

Assurance No. 26 in accordance with Section 111 of the 1994 Authorization Act.

#### Airport Sponsors Required To File Reports

Sponsors of commercial service airports are required to file both reports. While the Governmental Payment and Services Report is technically required from all sponsors accepting grants with the new assurance, the FAA will require submission of the report to the Airports District Office and Washington headquarters only by commercial service airports at this time. There are slightly more than 600 commercial service airports in the United States. This group of airports includes the airports used by air carriers, and includes all of the largest airports most likely to be able to generate excess revenue that could be diverted to non-airport uses. Other airport sponsors subject to the requirement must prepare the report and make it available on request to the FAA, members of the public, and members of the airport user community. The FAA may require that all airports submit the Governmental Payment and Services Report in the future.

#### Sponsors Operating More Than One Airport

Generally, a separate report must be submitted for each airport. State governments that operate multiple airports may request an exception to this requirement to consolidate reports for certain airports, such as non-commercial or non-primary airports. The request must be submitted in writing to the FAA office that administers the sponsor's projects (e.g., Airports District Office) and must include an explanation of the reasons for proposed consolidation of multiple airports in one report, a list of the airports that would be affected, and an explanation of why the consolidation would not significantly affect the collection of information on revenue use at those airports.

#### Effective Date and Time for Filing

The formats and instructions for the two reports described in this notice are effective on the date of publication of this notice. The requirement to file the Governmental Payment and Service Report is effective upon the acceptance of a grant containing new Assurance No. 26(e) required by 49 U.S.C. 47107(a)(19). The FAA is requiring the filing of annual financial and operating reports under Assurance No. 26 effective upon publication of this notice.

Both reports are due 60 days after the end of the sponsor's fiscal year, beginning the first year that ends after the publication date of this notice. This will require that the report include information on part of a fiscal year prior to publication of the notice. However; the information requested in the report is basic airport financial information, and would have been collected and recorded by a sponsor in any event. Accordingly, we would not expect the reporting of information for the current fiscal year to be an undue burden on sponsors. Comment is requested on any specific hardships with the reporting of this information.

#### Where To File Reports

Sponsors should send one copy of each report to the FAA office that administers the sponsor's grants and one copy to the Airport Safety and Compliance Branch, AAS-310, ATTN: AIRPORT FINANCIAL REPORTS, Federal Aviation Administration, 800 Independence Ave., NW., Washington, DC 20591. Also, all reports must be made available to the public and to airport users on request. The reports represent summaries of airport financial activity only, and the FAA expects that the sponsor will have detailed accounting information and records available to support the summaries if requested by the FAA.

#### Signature Level of Certifying Official

The reports must be signed by:

- (1) The principal financial officer of the airport authority, if the airport is an independent authority;
- (2) the principal financial officer of the local political jurisdiction that operates the airport, if the airport is operated as an agency or department of local government; or
- (3) the principal financial officer of the state executive department that operates the airport, if the airport is operated by a state government.

#### Electronic Data Submission

The formats made available indicate how the information included in the reports is to be categorized and organized if filed by hard copy report. It is the FAA's intention to provide for the filing of this information using an electronic data format. The FAA will publish more detailed information on the format and technical requirements for electronic data format filing prior to July 1, 1996. It is contemplated that the reports will be required on electronic spreadsheet and word processing programs, submitted electronically or on standard-format computer diskettes. Word processing and spreadsheet files

will be required to be readable by current versions of one or more of the following programs, or in such other format as may be specified by notice in the Federal Register: Microsoft Word, Word Perfect, Ami Pro, Microsoft Excel, Lotus, Quattro Pro, or ASCII tab-delineated files. Submissions in electronic form will assist the FAA to analyze data and prepare reports, including consolidated reports to Congress, on the individual submissions. The paper copy would be the official record copy of the report, but sponsors would certify that files on the diskette are true copies of the data file used to prepare the printed version of the report.

#### Effective Date and Request for Comments

The reporting formats made available at this time are effective upon publication of this notice and should be used until superseded by a new format published in the Federal Register. Copies of the formats are available from the persons listed under **FOR FURTHER INFORMATION CONTACT** and may also be downloaded by internet from the Office of the Associate Administrator for Airports World Wide Web site at: <http://www.faa.gov/arp/arphome.htm>.

Comments are invited on the format and instructions for each report. The FAA will make every effort to make any changes in the format and publish notice of the revised form in the Federal Register prior to June 30, 1996.

Issued in Washington, DC on March 13, 1996.

James H. Washington,

*Acting Associate Administrator for Airports.*

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#### Acceptance of Noise Exposure Maps and Request for Review of Noise Compatibility Program for Kahului Airport, Kahului, Maui, HI

**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 the Kahului Airport 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 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for Kahului Airport

under Part 150 in conjunction with the noise exposure map, and that this program will be approved or disapproved on or before August 31, 1996.

**EFFECTIVE DATES:** The effective date of the FAA's determination on the noise exposure maps and of the start of its review of the associated noise compatibility program is March 4, 1996. The public comment period ends April 4, 1996.

**FOR FURTHER INFORMATION CONTACT:** David J. Welhouse, Airport Planner, Honolulu Airports District Office, Federal Aviation Administration, P.O. Box 50244, Honolulu, HI 96850, Telephone: (808) 541-1243. Comments on the proposed noise compatibility program should also be submitted to the above office.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA finds that the noise exposure maps submitted for Kahului Airport are in compliance with applicable requirements of Part 150, effective March 4, 1996. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before August 31, 1996. This notice also announces the availability of this program for public review and comment.

Under Section 103 of Title I 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 State of Hawaii, Department of Transportation, submitted to the FAA on October 26, 1995 noise exposure maps, descriptions and other documentation which were produced

during the preparation of the Kahului Airport Noise Compatibility Study dated September, 1995. It was requested that the FAA review this material as the noise exposure maps, as described in Section 103(a)(1) of the Act, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under Section 104(b) of the Act.

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 Figures 5-1 and 6-1 in the submission. The FAA has determined that these maps for Kahului Airport are in compliance with applicable requirements. This determination is effective on March 4, 1996. 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 150.21 of FAR Part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for Kahului

Airport, also effective on March 4, 1996. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before August 31, 1996.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, 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 FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations:

Federal Aviation Administration, 800 Independence Avenue, SW., Room 617, Washington, D.C. 20591

Federal Aviation Administration, Western-Pacific Region, Airports Division, AWP-600, 15000 Aviation Blvd., Room 3E24, Hawthorne, California 90261

Federal Aviation Administration, Honolulu Airports District Office, 300 Ala Moana Boulevard, Room 7116, Honolulu, Hawaii 96813

State of Hawaii, Department of Transportation, Airports Division, Honolulu International Airport, 400 Rodgers Boulevard, Suite 700, Honolulu, Hawaii 96819

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 March 4, 1996.

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

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