

Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 et seq.). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: OST-95-734.

Date filed: October 12, 1995.

Due Date for Answers, Conforming Applications, or Motion to Modify: November 9, 1995

Description: Amendment No. 2 of the Application of Volga-Dnepr J.S. Cargo Airline, pursuant to 49 U.S.C. Section 41302 and Subpart Q of the Regulations, requests an amendment to its foreign air carrier permit to add scheduled route authority for services between Moscow, Russia and New York, New York, U.S.A. via intermediate points.

Docket Number: OST-95-731.

Date filed: October 11, 1995.

Due Date for Answers, Conforming Applications, or Motion to Modify: November 8, 1995.

Description: Application of Cargolux Airlines International, S.A., pursuant to 49 U.S.C. Section 41302 and Subpart Q of the Regulations, applies (1) to renew its foreign air carrier permit last issued by Order 90-11-21, served November 15, 1990; and (2) to amend its foreign air carrier permit to authorize Cargolux to provide scheduled air transportation of property and mail, and passengers on the upper deck of B-747 freighter aircraft, from points behind Luxembourg via Luxembourg and intermediate points to a point or points in the United States and beyond. Cargolux requests this permit authority for a ten (10) year period.

Paulette V. Twine,

Chief, Documentary Services Division.

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BILLING CODE 4910-62-P

Federal Aviation Administration

Notice of Opportunity To Participate, Criteria Requirements and Change of Application Procedure for Participation in the Fiscal Year 1996 Military Airport Program (MAP)

AGENCY: Federal Aviation Administration, Department of Transportation (DOT).

ACTION: Notice of criteria for application for designation, continued participation, in the Fiscal Year 1996 Military Airport Program.

SUMMARY: This notice announces the revised criteria, application procedures and schedule to be applied by the Secretary of Transportation in designating additional airports for participation in the 1996 Military Airport Program (MAP). Airports must be current or former military airfields to qualify. Airports will be designated in part based on their ability to relieve congested airports having 20,000 hours or more of annual delays in commercial passenger aircraft takeoff and landings. Further, currently designated airports, with fewer than five years in the MAP, requesting to continue in the program, must submit a current 5-year capital improvement plan which identifies conversion-related and capacity-related projects. Currently the MAP does not extend beyond 1996. This notice responds to 49 U.S.C. 47118, as amended by Section 116 of Public Law 103-305 (August 23, 1994).

DATES: Airport sponsors should address written applications for designation, or continued participation, in the fiscal year 1996 Military Airport Program to the Federal Aviation Administration (FAA) regional Airports Division or Airports District Office that serves the airport. Applications must be received by that office of the FAA on or before January 22, 1996.

ADDRESSES: Send an original and two copies of Standard Form 424, "Application for Federal Assistance," and supporting and justifying documentation, specifically requesting to be considered for designation to participate, or continue, in the fiscal year 1996 Military Airport Program, to the Regional FAA Airports Division or Airports District Office that serves the airport.

FOR FURTHER INFORMATION CONTACT: Mr. James V. Mottley or Leonard C. Sandelli, Military Airport Program Office (APP-4), Office of Airport Planning and Programming, Federal Aviation Administration (FAA), 800 Independence Avenue, SW., Washington, DC 20591, (202) 267-8780, or (202) 267-8785, respectively.

SUPPLEMENTARY INFORMATION: This notice announces a change in the application process and criteria to be applied by the Secretary of Transportation in designating additional military airports for participation in the military airport grant program. These airports must be current or former military airports. This notice also

announces a change in the procedure for the continued participation of previously designated airports which have participated less than five years in the MAP. This program is established under 49 U.S.C. Section 47118, as amended by Section 116 of Public Law 103-305 (August 23, 1994). The Secretary shall allocate at least 2.5% of the Airport Improvement Program grant funds available to airports designated under the 1996 MAP. Further, airports designated to participate in the MAP in 1992 or thereafter are required to submit a 5-year Capital Improvement Plan to continue in the 1996 MAP. The airport must specifically identify conversion and capacity related projects that the sponsor intends to fund under the MAP as indicated in the application procedures below.

