

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 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 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 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 Memphis, Tennessee.

The Metropolitan Knoxville Airport Authority submitted to the FAA on July 5, 1995, the noise exposure maps, descriptions, and other documentation produced during the FAR Part 150 supplemental noise compatibility planning study conducted from October 1994 through June 1995. The McGhee Tyson Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on October 12, 1995. Notice of this determination was published in the Federal Register on October 26, 1995.

The McGhee Tyson Airport 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 beyond the year 2000. It was requested that the FAA evaluate and approved 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 July 22, 1996, and was required by 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 an approval of such a program.

The submitted program contained two noise abatement measures, 13 land use measures and an amendment to a previously approved land use measure; and three program management actions. 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 January 17, 1997.

Approval for Part 150 was granted, in total or in part, for both of the proposed operational (noise abatement) measures. The operational procedures will require an environmental decision before implementation by FAA. Approval was granted for all the land use and implementation actions. Land Use measures include establishing an airport influence area; airport noise overlay zoning for land use compatibility; amend subdivision regulations to require dedication of aviation easements; local building code

amendments for sound insulation; promote fair disclosure; acquisition of homes within the 65 DNL; acquisition of underdeveloped residential-zoned land within the 65 DNL contour; sound insulation; and aviation easements. An amendment to a previously approved measure for purchase assurance or sound insulation extended this mitigation to the remaining homes in the neighborhood. These determinations are set forth in detail in a Record of Approval endorsed by the Administrator on January 17, 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 offices of the Metropolitan Knoxville Airport Authority.

Issued in Memphis, Tennessee, January 30, 1997.

Wayne R. Miles,

*Assistant Manager, Memphis Airports District Office.*

[FR Doc. 97-2962 Filed 2-5-97; 8:45 am]

BILLING CODE 4910-13-M

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**Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Chattanooga Metropolitan Airport, Chattanooga, TN**

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

**ACTION:** Notice of intent to rule on application.

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**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Chattanooga Metropolitan Airport, Chattanooga, Tennessee, 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 March 10, 1997.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate in the FAA at the following address: Memphis Airports District Office, 2851 Directors Cove, Suite #3, Memphis, TN 38131-0301.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Hugh Davis, President, Chattanooga Metropolitan Airport Authority at the following address: P.O. Box 22245, Chattanooga, TN 37422.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Chattanooga Metropolitan Airport Authority under section 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:**

Peggy S. Kelley, Memphis Airports District Office, 2851 Directors Cove, Suite 3, Memphis, Tennessee 38131-0301; 901-544-3495, Ext. 19. The application may be reviewed in person at this location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to: impose and use the revenue from a PFC at Chattanooga Metropolitan Airport under 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).

On January 29, 1997, the FAA determined that the application to impose and use the revenue from a PFC submitted by Chattanooga Metropolitan Airport Authority 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 April 29, 1997.

The following is a brief overview of the application.

*PFC application number:* 97-02-C-00-CHA.

*Level of the proposed PFC:* \$3.00.

*Proposed charge effective date:* Proposed charge effective date: April 1, 2002.

*Proposed charge expiration date:* August 1, 2010.

*Total estimated PFC revenue:* \$3,197,112.

*Brief description of proposed projects:* Acquisition of two parcels of land and installation of a flood gate.

*Class or classes of air carriers which the public agency has requested not be required to collect PFCs:* nonscheduled air taxi/commercial operators filing FAA form 1800-31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Chattanooga Metropolitan Airport Authority.

Issued in Memphis, Tennessee, on January 29, 1997.

Wayne R. Miles,  
Assistant Manager, Memphis Airports District Office.

[FR Doc. 97-2893 Filed 2-5-97; 8:45 am]

BILLING CODE 4910-13-M

**Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Toledo Express Airport, Toledo, OH**

**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 Toledo Express 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 March 10, 1997.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck road, Belleville, Michigan 48111.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to the Toledo Port Authority at the following address: 11013 Airport Hwy., Box 11, Swanton, OH 43558.

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

**FOR FURTHER INFORMATION CONTACT:**

Mr. Leonard J. Mizerowski, Program Manager, Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111 (313-487-7277). The application may be reviewed in person at this same locations.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Toledo Express 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).

On January 21, 1997, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Toledo Port Authority 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 April 15, 1997.

The following is a brief overview of the application.

*PFC Application No.:* 97-02-C-00-TOL.

*Level of the proposed PFC:* \$3.00.

*Proposed charge effective date:* April 1, 1997.

*Proposed charge expiration date:* April 1, 1998.

*Total estimated PFC revenue:* \$799,621.00.

*Brief description of proposed project(s):* Maintenance Building Expansion, Snow Removal Equipment, Stabilize Shoulders, Public Terminal Canopy Engineering.

*Class or classes of air carriers which the public agency has requested not be required to collect PFC's:* Air Taxi/Commercial Operators.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

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

Issued in Des Plaines, Illinois, on January 29, 1997.

Benito DeLeon,

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

[FR Doc. 97-2895 Filed 2-5-97; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF THE TREASURY**

**Bureau of Alcohol, Tobacco and Firearms**

**Proposed Collection; Comment Request**

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Bureau of Alcohol, Tobacco and Firearms within the Department of the Treasury is soliciting comments concerning the Distilled Spirits Plant (DSP) Denaturation Records and Reports.

**DATES:** Written comments should be received on or before April 7, 1997 to be assured of consideration.