

Contact person for more information: Paul B. Larsen, Office of the General Counsel, DOT, Room 10102, 400 7th St., SW, Washington, DC 20590, (202) 366-9161.

Dated: February 8, 1996.

Joseph F. Canny,

Deputy Assistant Secretary of Transportation for Transportation Policy.

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Office of the Secretary

Maritime Administration

[Docket No. OST-96-1066]

Request for Public Comment on Competition in the Noncontiguous Domestic Maritime Trades

AGENCY: Office of the Secretary, Maritime Administration, United States Department of Transportation.

ACTION: Notification of Open Docket for Public Comment.

SUMMARY: Section 407 of the "ICC Termination Act of 1995" calls for the Department of Transportation to conduct a study of competition in the noncontiguous domestic maritime trades to Hawaii, Alaska, Puerto Rico, and Guam. The Department seeks information on market conditions in each of these trades, including the composition of traffic, the extent of entry and exit, rates charged, the importance of liner service to the economic well-being of local economies, and any other institutional or economic factor that could influence competition in these markets.

Information is requested on the following specific issues: (1) carrier competition in both the regulated and unregulated portions of each of the trades, (2) the rate structure that exists in each trade, (3) the impact of tariff filing on marine carrier pricing, (4) the extent of parallel pricing, and (5) the impact on domestic cargo prices on foreign cargo services. The Department is also soliciting comments as to whether additional protections are needed to protect shippers from the abuse of market power and the extent to which there needs to be continued reliance on tariff filing and rate regulation to further the transportation policy of meeting the Nation's commercial and defense waterborne needs.

DATES: Comments should be received by Monday, April 15, 1996. Comments that are received after that date will be considered to the extent possible.

ADDRESSES: To facilitate our review, we would appreciate having four copies of

comments sent to: Docket Clerk, Docket No. OST-96-1066, Room PL-401, United States Department of Transportation, 400 7th Street, SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

Laurence T. Phillips or Thomas E. Marchessault, P-37, Office of the Secretary, U.S. Department of Transportation, Washington DC 20590. Phone: (202) 366-5412; fax: (202) 366-3393; John Pisani, MAR 830, Office of Ports and Domestic Shipping, Maritime Administration, U.S. Department of Transportation, Washington DC. Phone: (202) 366-5123.

Joseph F. Canny,

Deputy Assistant Secretary for Transportation Policy.

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Federal Aviation Administration

Westover Metropolitan Airport/Air Reserve Base, Chicopee Falls, Massachusetts; FAA Approval of Noise Compatibility Program

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Westover Metropolitan Development Corporation 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. These findings are made in recognition of the description of Federal and non-federal responsibilities in Senate Report No. 96-52 (1980). On August 11, 1995, the FAA determined that the noise exposure maps submitted by the Westover Metropolitan Airport Corporation under Part 150 were in compliance with applicable requirements. On January 26, 1996, the Associate Administrator approved the Westover Metropolitan Airport/Air Reserve Base noise compatibility program. Out of the 13 proposed program elements, 12 were approved and one was partially approved and partially disapproved.

EFFECTIVE DATE: The effective date of the FAA's approval of the Westover Metropolitan Airport/Air Reserve Base noise compatibility program is January 26, 1996.

FOR FURTHER INFORMATION CONTACT: John C. Silva, Federal Aviation Administration, New England Region, Airports Division, 12 New England Executive Park, Burlington,

Massachusetts 01803, Telephone (617) 238-7602.

Documents reflecting this FAA action may be obtained from the same individual.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA has given its overall approval to the Westover Metropolitan Airport/Air Reserve Base noise compatibility program, effective January 26, 1996.

Under Section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter 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 non-compatible land uses and prevention of additional non-compatible 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 Regulation (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 non-compatible land uses around the airport and preventing the introduction of additional non-compatible 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