Since Congress has authorized selection of three new airports and seven will graduate from the program, a total of 10 new airports can participate in the FY 1996 program. There are currently five designated airports with less than five years in the MAP that can continue in the program. Five years is the maximum period of eligibility for any airport to participate in the MAP. As of August 23, 1994, Congress amended 49 U.S.C. 47118 to eliminate the provision for discretionary extension of the five year period of eligibility for airports that do not have a level of passenger emplanements to qualify as a small hub airport. See, Section 116 of Public Law 103-305.

Sponsors of all airports for which participation in the 1996 MAP is sought must respond to this notice and submit a Standard Form 424, "Application for Federal Assistance," as well as supporting and justifying documentation as required by this notice. This procedure conforms with FAA procedures for administering the Airport Improvement Program (AIP), the requirements of 49 U.S.C. 47118, as amended by Section 116 of Public Law 103-305 (August 23, 1994), and certain recommendations made by the General Accounting Office (GAO) in its Report B-256001 (1994), entitled "The Military Airport Program Has Not Achieved Intended Impact."

For new candidates, the Secretary shall consider the extent to which conversion and/or development of the current or former military airport, in whole or in part, as a civilian commercial service or reliever airport in the national air transportation system would enhance airport and air traffic control system capacity in major metropolitan areas and reduce current and projected flight delays.

Only if the Secretary finds that the grants for projects at an airport would reduce delays at an airport with more than 20,000 hours of annual delays in commercial passenger aircraft takeoff and landings will a candidate be eligible for inclusion in the MAP.

All airports, including previously designated airports with less than five years in the MAP, must submit current 5-year capital improvement plans to be considered for fiscal year 1996 funding under MAP as outlined in the application procedures below. The 5-year program must be part of the airport's total capital improvement plan, and specifically identify conversion related and capacity related projects which will be considered for funding as MAP eligible projects.

Once the identified conversion and capacity projects have been funded, the FAA intends to evaluate the need for any further MAP funding at the airport. Airports graduating from the MAP will allow other airports to participate in the MAP. As discussed above, Congress has limited the maximum period for any airport to participate in the program to five years.

The FAA will also be evaluating the continued eligibility of the current five MAP participants for future grant funding based on the required five year capital improvement plans and criteria established in prior notices. As noted above, the five year graduation requirement applies to all MAP participants in the future. The FAA will also consider newly closed military airfields as they become eligible to participate.

The application procedure for implementing the 1996 MAP has been changed from one of inviting expressions of interest of one of requesting the submittal of the Standard Form 424, "Application for Federal Assistance," along with supporting documentation to respond to the qualifications and evaluation criteria. This procedure is being adopted to conform the MAP to the standard AIP grant-in-aid procedure to provide the necessary information to select candidate airports for the program.

In making new airport designations, the Secretary will consider the following criteria:

(1) The Secretary of Transportation must issue a finding that the airport and grants issued for projects at an airport new to the Military Airport Program would reduce delays at an airport with more than 20,000 hours of annual delays in commercial passenger aircraft takeoffs and landings. Airports with 20,000 or more hours of delay and their associated metropolitan areas are

identified in the FAA's Aviation Capacity Enhancement Plan. DOT/FAA, Office of System Capacity, 1994 Aviation Capacity Enhancement Plan, Report No. DOT/FAA/ASC-94-1.

(2) The analysis, supporting data, and justification to support this finding is extremely important and must be contained in the application. The analysis should include factors about the candidate airport and the congested airport(s), if not the same, such as compatibility of airport roles; the capability of the candidate airport and its airside and landside complex to serve aircraft that otherwise must use the relieved airport; ground surface access; airport operational capability, including peak hour and annual throughput capacities of the candidate airport; potential of other metropolitan area airports to relieve the congested airport; ability to satisfy or meet air cargo demand within the metropolitan area; forecasted aircraft and passenger levels; type of air carrier service anticipated, i.e., scheduled and/or charter air carrier service; type of aircraft projected to serve the airport and level of operation at the relieved airport and the candidate airport; the potential for the candidate airport to be served by aircraft or users, including the airlines; serving the congested airport; and any other substantial documentation to support the Secretary's designation of the new airport.

