panel will be asked to sign in and estimate the amount of time needed for such presentation. This will permit the panel to allocate an appropriate amount of time for each presenter. These meetings will not be adjourned until everyone on the list has had an opportunity to address the panel.

(d) Position papers or other handout material relating to the substance of these meetings will be accepted. Participants wishing to submit handout material should present an original and two copies (3 copies total) to the

presiding officer. There should be additional copies of each handout available for other attendees.

(e) These meetings will not be formally recorded.

Agenda for the Meetings

- Sign-in.
- Presentation of Meeting Procedures.
- FAA explanation of the proposed Class B modifications.
- Solicitation of Public Comments.
- Closing Comments.

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

Issued in Washington, DC, on July 2, 2008.

Kenneth McElroy,

Acting Manager, Airspace and Rules Group.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition for Exemption From the Vehicle Theft Prevention Standard; Mazda

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

ACTION: Grant of petition for exemption.

SUMMARY: This document grants in full the petition of Mazda Motor Corporation (Mazda) in accordance with § 543.9(c)(2) of 49 CFR part 543, *Exemption From the Theft Prevention Standard*, for the Mazda Tribute vehicle line beginning with model year (MY) 2010. This petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard.

DATES: The exemption granted by this notice is effective beginning with model year (MY) 2010.

FOR FURTHER INFORMATION CONTACT: Ms. Deborah Mazyck, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, 1200 New Jersey Avenue, SE., Washington, DC 20590. Ms. Mazyck's telephone number is (202) 366-0846. Her fax number is (202) 493-2990.

SUPPLEMENTARY INFORMATION: In a petition dated March 28, 2008, Mazda requested an exemption from the parts-marking requirements of the Theft Prevention Standard (49 CFR part 541)

for the Mazda Tribute vehicle line beginning with MY 2010. The petition requested an exemption from parts-marking pursuant to 49 CFR part 543, *Exemption From Vehicle Theft Prevention Standard*, based on the installation of an antitheft device as standard equipment for an entire vehicle line.

Under § 543.5(a), a manufacturer may petition NHTSA to grant exemptions for one of its vehicle lines per year. Mazda has petitioned the agency to grant an exemption for its Mazda Tribute vehicle line beginning with MY 2010. In its petition, Mazda provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the Mazda Tribute vehicle line. Mazda will install its passive antitheft device as standard equipment on the vehicle line. Mazda's submission is considered a complete petition as required by 49 CFR 543.7, in that it meets the general requirements contained in § 543.5 and the specific content requirements of § 543.6.

Mazda's antitheft device is a transponder-based electronic immobilizer system. Mazda stated that the Tribute vehicle line is developed by the Ford Motor Company (Ford), and the passive anti-theft electronic engine immobilizer system proposed for installation on the line is the same as Ford's SecuriLock Passive Anti-Theft System (PATS). The device will provide protection against unauthorized use (i.e., starting and engine fueling), but will not provide any visible or audible indication of unauthorized vehicle entry (i.e., flashing lights or horn alarm). Mazda stated that the integration of the transponder into the normal operation of the ignition key assures activation of the system. When the ignition key is turned to the start position, the transceiver module reads the ignition key code and transmits an encrypted message to the cluster. Validation of the key is determined and start of the engine is authorized once a separate encrypted message is sent to the powertrain's control module (PCM). The powertrain will function only if the key code matches the unique identification key code previously programmed into the PCM. If the codes do not match, the powertrain engine starter will be disabled.

In its submission, Mazda stated that the PATS antitheft device was previously approved for exemption from the requirements of Part 541. The agency granted in full the petition for the Ford Focus vehicle line beginning with model year 2006, (see 51 FR 7824, February 14, 2006), the Ford Five Hundred vehicle line beginning with