

measures in a noise compatibility program to reduce noise and non-compatible land uses. Airport operators may submit airport noise compatibility programs to the FAA for approval under criteria established by ASNA and part 150. The FAA is authorized to provide Airport Improvement Program (AIP) funding for airport noise compatibility planning (i.e., the preparation of the noise exposure maps and the noise compatibility program) and for noise projects (i.e., measures approved by the FAA in a noise compatibility program).

Title 14 CFR part 161 (part 161), issued as a final rule September 25, 1991, implements the Airport Noise and Capacity Act (49 U.S.C. 47521 through 47533, hereinafter referred to as ANCA), enacted in 1990. Part 161 contains requirements governing airport noise and access restrictions (also called "use restrictions," or simply "restrictions"). Part 161 requires analysis and public notice of noise and access restrictions proposed to be adopted by airport operators. Sections 161.211 and 161.321 allow airport operators the option of integrating a part 161 analysis for a proposed restriction on Stage 2 and Stage 3 aircraft, respectively, with a part 150 planning study. In the preamble to part 161, FAA states that "the part 150 option does make Federal financial assistance available to airport operators to analyze a proposed restriction." This statement recognizes that a part 161 analysis is eligible for AIP funding if included within the scope of a part 150 planning study. A part 161 analysis is not otherwise eligible for Federal funding.

In 1995, an airport first proposed to include a part 161 analysis of proposed use restrictions a part of an update to its part 150 study. The FAA Associated Administrator for Airports issued a letter on December 14, 1995, to explain when a part 161 analysis may be eligible for AIP funding through optional use of part 150. This letter has been misinterpreted by some parties as announcing a change in FAA policy concerning imposition of airport noise and access restrictions. The FAA is issuing this policy statement to clarify its position.

Notice of FAA Policy

Accordingly, the FAA is formally notifying airport operators, airport users, and all other interested persons of the FAA policy concerning the eligibility of analysis of restrictions under part 161 for Federal funding, when accomplished in conjunction with preparation of an airport noise compatibility program under part 150.

Policy Statement

The FAA has continuously, consistently, and actively encouraged a balanced approach to address noise problems and discouraged unreasonable and unwarranted airport use restrictions. That policy remains unchanged. A restriction should be considered only as a last resort when all other mitigation measures are inadequate to satisfactorily address the problem and a restriction is the only remaining option that could provide noise relief. With limited statutory exceptions, all airport use restriction proposals must comply with the requirements of part 161, including a rigorous analysis.

When an airport operator decides to propose an airport noise and access restriction subject to the requirements of part 161, the FAA encourages that airport operator to integrate its part 161 analysis into a comprehensive part 150 study which first analyzes in detail nonrestrictive measures to mitigate noise, and then analyzes the proposed restriction as a last resort to address a noise problem not mitigated by the other measures.

For Stage 2 restrictions, which are not subject to FAA approval under part 161, the FAA strongly encourages airport operators who have elected to integrate a part 161 analysis into a part 150 study to await the FAA's determinations under part 150 before adopting a Stage 2 restriction. The FAA's part 150 determinations may provide valuable insight to the airport operator regarding the proposed restriction's consistency with existing laws and the position of the FAA with respect to the restriction. This encouragement was explicitly stated in the preamble to part 161 (see 56 FR 48669, September 25, 1991).

Federal funding through the AIP conforms to the legal authorizations established by ASNA and supports the FAA's objectives under ANCA. In order to be eligible for AIP funding, a part 161 analysis must be prepared within the comprehensive noise planning framework established by part 150. A part 161 analysis may be eligible as airport noise compatibility planning if it is included within the scope of work of a part 150 planning study. Alternatively, a part 161 analysis may be eligible as a noise project if it meets the following three conditions: (1) it is recommended in the airport operator's part 150 program as further study necessary to address a noise compatibility problem beyond the scope of the initial part 150 study; (2) it meets part 150 approval criteria and is approved under part 150 for further study; and (3) the part 161

analysis is integrated into a part 150 update following the same procedures prescribed for an initial study in § 161.211 for a Stage 2 restriction proposal or § 161.321 for a Stage 3 restriction proposal.

AIP funding of a part 161 analysis when integrated with a part 150 planning study in no way represents an FAA endorsement of a restriction or of any results of such an analysis. AIP funding supports the FAA's interest in a rigorous part 161 analysis, when an airport operator has determined to prepare such an analysis; supports the concept of comprehensive and balanced noise planning and mitigation, with restrictions as last resort measures; and supports the issuance of part 150 determinations as a facet of FAA guidance on Stage 2 restriction proposals.

The above eligibility criteria do not guarantee AIP funding. If a proposed noise or access restriction would, on its face, violate existing law or be inconsistent with other powers and duties of the FAA Administrator, it would not be funded for study in connection with a part 150 study. Additionally, all AIP funding decisions are subject to an established priority system and to practical limitations on the amounts of money available during the fiscal year.

