

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 a 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 Manchester Airport Authority submitted to the FAA, in January 1997, noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study. The Manchester Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on February 6, 1998. Notice of this determination was published in the **Federal Register** on February 27, 1998.

The Manchester 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 2000. It was 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 February 26, 1998, 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 15 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 Assistant Administrator effective August 5, 1998.

Approval was granted for all 15 program elements: preferential runway use measures, noise abatement departure procedures, rezoning, establishment/amendment of noise overlay districts, amendment of existing land use plans, sound insulation, expansion of building codes, enactment of noise disclosure regulations, continuation of the Part 150 public involvement program, distribution of a noise abatement brochure, installation of airport noise abatement signs, and noise compatibility program review and update.

FAA's determinations are set forth in detail in a Record of Approval endorsed by the Associate Administrator on August 5, 1998. 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 airport manager's office, Suite

300, 1 Airport Drive, Manchester, New Hampshire.

Issued in Burlington, Massachusetts on September 11, 1998.

**Vincent A. Scarano,**

*Manager, Airports Division, New England Region.*

[FR Doc. 98-26293 Filed 9-30-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-98-19]

#### 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.

**DATE:** Comments on petitions received must identify the petition docket number involved and must be received on or before October 22, 1998.

**ADDRESS:** 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-CMTS@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:**

Brenda Eichelberger (202) 267-7470 or Terry Stubblefield (202) 267-7624, 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).

Issued in Washington, D.C., on September 25, 1998.

**Donald P. Byrne,**

*Assistant Chief Counsel for Regulations.*

**Petitions For Exemption**

*Docket No.: 29212.*

*Petitioner:* Comair Aviation Academy.

*Sections of the FAR Affected:* 14 CFR 141 paragraph 4, appendix I.

*Description of Relief Sought:* To permit Comair to allow its students to add a single-engine airplane rating to a commercial pilot certificate with a multiengine rating and add a multiengine rating to a pilot certificate with a single-engine rating without accomplishing the flight training requirements set forth in appendix D to part 141.

*Docket No.: 25024.*

*Petitioner:* University of Illinois.

*Sections of the FAR Affected:* 14 CFR 141.55(d) and 141.63(b).

*Description of Relief Sought:* To allow the UI to hold examining authority for Federal Aviation Administration (FAA)-approved training courses that do not specify the minimum ground and flight training time requirements of part 141.

*Docket No.: 29305.*

*Petitioner:* Wayfarer Aviation, Inc.

*Sections of the FAR Affected:* 14 CFR 135.299(a).

*Description of Relief Sought:* To permit Wayfarer pilots to accomplish a line operational evaluation in a Level C or Level D flight simulator in lieu of a line check in an aircraft.

*Docket No.: 29307.*

*Petitioner:* Hughes Flying Service, Inc.

*Sections of the FAR Affected:* 14 CFR 135.299(a).

*Description of Relief Sought:* To permit Hughes pilots to accomplish a line operational evaluation in a Level C or Level D flight simulator in lieu of a line check in an aircraft.

**Dispositions of Petitions**

*Docket No.: 28696.*

*Petitioner:* Federal Express Corporation.

*Sections of the FAR Affected:* 14 CFR 25.1423(c).

*Description of Relief Sought/Disposition:* To permit the

accommodation of supernumerary animal handlers on DC-10 and MD-11 airplanes. Relief is sought from a condition relating to decompression alert notification in the lavatory, and from a condition relating to accessibility of Public Address (PA) messages in the lavatory.

*Disposition, Date, Exemption No.*

Denied, August 28, 1998, Exemption No. 6652A

*Docket No.: 22872.*

*Petitioner:* Air Transport Association of America.

*Sections of the FAR Affected:* 14 CFR 61.157(a); item I(b) of appendix A to part 61; 121.424(a), (b), and (d)(1); item I(a) of appendix E to part 121; and item I(b) of appendix F to part 121 of Title 14.

*Description of Relief Sought/*

*Disposition:* To permit ATA member airlines and other qualifying part 121 certificate holders to conduct training and checking of pilots on airplanes that require two flight crewmembers for the required preflight inspection, both interior and exterior, using approved advanced pictorial means.

*Disposition, Date, Exemption No.*

Grant, September 8, 1998, Exemption No. 4416G

*Docket No.: 27007.*

*Petitioner:* Air Transport Association of America.

*Sections of the FAR Affected:* 14 CFR 121.311(b).

