

committee or subcommittee in advance of a meeting, please submit 25 copies to the Executive Director no later than January 4, 2000.

Information on Services for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the meetings, contact the Executive Director as soon as possible.

Dated: December 21, 1999.

Joseph J. Angelo,

Director of Standards, Marine Safety and Environmental Protection.

[FR Doc. 00-248 Filed 1-5-00; 8:45 am]

BILLING CODE 4910-15-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Acceptance of Noise Exposure Maps for Lanai Airport, Lanai City, HA

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the State of Hawaii, Department of Transportation, for Lanai Airport under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Public Law 96-193) and 14 CFR Part 150 are in compliance with applicable requirements.

EFFECTIVE DATE: The effective date of the FAA's determination on the noise exposure maps is December 23, 1999.

FOR FURTHER INFORMATION CONTACT: David J. Welhouse, Airport Planner, Federal Aviation Administration, Honolulu Airports District Office, P.O. Box 50244, Honolulu, Hawaii 96850-0001, Telephone 808/541-1243, Street Address: Federal Building, 300 Ala Moana Boulevard, Room 7-128, Honolulu, Hawaii, 96813. Documents reflecting this FAA action may be reviewed at this same location.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for Lanai Airport are in compliance with applicable requirements of Part 150, effective December 23, 1999.

Under section 103 of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict noncompatible land uses as of the date

of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) Part 150, promulgated pursuant to Title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by the State of Hawaii, Department of Transportation. The specific maps under consideration are Figure 4-1, "Base Year (1999) Noise Exposure Map" and Figure 5-1, "5-Year (2004) Noise Exposure Map," in the submission. The FAA has determined that the maps for the Lanai Airport are in compliance with applicable requirements. This determination is effective on December 23, 1999. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of FAR Part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 107 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours

onto the map depicting properties on the surface rests exclusively with the airport operator which submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 103 of the Act. The FAA has relied on the certification by the airport operator, under section 150.16 of FAR Part 150, that the statutorily required consultation has been accomplished.

Copies of the noise exposure maps and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration, Community and Environmental Needs Division, APP-600, 800 Independence Avenue, SW, Washington, D.C. 20591.

Federal Aviation Administration, Western-Pacific Region, Airports Division, AWP-600, 15000 Aviation Boulevard, Room 3012, Hawthorne, California 90261

Federal Aviation Administration, Honolulu Airports District Office, Federal Building, 300 Ala Moana Boulevard, Room 7-128, Honolulu, Hawaii 96813

State of Hawaii, Department of Transportation, Airports Division, District Office Manager, Kahului Airport, Kahului, Maui, Hawaii 96732

Questions may be directed to the individual named above under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Hawthorne, California on December 23, 1999.

Ellsworth L. Chan,

Acting Manager, Airports Division, AWP-600, Western-Pacific Region.

[FR Doc. 00-246 Filed 1-5-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-99-46]

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.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before January 26, 2000.

ADDRESSES: 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_cmtsfaa.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, DC 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Cherie Jack (202) 267-7271 or Vanessa Wilkins (202) 267-8029 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, DC, on December 30, 1999.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

Petitions for Exemption

Docket No.: 29644.

Petitioner: American Freightways, Inc. (AFI).

Section of the FAR Affected: 14 CFR 61.57(e)(3).

Description of Relief Sought: To permit AFI pilots to meet the night takeoff and landing recent experience requirements of § 61.57(b) for the Cessna Model 525 CitationJet by meeting the night takeoff and landing recent experience requirements for the Cessna Model 550 Citation II.

Docket No.: 29853.

Petitioner: JRG Design, Inc.

Section of the FAR Affected: 14 CFR 25.857(e).

Description of Relief Sought: To permit installation of a two-place courier seat for carriage of two non-crewmembers in McDonnell Douglas DC10-30F and -40F freighter airplanes.

Docket No.: 29788.

Petitioner: Brian W. Dodson, Ph.D.

Section of the FAR Affected: 14 CFR 103.1(e).

Description of Relief Sought: To permit Brian W. Dodson, Ph.D., to operate, under the other provisions of part 103, powered single-seat ultralight vehicles with a maximum empty weight of 496 pounds, a maximum fuel capacity of 10 gallons, a maximum power-off stall speed of 35 knots at mean sea level (MSL), and a maximum sustained level air speed of 75 knots at MSL.

Docket No.: 29796.

Petitioner: Save-A-Connie, Inc.

Section of the FAR Affected: 14 CFR 91.315.

Description of Relief Sought: To permit Save-A-Connie, Inc., to operate its Lockheed Super Constellation and its Martin 404 aircraft to carry passengers on local flights for compensation or hire on demonstration or promotional flights.

Docket No.: 29782.

