

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 operator 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 FAR 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 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 College Park, Georgia.

Piedmont Triad International Airport submitted to the FAA on May 7, 2008 the Noise Exposure Maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from March 2003, through April 2008. The Piedmont Triad International Airport Noise Exposure Maps were determined by FAA to be in compliance with applicable requirements on June 10, 2008. Notice of this determination was published in the **Federal Register** on June 10, 2008.

The Piedmont Triad International Airport study contains a proposed Noise Compatibility Program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from 2008 to 2014 and beyond, as applicable. It was requested that FAA evaluate and approve this material as a Noise Compatibility Program as described in Section 47504 of the Act. The FAA began its review of the Program on June 10, 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 or modified 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 20 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 FAA effective November 7, 2008.

Outright approval, with clarification in some cases, was granted for all of the specific program elements. The 20 measures proposed and approved follow: NA1—Evaluate Noise barriers at Sites of Future Airport Facilities; NA-2—Preferred Night Runway Use; NA-3—Night Runway Use Assignments; NA-4—Night Southbound Departure Corridor from Runway 23L; NA-5—Night Departure Procedures from Runway 23R; NA-6—Night Northbound Departure Corridor from Runway 23L; NA-8—Departures from Runway 5L; NA-9—Departures from Runway 5R; NA-10—Restrictions on Use of Auxiliary Power Units (APUs); NA-11—Noise Abatement Departure Profiles; NA-12—Noise Abatement Approach Procedures; NA-13—Altitude for Downwind Legs; LU-1 Acquire Noise-Sensitive Properties where DNL Exceeds 70 dB; LU-2—Sound Insulation for Noise-Sensitive Structures where DNL Exceeds 65 dB; LU-3—Optional Acquisition of Avigation Easements for

Noise Sensitive Structures where DNL Exceeds 65dB; LU-4—Other Assistance for Owners of Residential Property where DNL exceeds 65 dB; LU-5—Pursue Compatible Use Zoning where DNL Exceeds 65 dB; NM-i—Establish a Noise Monitoring Function at PTIA; NM-2—Publish DNL Contours for DNL 60 and Above; and NM-3 Install and Operate an Aircraft Noise and Operations Monitoring System.

Operational Measure NA-1 and Land Use Measure LU-4 were approved for study only because the benefits of implementation, as required by Part 150, cannot be determined until study and/or analysis is complete. Operational Measures NA-2, NA-3, NA-4, NA-5, NA-6, NA-8, NA-9, NA-11, NA-12, and NA-13 are approved as voluntary measures because their implementation is subject to traffic, weather, and airspace safety and efficiency. Additionally, while approved, clarification was added to the approval statements for several Land Use Measures.

These determinations are set forth in detail in a Record of Approval signed by the FAA on November 7, 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 office of the Piedmont Triad Airport Authority (PTAA). The Record of Approval also will be available on-line at: [http://www.faa.gov/airports/airtraffic/airports/environmental/airport\\_noise/part\\_150/states/](http://www.faa.gov/airports/airtraffic/airports/environmental/airport_noise/part_150/states/).

Issued in College Park, Georgia on November 8, 2008.

**Scott L. Seritt,**

*Manager, Atlanta Airports District Office.*

[FR Doc. E8-27546 Filed 11-20-08; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Notice of Intent to Rule on Application 08-21-C-00-ORD To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Chicago O'Hare International Airport, Chicago, IL**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of Intent to Rule on Application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Chicago O'Hare International Airport under the

provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

**DATES:** Comments must be received on or before date which is 30 days after date of publication in the **Federal Register**.

**ADDRESSES:** Comments on the application may be mailed or delivered in triplicate to the FAA at the following address: James G. Keefer, Federal Aviation Administration, Manager, Chicago Airports District Office, 2300 E. Devon, Room 320, Des Plaines, Illinois 60018.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Richard L. Rodriguez, Commissioner of the City of Chicago Department of Aviation at the following address: Chicago O'Hare International Airport, 10510 West Zemke Road, P.O. Box 66142, Chicago, Illinois 60666.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Chicago Department of Aviation under section 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:** James G. Keefer, Federal Aviation Administration, Manager, Chicago Airports District Office, 2300 E. Devon, Room 320, Des Plaines, Illinois 60018, (847) 294-7336.

