90261, or San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010–1303. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Charles W. Foster, Executive Director, Port of Oakland, at the following address: 530 Water Street, Oakland, CA 94607. Air carriers and foreign air carriers may submit copies of written comments previously provided to the Port of Oakland under § 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT: Marlys Vandervelde, Airports Program Analyst, San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010–1303, Telephone: (415) 876–2806. 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 and use the revenue from a PFC at Metropolitan 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 27, 1997, the FAA determined that the application to impose and use a PFC submitted by the Port of Oakland was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 30, 1997.

The following is a brief overview of the application.

Level of proposed PFC: $3.00.

Proposed charge effective date: April 1, 1997.

Proposed charge expiration date: April 1, 1999.

Total estimated PFC revenue: $33,011,496.

Brief description of the proposed impose and use projects: Upgrade of Airport Public Address and Paging System, Airfield Lighting and Marking Improvements, Pilot Noise Insulation Program, Baggage Claim Improvements in Terminals One and Two. Brief description of the proposed impose only project: Construct Remote Overnight Aircraft Parking Apron.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators (ATCO) filing FAA form 1800–31 and Commuters or Small Certified Air Carriers filing DOT form 298–C T1 and E1.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Division located at: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Port of Oakland.

Issued in Hawthorne, California, on January 28, 1997.

Herman C. Bliss,

Manager, Airports Division, Western-Pacific Region.

[FR Doc. 97–3069 Filed 2–6–97; 8:45 am]

BILLING CODE 4910–13–M

Notice of Intent To Rule on Application To Impose a Passenger Facility Charge (PFC) at San Luis Obispo County Airport McChesney Field, San Luis Obispo, CA

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 San Luis Obispo County Airport McChesney Field 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 10, 1997.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261, or San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA. 94010–1303. In addition, one copy of any comment submitted to the FAA must be mailed or delivered to Ms. Klaasje Nairne, Airport Administrative Officer of the San Luis Obispo Airport-McChesney Field, at the following address: County of San Luis Obispo, County Government Center, Room 460, San Luis Obispo, California 93408. Air carriers and foreign air carriers may submit copies of written comments previously provided to the County of San Luis Obispo under § 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT: Marlys Vandervelde, Airports Program Analyst, San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010–1303, Telephone: (415) 876–2806. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposed to rule and invites public comment on the application to impose a PFC from San Luis Obispo County Airport McChesney Field 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 15, 1997, the FAA determined that the application to impose a PFC submitted by the County of San Luis Obispo was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 18, 1997.

The following is a brief overview of the application.

Level of proposed PFC: $3.00.

Proposed charge effective date: May 1, 1997.

Proposed charge expiration date: April 30, 2012.

Total estimated PFC revenue: $6,820,830.

Brief description of the proposed projects: Terminal Development and Construction including construction of passenger terminal building, addressing elements of capacity including, but not limited to lobby space, queuing, secure waiting, baggage claim and baggage handling system upgrades, additional boarding gates (2), definitive arrival and departure areas, terminal building entry/exit circulation and access improvement.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Unscheduled Part 135 Air Taxi Operators.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Division located at: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the County of San Luis Obispo.

Issued in Hawthorne, California, on January 28, 1997.

Robert C. Bloom,

Acting Manager, Airports Division, Western-Pacific Region.

[FR Doc. 97–3070 Filed 2–6–97; 8:45 am]

BILLING CODE 4910–13–M

National Highway Traffic Safety Administration

[Docket No. 96–124; Notice 2]

Philips Lighting Company, USA; Grant of Application for Decision of Inconsequential Noncompliance

This notice grants the application by Philips Lighting Company (PLC), to be exempted from the notification and remedy requirements of 49 U.S.C. 30118(d) and 30120(h) for noncompliances with 49 CFR 571.108, Federal Motor Vehicle Safety Standard (FMVSS) No. 108, ''Lamps, Reflective Devices and Associated Equipment.'' The basis of the application is that the noncompliances are inconsequential to motor vehicle safety.

Notice of receipt of the application was published on December 18, 1996, and an opportunity afforded for comment (61 FR 66745).

Paragraph S5.1.1 of FMVSS No. 108 states in part that lamps, reflective devices, and associated equipment specified in Tables I and III and S7, as applicable, shall be designed to conform to the SAE Standards or Recommended Practices referenced in those tables. Table I applies to multipurpose passenger vehicles, trucks, trailers, and buses, 80 or more inches in overall width. Table III applies to passenger cars and motorcycles, and to multipurpose passenger vehicles trucks, trailers, and buses, less than 80 inches in overall width.