Petitioner: Roy Earnest Duckworth.

Section of the FAR Affected: 14 CFR 61.129(c)(4)(ii).

Description of Relief Sought: To permit Mr. Roy Earnest Duckworth to obtain a commercial pilot certificate with a rotorcraft category and helicopter class rating without accomplishing the requirement for 5 hours of solo night flight.

Docket No.: 29773.

Petitioner: Experimental Aircraft Association, Inc., and the EAA Aviation Foundation, Inc. (Foundation).

Section of the FAR Affected: 14 CFR 119.5(g), 119.21(a), 135.251, and 135.255, and appendixes I and J to part 121.

Description of Relief Sought: To permit the Foundation to operate its Douglas DC-3, Ford Tri-Motor, and various single-engine aircraft, which are certificated in the standard category, for the purpose of carrying passengers for compensation or hire.

Docket No.: 29825.

Petitioner: Jamco America, Inc.

Section of the FAR Affected: 14 CFR 21.235(b)(3).

Description of Relief Sought: To permit the issuance of export airworthiness approvals for class II and class III products manufactured and located at Jamco Corporation's facilities in Tokyo, Japan.

Dispositions of Petitions

Docket No.: 22441.

Petitioner: United Airlines, Inc. (UAL).

Section of the FAR Affected: 14 CFR 121.433(c)(1)(iii), 121.440(a), and 121.441(a)(1) and (b)(1), appendix F to part 121, and Special Federal Aviation Regulation No. 58, paragraph 6(b)(3)(ii)(A).

Description of Relief Sought/

Disposition: To permit UAL to combine recurrent flight and ground training and proficiency checks for UAL's pilots in command, seconds in command, and flight engineers in a single annual training and proficiency evaluation program, that is, a single-visit training program.

GRANT, 12/7/99, Exemption No. 3451L

Docket No.: 29771.

Petitioner: John S. Grofcsik.

Section of the FAR Affected: 14 CFR 121.383(c).

Description of Relief Sought/

Disposition: To permit Mr. John S. Grofcsik to act as a pilot in operations conducted under part 121 after reaching your 60th birthday.

DENIAL, 12/7/99, Exemption No. 7083

Docket No.: 29749.

Petitioner: F.S. Air Service, Inc..

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

Description of Relief Sought/

Disposition: To permit F.S. Air Service, Inc., 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.

DENIAL, 12/7/99, Exemption No. 7084

Docket No.: 29783.

Petitioner: Indianapolis Aviation, Inc.

Section of the FAR Affected: 14 CFR 135.143(c)(2).

Description of Relief Sought/

Disposition: To permit Indianapolis Aviation, Inc., to operate its Beechcraft Super King Air B200 (Registration No. N282CT, Serial No. BB-1002) under part 135 without a TSO-C112 (Mode S) transponder installed in the aircraft.

GRANT, 11/30/99, Exemption No. 7082

Docket No.: 29816.

Petitioner: Columbia Air L.L.C.

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

Description of Relief Sought/

Disposition: To permit Columbia Air L.L.C. pilots to accomplish a line operational evaluation (LOE) in a Level C or Level D flight simulator in lieu of a line check in an aircraft.

DENIAL, 11/19/99, Exemption No. 7077

Docket No.: 26029.

Petitioner: ABX Air, Inc. (ABX).
Section of the FAR Affected: 14 CFR 121.503(b), 121.505(a), and 121.511(a).

Description of Relief Sought/Disposition: To permit ABX's pilots and flight engineers to complete certain transcontinental flight schedules before being provided with at least 16 hours of rest.

GRANT, 11/19/99, Exemption No. 5167E

Docket No.: 29871.
Petitioner: Construcciones Aeronauticas, S.A. (CASA).

Section of the FAR Affected: 14 CFR 25.723.

Description of Relief Sought/Disposition: To grant CASA a partial exemption from 25.723 to the extent necessary to permit type certification of the Model C-295 airplane.

PARTIAL GRANT, 12/17/99, Exemption No. 7088

Docket No.: 25863.
Petitioner: Department of Defense (DOD).

Section of the FAR Affected: 14 CFR 91.117(a) and (b), 91.159(a), and 91.209(a).

Description of Relief Sought/Disposition: To permit the DOD to conduct air operations in support of drug law enforcement and traffic interdiction without meeting certain requirements pertaining to (1) aircraft speed, (2) cruising altitudes for flights conducted under visual flight rules, and (3) the use of aircraft position lights.

GRANT, 9/25/99, Exemption No. 5100E

Docket No.: 29751.
Petitioner: United Way of Northwest Illinois, Inc. (United Way), and the Freeport Pilots Association (FPA).

Section of the FAR Affected: 14 CFR 135.251, 135.255, and 135.353, and appendixes I and J to part 121.