*Review of Application:* Any person may inspect the application in person at the Chicago Airports District Office, 2300 E. Devon, Room 320, Des Plaines, Illinois 60018. Please call (847) 294-7336 to set up an appointment. The application may also be viewed at <http://www.aql.faa.gov/OMP/PFC/PFC.htm>.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Chicago Department of Aviation, 10510 West Zemke Road, Chicago, Illinois 60666. Please contact Michael Zonsius at (773) 686-3433 to set up an appointment.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Chicago O'Hare International Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

On September 16, 2008, the City of Chicago Department of Aviation submitted an application to impose and use revenues from a PFC at Chicago O'Hare International Airport.

On October 16, 2008, the FAA determined that the application to

impose and use the revenue from a PFC submitted by City of Chicago Department of Aviation was not substantially complete within the requirements of section 158.25 of Part 158. The City of Chicago supplemented the application on October 29, 2008. The FAA will approve or disapprove the application, in whole or in part, no later than February 26, 2009.

The following is a brief overview of the application.

*PFC application number:* 08-21-C-00-ORD.

*Proposed charge effective date:* December 1, 2024.

*Proposed charge expiration date:* February 1, 2026. Level of the proposed PFC: \$ 4.50.

*Total estimated PFC revenue:* \$182,278,173.

*Brief description of proposed project(s):* Airfield Design (completion phase) and Western Terminal Area Planning.

*Class or classes of air carriers which the public agency has requested not be required to collect PFCs:* Air taxi.

Issued in Des Plaines, Illinois, on November 13, 2008.

**Elliott Black,**

*Manager, Planning/Programming Branch, Airports Division, Great Lakes Region.*

[FR Doc. E8-27548 Filed 11-20-08; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Request To Release Airport Property at the Eagle County Regional Airport, Eagle, CO

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of Request To Release Airport Property.

**SUMMARY:** The FAA proposes to rule and invite public comment on the release of land at the Eagle County Regional Airport under the provisions of Section 125 of the Wendell H. Ford Aviation Investment Reform Act for the 21st Century (AIR 21).

**DATES:** Comments must be received on or before December 22, 2008.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Mr. Craig A. Sparks, Manager, Federal Aviation Administration, Northwest Mountain Region, Airports Division, Denver Airports District Office, 26805 E. 68th Ave., Suite 224, Denver, Colorado 80249.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Bryan R. Treu, Eagle County Attorney, 500 Broadway, P.O. Box 850, Eagle, Colorado, 81631.

**FOR FURTHER INFORMATION CONTACT:** Mr. Chris Schaffer, Project Manager, Federal Aviation Administration, Northwest Mountain Region, Airports Division, Denver Airports District Office, 26805 E. 68th Ave., Suite 224, Denver, Colorado 80249.

The request to release property may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release property at the Eagle County Regional Airport under the provisions of the AIR 21.

On September 15, 2008, the FAA determined that the request to release property at the Eagle County Regional Airport submitted by the County of Eagle, Colorado met the procedural requirements of the Federal Aviation Regulations, Part 155. The FAA may approve the request, in whole or in part, no later than November 28, 2007.

The following is a brief overview of the request:

The County of Eagle, Colorado requests the release of 5.46 acres of non-aeronautical airport property, otherwise known as Lot 105 of the Eagle County Regional Airport, to the Colorado Department of Transportation. The purpose of this release is to allow the Colorado Department of Transportation to construct a new highway interchange. The sale of this parcel will provide funds for airport improvements.

Any person may inspect the request by appointment at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, inspect the application, notice and other documents germane to the application in person at the Eagle County Courthouse, 500 Broadway, Eagle, Colorado 81631.

Issued in Denver, Colorado on November 14, 2008.

**Craig A. Sparks,**

*Manager, Denver Airports District Office.*

[FR Doc. E8-27537 Filed 11-20-08; 8:45 am]

**BILLING CODE 4910-13-M**