*Description of Relief Sought/*

*Disposition:* To allow ATA-member airlines and other similarly situated part 121 operators to permit qualified flight attendants not required by 121.391(c) to perform duties related to the safety of the airplane and its occupants during aircraft movement on the surface.

*Disposition, Date, Exemption No.*

Grant, September 8, 1998, Exemption No. 5533C

*Docket No.: 29304.*

*Petitioner:* Rotorcraft Leasing Company, L.L.C.

*Sections of the FAR Affected:* 14 CFR 135.143(c).

*Description of Relief Sought/*

*Disposition:* To permit RCL to operate its Bell 206 helicopters without a TSO-C112 (Mode S) transponder installed on each of those helicopters.

*Disposition, Date, Exemption No.*

Grant, September 11, 1998, Exemption No. 6810

*Docket No.: 28706.*

*Petitioner:* National Warplane Museum.

*Sections of the FAR Affected:* 14 CFR 91.315, 119.5(g), and 119.21(a).

*Description of Relief Sought/*

*Disposition:* To permit NWM to carry passengers on local flights for compensation or hire in its limited category Boeing B-17 aircraft in support of the NWM's fundraising efforts.

*Disposition, Date, Exemption No.*

Grant, September 17, 1998, Exemption No. 6565A

*Docket No.: 29197.*

*Petitioner:* The Stallion 51 Corporation.

*Sections of the FAR Affected:* 14 CFR 91.315.

*Description of Relief Sought/*

*Disposition:* To permit Stallion 51 to provide initial and recurrent training, orientation flights, and training under contract with the U.S. military in its two North American P-51TF (TF-51) airplanes certificated as limited category civil aircraft.

*Disposition, Date, Exemption No.*

Grant, September 17, 1998, Exemption No. 6811

*Docket No.: 12227.*

*Petitioner:* National Business Aviation Association, Inc.

*Sections of the FAR Affected:* 14 CFR 91.409(e) and 91.501(a).

*Description of Relief Sought/*

*Disposition:* To permit NBAA members to operate small civil airplanes and helicopters of U.S. registry under the operating rules of 91.503 through 91.535 and to select an inspection program as described in 91.409(f).

*Disposition, Date, Exemption No.*

Grant, September 17, 1998, Exemption No. 1637T

*Docket No.: 29144.*

*Petitioner:* American Air Services, Inc. dba Executive Jet Management, Inc.

*Sections of the FAR Affected:* 14 CFR 145.45(f).

*Description of Relief Sought/*

*Disposition:* To permit Executive Jet Management to assign copies of its Inspection Procedures Manual (IPM) to key individuals within its departments and key areas within its shop and functionally place an adequate number of its IPM for access to all employees, rather than provide a copy of the IPM for each of its supervisory and inspection personnel.

*Disposition, Date, Exemption No.*

Grant, July 31, 1998, Exemption No. 6806

*Docket No.: 28492.*

*Petitioner:* Varig S.A.

*Sections of the FAR Affected:* 14 CFR 145.47(b).

*Description of Relief Sought/*

*Disposition:* To permit Varig to substitute the instrument calibration standards of the Instituto Nacional de Metrologia, Normalizacao e Qualidade Industrial (INMETRO), Brazil's national standards laboratory, for the calibration standards of the U.S. National Institute of Standards and Technology (NIST), formerly the National Bureau of Standards, to test its inspection and test equipment.

*Disposition, Date, Exemption No.*

Grant, July 31, 1998, Exemption No. 6807

*Docket No.:* 28546.

*Petitioner:* The Ranch Parachute Club, Ltd.

*Sections of the FAR Affected:* 14 CFR 105.43(a).

*Description of Relief Sought/*

*Disposition:* To permit nonstudent parachutists who are foreign nationals to participate in parachute-jumping events sponsored by The Ranch at its facilities without complying with the parachute equipment and packing requirements of 14 CFR.

*Disposition, Date, Exemption No.*

Grant, August 31, 1998, Exemption No. 6494A

*Docket No.:* 28649.

*Petitioner:* Motores Rolls-Royce Limitada.

*Sections of the FAR Affected:* 14 CFR 145.47(b).

*Description of Relief Sought/*

*Disposition:* To permit Motores Rolls-Royce to use the calibration standards of the Instituto Nacional de Metrologia, Normalizacao e Qualidade Industrial, Brazil's national standards organization, in lieu of the calibration standards of the U.S. National Institute of Standards and Technology, formerly the National Bureau of Standards, to test its inspection and test equipment.