Description of Relief Sought/Disposition: To permit allow the FPA to conduct local sightseeing flights at Freeport Albertus Airport, for the United Way campaign kickoff hosted by the United Way on September 18, 1999, for compensation or hire, without complying with certain anti-drug and alcohol misuse prevention requirements of part 135.

GRANT, 9/17/99, Exemption No. 6996

Docket No.: 29682.
Petitioner: GE Engine Services—Corporate Aviation, Inc.
Section of the FAR Affected: 14 CFR 145.45(f).

Description of Relief Sought/Disposition: To permit GE Engine Services—Corporate Aviation, Inc.,

doing business as Garrett Aviation Services, to place and maintain copies of its inspection procedures manual (IPM) in strategic locations throughout its maintenance facility rather than giving a copy of the IPM to each of its supervisory and inspection personnel.

GRANT, 12/16/99, Exemption No. 7089

Docket No.: 29792.
Petitioner: Tennessee Technical Services, L.L.C.
Section of the FAR Affected: 14 CFR 145.45(f).

Description of Relief Sought/Disposition: To permit Tennessee Technical Services, L.L.C., to place copies of its inspection procedures manual (IPM) in strategic locations throughout its repair station rather than giving a copy of its IPM to each of its supervisory and inspection personnel.

GRANT, 12/23/99, Exemption No. 7092

Docket No.: 29234.
Petitioner: Cowboy Transportation Company.

Section of the FAR Affected: 14 CFR 135.163(f)(2), 135.411(c), and/or 135.421(c) and (d).

Description of Relief Sought/Disposition: To permit Cowboy to conduct passenger-carrying operations under instrument flight rules (IFR) in its single-engine aircraft without complying with certain equipment and maintenance requirements of part 135.

DENIAL, 12/23/99, Exemption No. 7091

[FR Doc. 00-247 Filed 1-5-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Ex Parte No. 290 (Sub-No. 2) and (Sub-No. 5)]

Decision: Railroad Cost Recovery Procedures and Quarterly Rail Cost Adjustment Factor

Decided: December 29, 1999.

In this decision, we grant the request of Western Coal Traffic League (WCTL) to inspect all RCAF workpapers used in developing the Rail Cost Adjustment Factor (RCAF). We order the American Association of Railroads (AAR) to make available for inspection the confidential RCAF workpapers under the condition that the proprietary workpapers are subject to a standard protective order and treated as "Highly Confidential."

Background

Under the provisions of 49 U.S.C. 10708, the Board periodically issues the

RCAF, which is an index reflecting changes in railroad costs. The RCAF data are developed by the AAR, and are reviewed by Board staff and audited by an independent accounting firm.¹

In a filing transmitting to the Board its data for the fourth quarter 1999 RCAF, the AAR disclosed that the previous quarter's filing contained an error in the calculation of the weights for the Materials and Supplies component of the RCAF for the third quarter of 1999. The error, which was discovered by the AAR, was not of sufficient magnitude to alter the RCAF.

Nonetheless, in a letter dated September 13, 1999, WCTL asks the Board to direct the AAR to permit private parties to review the AAR's RCAF calculations. WCTL notes that shippers use the RCAF to periodically adjust many rail rates, and thus it asks that affected shippers be given the opportunity to review the accuracy of the underlying calculations. The AAR did not respond to WCTL's request.

Discussion and Conclusions

WCTL's request will be granted. Clearly, the accuracy of the RCAF is important, and although the data are already audited, mistakes are possible. Granting WCTL's request will enhance the accuracy of the data, and will also maintain shipper confidence in the RCAF process.

We recognize that, in 1990, our predecessor, the Interstate Commerce Commission (ICC), issued an order denying WCTL and its consultants access to the RCAF workpapers on the ground that the information is proprietary and commercially sensitive.² However, as WCTL notes, in various proceedings, the Board has authorized disclosure of commercially sensitive information provided the parties agreed to be bound by appropriate protective orders. Our experience has been that the protective orders and confidentiality agreements entered in recent Board proceedings have been effective.³ We see no reason

¹ The Board conducts regular staff reviews of the RCAF workpapers, and of the audits conducted by certified public accounting firms, whose audit plans are approved and monitored by Board staff.

² *Railroad Cost Recovery Procedures*, Ex Parte No. 290 (Sub-No. 2) (ICC served September 21, 1990).

³ For example, we protect the very sensitive STB Carload Waybill Sample data using confidentiality agreements. Protective orders were also successfully used to protect commercially sensitive information in STB Finance Docket 33388, *CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company—Control and Operating Leases/Agreements—Conrail Inc. and Consolidated Rail Corporation*, and STB Docket No. 41989, *Potomac*