Application Procedures

Airport sponsors applying for consideration for inclusion ("New Airports") or continuation in the MAP ("Current Airports Applying for Continuation") must complete a Standard Form 424, "Application for Federal Assistance," and submit documentation to the appropriate FAA office as outlined below. Each sponsor must specifically state in the Standard Form 424, or in its transmittal, that the airport is applying in response to this notice for consideration as a candidate for the MAP or, if designated in 1992 or thereafter, that the airport is applying as a continuing participant in the MAP. The additional information and data required to support the MAP criteria must be attached to the Application.

Information To Be Contained in Application

New Airports

A. Qualifications for new candidates:

(1) Submit an Application for Federal Assistance, Standard Form 424, along with the documentation and justification indicated below to request

designation by the Secretary to participate in the Military Airport Program.

(2) Documentation that the airport meets the definition of a "public airport" as defined in 49 U.S.C. Section 47102(16).

(3) Documentation that the required environmental review process for civil or joint-use of the military airfield has been completed. (This is not the environmental review for the projects under this program, but the environmental review necessary for title transfer, a long term lease, or a joint use agreement.)

(4) In the case of a former military airport, documentation that the local or State airport sponsor holds satisfactory title, or a long term lease for 20 years or more, to the property on which the civil airport is being located. In the case of a current military airport, documentation that the airport sponsor has an existing joint-use agreement with the military department having jurisdiction over the airport. (The title transfer, lease, or joint use agreement must be effective on or before January 15, 1996. This is necessary so the FAA can legally issue grants to the sponsor.)

(5) Documentation that the airport is a "commercial service airport" or a "reliever airport" as defined in 49 U.S.C. 47102 (7) and 47102 (18), respectively, and is included in the current National Plan of Integrated Airport Systems.

(6) Documentation that the airport has an eligible airport "sponsor" as defined in 49 U.S.C. 47102 (19).

(7) Documentation that the airport has an approved airport layout plan (ALP) and a five year capital improvement plan indicating all eligible grant projects either to be funded from the MAP or other portions of the Airport Improvement Program. The five year plan must also specifically identify the capacity and conversion related projects, associated costs and projected five year schedule of project construction, including those requested for consideration for 1996 MAP funding.

B. Candidates requesting new designation under the program must submit the following documentation:

(1) Information identifying the existing and potential levels of visual or instrument operations and aeronautical activity at the current or former military airport and the relieved airport. If served by commercial air carriers, the revenue passenger and cargo levels should be provided.

(2) A description of the projected civil role and development needs for transitioning from use as a military airfield to a civil airport, as appropriate,

and how development projects would reduce delays at an airport with more than 20,000 hours of annual delay in commercial passenger aircraft takeoffs and landings.

(3) A description of the existing airspace capacity. Describe how anticipated new operations would affect the surrounding airspace and air traffic flow patterns in the metropolitan area in or near which a current or former military airport is located. Include a discussion of the degree to which operations at this airport create airspace conflicts that may cause congestion or whether air traffic works into the flow of other air traffic in the area.

(4) A description of the five year capital improvement plan, including a discussion of major projects, their priorities, projected schedule for project accomplishment, and estimated costs. Capacity related, and/or conversion related projects should be specifically identified, especially those that the airport sponsor proposes to fund under the MAP. A copy of the plan should also be submitted.

