

statutorily required consultation has been accomplished.

Copies of the full noise exposure map documentation 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, DC 20591;

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

Federal Aviation Administration, San
Francisco Airports District Office, 831
Mitten Road, Burlingame, California
94010-1303;

W. Carl Honaker, Acting Director of
County Airports, County of Santa Clara,
Roads & Airports Department, Airport
Division, 2500 Cunningham Avenue,
San Jose, California 94148.

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

Issued in Hawthorne, California, on
January 13, 2004.

Ellsworth L. Chan,

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

[FR Doc. 04-2205 Filed 2-2-04; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Commission

Receipt of an Amendment to Noise Compatibility Program and Request for Review

AGENCY: Federal Aviation
Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation
Administration (FAA) announces that it
is reviewing a proposed amendment to
the noise compatibility program that has
been submitted on January 12, 2004 for
Toledo Express Airport under the
provisions of 49 U.S.C. 47501 *et seq.*
(the Aviation Safety and Noise
Abatement Act, hereinafter referred to
as "the Act") and 14 CFR part 150 by
Toledo-Lucas County Port Authority.
This amendment to the program was
submitted subsequent to the approval by
FAA of the noise compatibility program
on July 22, 2003 and a determination
that the associated noise exposure maps
submitted under 14 CFR part 150 for
Toledo Express Airport were in
compliance with applicable
requirements, effective January 24,

2003, published in the **Federal Register**
February 14, 2003. The proposed noise
compatibility program amendment will
be approved or disapproved on or before
July 11, 2004.

EFFECTIVE DATE: The effective date of the
start of FAA's review of the noise
compatibility program amendment is
January 14, 2004. The public comment
period ends March 13, 2004.

FOR FURTHER INFORMATION CONTACT:

Katherine S. Jones, Community Planner,
DET ADO 606, Detroit Airports District
Office, 11677 South Wayne Road, Ste.
107, Romulus, MI 48174. Comments on
the proposed noise compatibility
program amendment should also be
submitted to the above office.

SUPPLEMENTARY INFORMATION: This
notice announces that the FAA is
reviewing a proposed noise
compatibility program amendment for
Toledo Express Airport, which will be
approved or disapproved on or before
July 11, 2004. This notice also
announces the availability of this
program amendment for public review
and comment.

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 the Act, may
submit a noise compatibility program
for FAA approval which sets forth the
measures the operator has taken or
proposes to reduce existing non-
compatible uses and prevent the
introduction of additional non-
compatible uses.

The FAA has formally received the
noise compatibility program
amendment for Toledo Express Airport,
effective on January 12, 2004. The
airport operator has requested that the
FAA review this material and that the
noise mitigation measure, to be
implemented jointly by the airport and
surrounding communities, be approved
as a noise compatibility program under
section 47504 of the Act. Preliminary
review of the submitted material
indicates that it conforms to FAR Part
150 requirements for the submittal of
noise compatibility program
amendment, but that further review will
be necessary prior to approval or
disapproval of the program amendment.
The formal review period, limited by
law to a maximum of 180 days, will be
completed on or before July 11, 2004.

The FAA's detailed evaluation will be
conducted under the provisions of 14
CFR part 150, section 150.33. The
primary considerations in the
evaluation process are whether the
proposed amended measures may

reduce the level of aviation safety or
create an undue burden on interstate or
foreign commerce, and whether they are
reasonably consistent with obtaining the
goal of reducing existing non-
compatible land uses and preventing the
introduction of additional non-
compatible land uses.

Interested persons are invited to
comment on the proposed program
amendment with specific reference to
these factors. All comments relating to
these factors, other than those properly
addressed to local land use authorities,
will be considered by the FAA to the
extent practicable. Copies of the noise
exposure maps, the existing approved
noise compatibility program and the
proposed noise compatibility program
amendment are available for
examination at the following locations:

Federal Aviation Administration,
Detroit Airports District Office, 11677
South Wayne Road, Ste. 107, Romulus,
Michigan 48174.

Toledo-Lucas County Port Authority,
Toledo Express Airport, 11013 Airport
Highway, Box 11, Swanton, Ohio 43558.

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

Issued in Romulus, Michigan, January 14,
2004.

Irene R. Porter,

Manager, Detroit Airports District Office.

[FR Doc. 04-2199 Filed 2-2-04; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Proposed Notification Regarding Function and Reliability Testing for Turboprop-Powered Airplanes of 6,000 Pounds or Less Maximum Certificated Weight

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Notice of intent and request for
comments.