*Disposition, Date, Exemption No.*

Grant, July 31, 1998, Exemption No. 6545A

*Docket No.:* 28947.

*Petitioner:* US Airways.

*Sections of the FAR Affected:* 14 CFR 145.45(f).

*Description of Relief Sought/*

*Disposition:* To permit US Airways to make available one copy of its repair station Inspection Procedures Manual (IPM) to all its supervisory and inspection personnel, rather than providing a copy of the manual to each individual, subject to certain conditions

and limitations. That exemption expired on July 31, 1998; therefore, the FAA will process US Airways' extension request as a petition for a new exemption.

*Disposition, Date, Exemption No.*

Grant, July 11, 1997, Exemption No. 6655

*Docket No.:* 23869.

*Petitioner:* The Uninsured Relative Workshop, Inc.

*Sections of the FAR Affected:* 14 CFR 105.43(a).

*Description of Relief Sought/*

*Disposition:* To permit employees, representatives, and other volunteer experimental parachute test jumpers under TURWI'S control to make tandem parachute jumps while wearing a dual-harness, dual-parachute pack that has at least one main parachute and one approved auxiliary parachute. The exemption also permits pilots in command of aircraft involved in these operations to allow such persons to make these parachute jumps.

*Disposition, Date, Exemption No.*

Grant, September 18, 1998, Exemption No. 4943K

*Docket No.:* 26378.

*Petitioner:* Daimler-Benz Aerospace, MTU Maintenance GmbH.

*Sections of the FAR Affected:* 14 CFR 145.47(c)(1).

*Description of Relief Sought/*

*Disposition:* To permit MTU-H to extend its certification privileges as an FAA-approved foreign repair station to contract the maintenance and repair of engine components of International Aero Engines AG Model V2500 turbine engines to facilities that are not FAA-certificated repair stations, U.S.-original equipment manufacturers, or approved manufacturing licensees for such engines.

*Disposition, Date, Exemption No.*

Grant, July 31, 1998, Exemption No. 5337C

*Docket No.:* 28954.

*Petitioner:* Heart of Georgia Technical Institute.

*Sections of the FAR Affected:* 14 CFR 65.17(a), 65.19(b), 65.75(a) and (b), and 183.11(b).

*Description of Relief Sought/*

*Disposition:* To permit HGTI to: (1) Administer the FAA oral and practical mechanical tests to students at times and places identified in HGTI's FAA-approved aviation Maintenance Technical School (AMTS) Policies, Procedures, and Curriculum Handbook; (2) conduct oral and practical mechanical tests as an integral part of

the education process rather than conducting the tests after students successfully complete the written mechanic tests; (3) allow applicants to apply for retesting within 30 days after failure without presenting a signed statement certifying additional instruction in the failed area; and (4) administer the Aviation Mechanic-General (AMG) written test to students immediately after they successfully complete the general curriculum but before they meet the experience requirements of 65.77.

*Disposition, Date, Exemption No.*

Grant, August 27, 1998, Exemption No. 6805

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33658]

#### The New York & Ogdensburg Railway Company, Inc.—Lease and Operation Exemption—Ogdensburg Bridge & Port Authority

The New York & Ogdensburg Railway Company, Inc. (NYOG), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from the Ogdensburg Bridge & Port Authority (OBPA) and operate approximately 32.0 miles of rail line. The rail lines to be leased are two connecting lines: (1) between milepost 0.0 at Ogdensburg, NY, and milepost 25.2 at Norwood, NY; and (2) between milepost 0.0 at Norwood, NY, and milepost 6.8+/- at Norfolk/Raymondville, NY. NYOG will become a Class III rail carrier.<sup>1</sup>

The transaction was scheduled to be consummated on or after September 15, 1998.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of

<sup>1</sup> By this notice of exemption, NYOG and OBPA are giving notice, under 49 CFR 1150.31(a)(3) of their mutual intent to effect a change in operators on the subject rail lines. Common carrier service of the rail lines is currently provided by the St. Lawrence & Raquette River Railroad (SLRR) pursuant to Finance Docket No. 31653, *St. Lawrence & Raquette River Railroad—Lease and Operation Exemption—Lines in New York* (served May 17, 1990). NYOG has supplied evidence of SLRR's desire to terminate its operations over the line and to facilitate transfer to a new service provider prior to the end of September 1998.

NYOG states that its revenues will not exceed those that would qualify it as a Class III rail carrier and its revenues are not projected to exceed \$5 million.