(5) A description of projects that are consistent with the role of the airport and effectively contribute to converting the airfield to a civil airport. Projects can be related to various improvement categories depending on the need to convert from military to civil airport use, to meet required civil airport standards, and/or required to provide capacity to the airport and/or airport system. The projects selected, i.e., conversion-related, and capacity-related, must be identified and fully explained based on the airport's planned use. The sponsor needs to submit the airport layout plan (ALP) and the maps or charts that clearly identify and help clarify the eligible projects and designate them as conversion-related or capacity-related. It should be cross referenced with the project costs and project descriptions. Projects that could be eligible under MAP if needed for conversion-related or capacity-related purposes include:

Airside:

- Modification of airport or military airfield or airport pavements (including widths), marking lighting, pavement strengthening, and imaginary surface standards to meet civil standards.

- Facilities or support facilities such as passenger terminal gates, aprons for passenger terminals, taxiways to new terminal facilities, aircraft parking, and cargo facilities to accommodate civil use.

- Modification of airport or military utilities (electrical distribution systems, communications lines, water, sewer, drainage) to meet civil standards. Also,

modifications that allow civil airport utilities to operate independently if other portions of the base are severed from the airport. (This is important where portions of the base are being transferred to an entity different from the airport sponsor.)

- Purchase, rehabilitation, or modification of airport and support facilities, including aircraft rescue and fire fighting buildings and equipment, airport security requirements, lighting vaults, and reconfiguration or relocation of buildings for more efficient civil airport operations, snow removal equipment.

- Modification of airport or military airfield fuel systems and fuel farms to accommodate civil aviation activities.

- Acquisition of additional land for runway protection zones, other approach protection, or airport development.

Landside:

- Construction of surface parking areas and access roads to accommodate automobiles in the airport terminal area and provide an adequate level of access to the airport.

- Construction or relocation of access roads to provide efficient and convenient ingress and egress to the airport and surface vehicular flows on the airport, including access to passenger, air cargo, fixed base operations, and aircraft maintenance areas.

- Modification or construction of facilities such as passenger terminals, surface automobile parking, and access to cargo facilities to accommodate civil use.

- An evaluation of the ability of surface transportation facilities (road, rail, high speed rail, maritime) to provide intermodal connections.

- A description of the type and level of aviation and community interest in the civil use of a current or former military airport.

- One copy of the FAA approved ALP for each copy of the application. The ALP or supporting information should clearly show capacity and conversion related projects. Also, other information such as project costs, schedule, project justification, other maps and drawings showing the project locations, and any other supporting documentation that would make the application easier to understand should be included.

Current airports applying for continuation

- Airports with less than 5 years in the MAP need to submit the following in order to respond to this notice and remain in the program.

(1) An Application for Federal Assistance, Standard Form 424, along with the documentation and justification indicated below to request participation in the Military Airport Program. Identify the airport as one with less than five years in the MAP applying for continuation.

(2) Identify the existing and potential levels of visual or instrument operations and aeronautical activity at the current or former military airport and the relieved airport.

(3) Provide a detailed discussion of the projected civil role and continuing development needs for converting a military airfield to a civil airport, and/or how development projects would reduce delays at an airport with more than 20,000 hours of annual delay in commercial passenger aircraft takeoffs and landings.

(4) Describe the five year capital improvement plan, including a discussion of major projects, their priorities, projected schedule for project accomplishment, and estimated costs, annotated and identified as capacity related, and/or conversion related purposes.

(5) Submit one copy of the FAA approved ALP for each copy of the application, as approved. The ALP should clearly show the capital improvement plan projects. Also include any other information or drawings that would show and/or clarify the five year plan identifying capacity, and conversion related projects, associated costs, schedule, and project justification.

This notice is issued pursuant to section 49 U.S.C. 47118.

Issued at Washington, DC, on October 16, 1995.

Paul L. Galis,
Director, Office of Airport Planning and Programming.

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BILLING CODE 4910-13-M

Federal Highway Administration

[FHWA Docket No. 94-17]

Highway Work Zone Safety Program

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice.

SUMMARY: The Federal Highway Administration (FHWA) hereby establishes the National Highway Work Zone Safety Program (NHWZSP). The purpose of the program is to enhance safety at highway construction, maintenance, and utility sites by