

address listed below: U.S. Small Business Administration, Disaster Area 4 Office, P.O. Box 13795, Sacramento, CA 95853-4795 or other locally announced locations.

The interest rates are:

	Per- cent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	8.000
Homeowners Without Credit Available Elsewhere	4.000
Businesses With Credit Available Elsewhere	8.000
Businesses and Non-Profit Organizations Without Credit Available Elsewhere	4.000
Others (Including Non-Profit Organizations) With Credit Available Elsewhere	7.125
For Economic Injury:	
Businesses and Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000

The number assigned to this disaster for physical damage is 282106 and for economic injury the number is 868700.

Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.

Dated: November 28, 1995.

Philip Lader,
Administrator.

[FR Doc. 95-29525 Filed 12-4-95; 8:45 am]
BILLING CODE 8025-01-P

DEPARTMENT OF TRANSPORTATION

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ending September 15, 1995

The following Applications for Certificates of Public Convenience and 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-95-634.

Date filed: September 11, 1995.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: October 9, 1995.

Description: Application of Horizon Air Industries, Inc. d/b/a Horizon Air pursuant to 49 U.S.C. Section 41102, applies for a certificate of public convenience and necessity authorizing service between any point in the United States and any point in Canada, subject however to the restrictions on service to Toronto, Montreal and Vancouver contained in the most recent bilateral air service treaty between the United States and Canada.

Myrna F. Adams,

Acting Chief, Documentary Services Division.
[FR Doc. 95-29500 Filed 12-04-95; 8:45 am]

BILLING CODE 4910-62-P

Federal Aviation Administration

Approval of Noise Compatibility Program, Southwest Florida International Airport, Ft. Myers, FL

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Lee County Port Authority under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR Part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On November 21, 1994, the FAA determined that the noise exposure maps submitted by the Lee Country Port Authority under Part 150 were in compliance with applicable requirements. On May 17, 1995, the FAA determined that the revised future noise exposure map was in compliance with applicable requirements. On November 13, 1995, the Administrator approved the Southwest Florida International Airport noise compatibility program. All of the recommendations of the program were approved.

EFFECTIVE DATE: The effective date of the FAA's approval of the Southwest Florida International Airport noise compatibility program is November 13, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. Tommy J. Pickering, P.E., Federal Aviation Administration, Orlando Airports District Office, 9677 Tradeport Drive, Suite 130, Orlando, Florida 32827-5397, (407) 648-6583, Extension 29. Documents reflecting this FAA action may be reviewed at this same location.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA has given its overall approval to the noise compatibility program for Southwest Florida International Airport, effective November 13, 1995.

Under Section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator who has previously submitted a noise exposure map may submit to the FAA a noise compatibility program which sets forth the measures 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 measure 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 users, 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 light 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 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 Orlando, Florida.

The Lee County Port Authority submitted to the FAA on November 7, 1994, the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from January 1994 through April 1995. The Southwest Florida International Airport

noise exposure maps were determined by FAA to be in compliance with applicable requirements on November 21, 1994. The revised future noise map was determined by FAA to be in compliance with applicable requirements on May 17, 1995. Notice of these determinations was published in the Federal Register.

The Southwest Florida International Airport study 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 to the year 2000. It was requested that 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 May 17, 1995, 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 program within the 180-day period shall be

deemed to be an approval of such program.

The submitted program contained fifteen (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 Administrator effective November 13, 1995.

The noise compatibility program, pages VII-1 through VII-4, incorporate by reference all of the noise compatibility program measures previously approved by the FAA in 1990. A copy of the FAA's 1990 Record of Approval is included as Appendix H to this noise compatibility program. The airport operator proposes to maintain as effective all previously approved measures except a modification to reduce thrust on departures (page VII-2).

Out right approval was granted for all of the specific program controls. The approval action was for the following program controls:

OPERATIONAL MEASURES

Operational control No.	Description	NCP pages
1	The Alico One SID is recommended to continue. Adjustments to account for drift should be made by ATC to avoid drift into residential communities. FAA Action: Approved.	pgs. VII-2 to VII-6; Exhibit 17; Tables 11 & 12; and Appendix G.
2	It is recommended that once a full Stage 3 fleet occurs at the Airport, destination turns related to the Alico One SID should not begin until the aircraft reach an altitude of 4,000 feet to increase use of the Alico Corridor and increase altitude over residential areas. FAA Action: Approved.	pgs. VII-2 to VII-6; Exhibit 17; Tables 11 & 12; and Appendix G.
3	In ATC's upcoming airspace evaluation, include in the evaluation the directing of commuter aircraft departing on Runway 24 to northern destinations to turn over I-75 to reduce noise over residential areas north of the Alico Corridor. In the interim, use the Alico Corridor as much as possible for commuter departures. FAA Action: Approved.	pgs. VII-6 to VII-7; Exhibit 17; Tables 11 & 12; and Appendix G.
4	Establish a 1,600 foot minimum altitude to be maintained over the outer marker for IFR arrivals to Runway 6. This will maintain altitude over residential areas. FAA Action: Approved.	pgs. VII-7 to VII-8 and Table 12.
5	It is recommended that the Airport maintain the current ILS approach until the GPS is available. At that time, the GPS should be analyzed for possible implementation of GPS arrival procedures. This will provide for future flexibility in reducing arrival noise by avoiding densely developed residential areas. FAA Action: Approved.	pgs. VII-7 to VII-9 and Table 12.
6	Eliminate the close-in turn for departures off Runway 6 to reduce impacts on Gateway Elementary School by having ATC tower personnel delay switching to departure control until aircraft have cleared the northeast end of the Runway. FAA Action: Approved.	pgs. VII-8 to VII-9; Exhibit 17; and Tables 11 & 12.
7	It is recommended that the "distant" procedures for departures from RSW be implemented consistent with FAA Advisory Circular No. 91-53A, Noise Abatement Departure Profiles. FAA Action: Approved.	pg. VII-10 and Table 12.
8	When operating simultaneous departures, divergence should occur on Runways 6L and 24L to maximize the use of noise abatement procedures. With the proposed divergence, departures on Runway 6 would continue to follow noise abatement turns north of Gateway. FAA Action: Approved.	pgs. VII-10 and VII-11.