Issued in Washington, DC on September 6, 1996.

David R. Hinson,
Administrator.

[FR Doc. 96-23579 Filed 9-13-96; 8:45 am]

BILLING CODE 4910-13-M

Aviation Rulemaking Advisory Committee Meeting

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of public meeting.

SUMMARY: This notice announces a public meeting of the FAA's Aviation Rulemaking Advisory Committee to discuss rotorcraft issues, current rulemaking actions, and future activities and plans.

DATES: The meeting will be held on October 3, 1996, 9 a.m.-12 noon. Arrange for oral presentations by September 18, 1996.

ADDRESSES: The meeting will be held in the main conference room of the Helicopter Association International, 1635 Prince St., Alexandria, VA 22314-2818.

FOR FURTHER INFORMATION CONTACT: Mr. David Higginbotham, Office of Rulemaking, Aircraft & Airport Rules

Division, ARM-200, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-3498.

SUPPLEMENTARY INFORMATION: The referenced meeting is announced pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. II). The agenda will include:

1. Presentation of the status reports on each of the tasks listed below:
 - a. Harmonization of Miscellaneous Rotorcraft Regulations.
 - b. Critical parts.
 - c. Performance and Handling Qualities Requirements.
 - d. Class D External Loads
 - e. Normal Category Gross Weight and Passenger Issues
2. Introduction of Mr. John D. Swihart, Jr., who will assume the position of the ARAC Assistant Chair for Rotorcraft Issues on October 4, 1996.

Attendance is open to the public but will be limited to the space available. The public must make arrangements by September 18, 1996, to present oral statements at the meeting. Written statements may be presented to the committee at any time by providing 16 copies to the Assistant Chair or by providing the copies to him at the meeting. In addition, sign and oral interpretation, as well as a listening device, can be made available at the meeting if requested 10 calendar days before the meeting. Arrangements may be made by contacting the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Fort Worth, Texas, on September 6, 1996.

Thomas E. Archer,
Acting Assistant Executive Director for Rotorcraft Issues, Aviation Rulemaking Advisory Committee.

[FR Doc. 96-23580 Filed 9-13-96; 8:45 am]

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Notice of Intent To Rule on Application (#96-03-C-00-BLI) To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Bellingham International Airport, Submitted by the Port of Bellingham, Bellingham, WA

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 Bellingham International Airport under the provisions of 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 October 16, 1996.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: J. Wade Bryant, Manager; Seattle Airports District Office, SEA-ADO; Federal Aviation Administration; 1601 Lind Avenue SW., Suite 250; Renton, Washington 98055-4056.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Larry Woodbury, Director of Aviation, of the Port of Bellingham at the following address: Port of Bellingham, Bellingham International Airport, 4255 Mitchell Way, #2, Bellingham, WA 98226.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Port of Bellingham under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Ms. Mary Vargas, (206) 227-2660; Seattle Airports District Office, SEA-ADO; Federal Aviation Administration; 1601 Lind Avenue SW, Suite 250; Renton, WA 98055-4056. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application (#96-03-C-00-BLI) to impose and use the revenue from a PFC at Bellingham International Airport under the provisions of 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On September 6, 1996, the FAA determined that the application to impose and use the revenue from a PFC submitted by Port of Bellingham, Bellingham, Washington, was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than December 14, 1996.

The following is a brief overview of the application.

Level of the proposed PFC: \$3.00.

Proposed charge effective date: January 1, 1997.

Proposed charge expiration date: December 31, 1998.

Total estimated PFC revenue: \$734,136.00.

Brief description of proposed project(s): Part 150 Land Acquisition Program; and Alpha Taxiway Pull-Out on North (Construction and design).

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Carriers

servicing Bellingham International Airport with aircraft with less than 10-seats, and not exceeding 1% of the total passengers.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA regional Airports office located at: Federal Aviation Administration, Northwest Mountain Regional, Airports Division, ANM-600, 1601 Lind Avenue SW, Suite 540, Renton, WA 98055-4056.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Port of Bellingham.

Issued in Renton, Washington on September 6, 1996.

David A. Field,

Manager, Planning, Programming and Capacity Branch, Northwest Mountain Region.

[FR Doc. 96-23672 Filed 9-13-96; 8:45 am]

BILLING CODE 4910-13-M

Notice of Intent To Rule on Application (#96-02-C-00-ISP) To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Long Island MacArthur Airport, Islip, NY

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 Long Island MacArthur Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

DATES: Comments must be received on or before October 16, 1996.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Philip Brito, Manager New York Airports District Office, 600 Old Country Road, Room 446, Garden City, New York 11530.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Ralph L. Hensel, Airport Manager for the County of Clinton, New York, at the following address: Clinton County Airport, 198 Airport Road, Plattsburg, New York 12901.