PLC's description of the noncompliances follows:

Some lamps [replaceable light sources for use in headlamps] have dimensions that do not comply with Figures 3–1, 3–3 and 3–8 of FMVSS No. 108. In addition, some lamps do not comply with Paragraph S9 of FMVSS 108 ''Deflection test for replaceable light sources.'' The noncompliance is caused by process variations at the supplier's manufacturing site. The dimensional noncompliance and the bulb deflection noncompliance are described in Exhibits ''A'' and ''B'' of the application. These exhibits reflect the results of test data identifying several deviations from the FMVSS No. 108 specification.

PLC supported its application for inconsequential noncompliance with the following:

''Dimension K Low, Figure 3–1: The ''K'' low dimension defines the location of the low[er] beam filament within the lamp. In a random test sample, two lamps were found whose measurements on this point were outside of the requirement by .002'' and .005'' respectively. This small deviation from the minimum limit is not material to any safety issue based upon PLC's experience with measurement of completed headlamp assemblies, which demonstrates that a deviation of this type and magnitude, will not affect safety. In fact, the condition is detectable only under precise testing conditions and is not even detectable by visual examination. The most likely consequence of the discrepancy—a problem with headlamp aim/beam quality—is more likely to be affected by other conditions, such as foreign debris (which can accumulate on seating plane surfaces during installation), automobile loading (a full trunk can significantly affect automobile alignment and alter headlamp aim), dirty headlamp lenses or weathering of headlamp lenses than by the failure to comply precisely with the standard. This may explain why PLC has not received any complaints from end users or state inspection agencies concerning conditions related to this deviation from the standard.

''Dimension V, Figure 3–1: This dimension defines the length of the 9004 [HB1] replacement lamp electrical terminals (pins). The terminals on some test lamps were found to be slightly below the minimum length requirement. However, all test lamps functioned properly and made good electrical contact with the automobile lighting system connectors. The electrical connectors locked in place as designed and no difficulty was encountered with installation or electrical operation. This noncompliance does not affect lamp operation or performance (i.e., aim or beam quality) and is thus inconsequential and not safety-related. Again, PLC has not received any complaints from any party concerning conditions related to this deviation from the standard.

''Dimension F, Figure 3–3: The ''F'' dimension defines the location of the terminal cavity in relation to the centerline of the lamp. Some test lamps had terminal cavities that were from .002'' to .012'' below the minimum specification for location. The cavity size (opening) is within specification limits in all respects. The automobile lighting system electrical connector fits into the cavity freely and locks in place as designed. This noncompliance does not affect headlamp system performance in any way (i.e., aim or beam quality), and PLC has not received any complaints from any party concerning conditions related to this deviation from the standard. Thus this deviation also has no adverse effect on safety and is inconsequential.

''Dimension J, Figure 3–3: This dimension defines the location of the lower electrical terminals (pins) in relation to the lamp centerline. One of the test lamps measured slightly above the upper specification limit for this characteristic. Since the ''R'' dimension and ''S'' dimension on the same lamp are within limits, the noncompliance could be related to measurement error or handling damage. However, all test lamps functioned properly and made good electrical contact with the automobile lighting system connectors. The electrical connectors locked in place as designed and no difficulty was encountered with installation or electrical operation. This noncompliance also does not affect lamp operation or performance (i.e., aim or beam quality), and PLC has not received any complaints from any party concerning conditions related to this deviation from the standard. This deviation also has no adverse effect on safety and is inconsequential.

''Bulb Deflection, Figure 3–8: PLC understands that the bulb deflection criteria for the 9004 [HB1] replacement headlamp bulb are included in the FMVSS No. 108 to ensure that bulbs which are handled by automated or robotic insertion equipment are strong enough to withstand the stresses that such equipment may put on the bulb. PLC agrees that deflection criteria for bulbs inserted by automated/robotic equipment are necessary and the criteria defined by FMVSS No. 108 are reasonable for bulbs that are inserted by automated/robotic equipment. However, because PLC currently furnishes 9004 replacement headlamp bulbs for aftermarket use only, all 9004 replacement bulbs that PLC furnishes are installed by human beings. Manual insertion of the 9004 replacement bulb does not pose a risk that permanent deflection will result because of the much lower forces that are exerted on the bulb when robotic insertion is not involved.

''When inserting a replacement bulb into the headlamp housing the glass bulb is placed through an opening in the back of the reflector which is approximately two times larger than the bulb diameter. During manual insertion, little to no force is placed on the glass bulb. Force during manual insertion is placed on the plastic base and not the glass bulb. Nor are there other sources of stress that can cause deflection of the