LAND USE MEASURES

Land use control measure No.	Description	NCP pages
1	This measure is recommended to provide for noise and avigation easements over property within the extended Airport Noise Overlay Zones 2 and 3 to be dedicated to Lee County for any use permitted by these zoning codes. This results in notification to those proposing future development within the Noise Overlay Zones and will provide protection to the airport from development near the airport. FAA Action: Approved.	pgs. VII-12 to -13, VII-25 to -26, VII-33 to -34, VII-40 to -42 & VII-44 to -45; Exhibits 16, 20 & 21; and Table 13.
2	It is recommended that Noise Overlay Zones 2 and 3 be extended in the Airport vicinity based on the 1999 (with parallel runway and runway extensions) NEM. Zone 2 and Zone 3 consists of those areas of land encompassed by the 60 DNL and 65 DNL respectively. No mobile homes are permitted in Zone 2. Zone 3 does not allow homes, churches, libraries, schools, hospitals, correctional institutions or nursing homes in the area. This will help promote future land use compatibility development in new areas in Lehigh Acres, Timber Trails and south of Alico Road, will extend protection within Alico Corridor, and will assist in the implementation of Land Use Control Measures 1 and 4. Noise Overlay Zones in Southeast Gateway should be maintained. FAA Action: Approved.	pgs. VII-12 to -13, VII-17, VII-25 to -26, VII-40 to -46; Exhibits 16, 20 & 21; and Table 13.
3	It is recommended that current and future land use designations in the Lee Plan be maintained within the Alico Corridor and Timber Trails areas. This will maintain areas for future compatible development (Alico Corridor) and effectively discourage incompatible residential development (Timber Trails). FAA Action: Approved.	pgs. VII-12 to -16, VII-41, VII-43 & VII-45, Exhibits 14 & 21; and Table 13.
4	It is recommended that the building code be amended to provide the property owner with optional sound attenuation specifications for new dwellings located within the boundary of Noise Overlay Zone 3. This will address noise impacts on new noise sensitive uses that are vested and can be constructed in both the Alico Corridor and Timber Trails areas. FAA Action: Approved The FAA strongly discourages any new noncompatible construction within the DNL 65 dB noise contour. Any new construction within this noise contour may not be eligible for Federal funding for airport noise mitigation..	pgs. VII-14 to -15, VII-37 to -38 & VII-44 to -45; and Table 13.
5	It is recommended that the Lee Plan Future Land Use Designation be amended to designate an area south of Alico Road and immediately east and west of I-75 for Industrial Commercial use (University spin-off area). This will promote land use compatibility and allow for a more logical and cohesive development in an area that will experience aircraft overflights and noise from the proposed new parallel runway. FAA Action: Approved.	pgs. VII-17, VII-26 to -32 and VII-42 to -43; Exhibits 14 & 20; and Table 13.
6	It is recommended that the Lee County Zoning regulations be amended to support commercial use zoning in areas south of Alico Road and immediately east and west of I-75. This will ensure that residential development does not occur in areas that will be subject to overflights and sideline noise from the proposed new parallel runway. FAA Action: Approved.	pgs. VII-17, VII-21 to 25 and VII-42; Exhibits 15 & 20; and Table 13.
7	It is recommended that information regarding noise exposure in the vicinity of the Airport and sample disclosure statements be distributed to all real estate agents in the area. This will provide the agents with a written notice of a property's location relative to the Airport and certain aircraft noise levels that may be incompatible with residential and other noise-sensitive land uses. The dissemination of this information may also enhance the Airport's position in the event of legal action. FAA Action: Approved.	pgs. VII-34 to -35 & VII-46; and Table 13.

These determinations are set forth in detail in a Record of Approval endorsed by the Administrator on November 13, 1995. 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 office of the Lee County Port Authority.

Issued in Orlando, Florida on November 28, 1995.

Charles E. Blair,

Manager, Orlando, Airports District Office.

[FR Doc. 95-29566 Filed 12-4-95; 8:45 am]

BILLING CODE 4910-13-M

[Summary Notice No. PE-95-43]

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 December 26, 1995.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-