SUMMARY: All new certification projects
for turboprop-powered airplanes of 6,000
pounds or less maximum certificated
weight will be reviewed for possible
issuance of special conditions to require
function and reliability testing. The
special condition, if required, would
effectively require compliance with the
requirements of 14 CFR part 21, section
21.35, paragraphs (b)(2) and (f), and
would be issued under the procedural
rules found in 14 CFR part 11. Such a
special condition will not be applied to

any ongoing, active certification project with an established certification basis.

DATES: Send comments by March 4, 2004.

ADDRESSES: Send all comments to Mr. Steve Thompson, Small Airplane Directorate (ACE-112), Federal Aviation Administration, 901 Locust, Room 301, Kansas City, Missouri 64106. Comments may also be sent by electronic mail to steven.thompson@faa.gov. Comments may be inspected at the above address between 7:30 a.m. and 4 p.m. weekdays, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Steve Thompson, Small Airplane Directorate (ACE-112), Federal Aviation Administration, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone (816) 329-4126, fax (816) 329-4090.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite your comments on this notice. Send any data or views about the subject of this notice, as desired. Identify comments with "Small Jets Function and Reliability Comments, ATTN: Steve Thompson." The FAA will consider all comments received by the closing date listed above before issuing a final notice.

Background

Before Amendment 3-4, Section 3.19 of Civil Air Regulation (CAR) part 3 required service tests of all airplanes type certificated on or after May 15, 1947. The purpose of these tests was to "ascertain whether there is reasonable assurance that the airplane, its components, and equipment are reliable and function properly."

Amendment 3-4 to CAR part 3 became effective January 15, 1951, and deleted the service test requirement in Section 3.19 for airplanes of 6,000 pounds maximum weight or less. The introductory text published in Amendment 3-4 explained that most of the significant changes in the amendment stemmed from "the desire for simplification of the rules in this part with respect to the smaller airplanes, specifically those of 6,000 pounds maximum weight or less, which would be expected to be used mainly as personal airplanes." The introductory material also stated the service test requirement was removed for airplanes of 6,000 pounds maximum weight or less because "experience seems to indicate that this rule imposes a burden upon the manufacturers not commensurate with the safety gained." The requirement for function and reliability testing, and the exception for airplanes of 6,000 pounds or less

maximum weight, is now found in 14 CFR part 21, section 21.35(b)(2).

The decision to except airplanes of 6,000 pounds maximum weight or less from function and reliability testing was based on the state of technology envisaged in 1951. At that time, airplanes of 6,000 pounds maximum weight or less were expected to be used mainly as personal airplanes. The safety gained by requiring function and reliability testing for these airplanes did not warrant the associated added burden on the manufacturers. However, advances in technology have made possible creating turbofan-powered airplanes weighing less than 6,000 pounds that have complexity and design features not envisaged in 1951. These airplanes may also incorporate turbine engines of a type not previously used in a type-certificated aircraft. Because of their capabilities, these airplanes are viable business and commercial transportation and are not expected to be used mainly as personal airplanes. Therefore, a special condition to require function and reliability testing for turbofan-powered airplanes weighing 6,000 pounds or less may be needed to establish safety equivalent to that established by the existing airworthiness standards.

Issued in Kansas City, Missouri, on January 13, 2004.

Dorenda D. Baker,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04-2195 Filed 2-2-04; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application 04-16-C-00-ORD To Impose a Passenger Facility Charge (PFC) at Chicago O'Hare International Airport and To Use the Revenue at Chicago O'Hare International Airport, Chicago, Illinois.

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 a PFC at Chicago O'Hare International Airport and use the revenue at Chicago O'Hare International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the

Federal Aviation Regulations (14 CFR Part 158).

DATES: Comments must be received on or before March 4, 2004.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Chicago Airports District Office, 2300 East Devon Avenue, Room 320, Des Plaines, Illinois 60018.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Thomas R. Walker, Commissioner of the City of Chicago Department of Aviation at the following address: Chicago O'Hare International Airport, P.O. Box 66142, Chicago, IL 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: Mr. Thomas E. Salaman, Chicago Metropolitan Program Manager, Federal Aviation Administration, Chicago Airports District Office, 2300 East Devon Avenue, Room 320, Des Plaines, IL 60018, telephone (847) 294-7436. 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 to impose a PFC at Chicago O'Hare International Airport and use the revenue at Chicago O'Hare International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On January 21, 2004, the FAA determined that the application to impose and use the revenue from a PFC submitted by the City of Chicago Department of Aviation 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 21, 2004.

The following is a brief overview of the application.

PFC application number: 04-16-C-00-ORD.

Level of the proposed PFC: \$4.50.

Revised proposed charge expiration date: October 1, 2019.

Total estimated PFC revenue: \$37,000,000.

Brief description of proposed projects at the \$4.50 level: