

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Advisory Circular 21-40, Application Guide for Obtaining a Supplemental Type Certificate**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability.

SUMMARY: This notice announces the availability of Advisory Circular 21-40, Application Guide for Obtaining a Supplemental Type Certificate. Advisory Circular 21-40 provides information and guidance concerning an acceptable means, but not the only means, of demonstrating compliance with the requirements of Title 14 of the Code of Federal Regulations part 21, Certification Procedures for Products and Parts, regarding procedures for obtaining a supplemental type certificate for typical modification projects.

ADDRESSES: Copies of AC 21-40 can be obtained from the following: U.S. Department of Transportation, Subsequent Distribution Office, Ardmore East Business Center, 3341 Q 75th Ave, Landover MD, 20785.

Issued in Washington, DC, on June 1, 1998.

James C. Jones,

Manager, Aircraft Engineering Division.

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****FAA Approval of Noise Compatibility Program and Determination on Revised Noise Exposure Maps; Akron-Canton Regional Airport, Akron, OH**

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by Akron-Canton Regional Airport 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 October 16, 1997, the FAA determined that the noise exposure maps submitted by Akron-Canton Regional Airport Authority under part 150 were in compliance with applicable

requirements. On April 9, 1998, the Associate Administrator for Airports approved the Akron-Canton Regional Airport noise compatibility program.

Most of the recommendations of the program were approved. The Akron-Canton Regional Airport Authority has also requested under FAR part 150, § 150.35(f), that FAA determine that revised noise exposure maps submitted with the noise compatibility program and showing noise contours as a result of the implementation of the noise compatibility program are in compliance with applicable requirements of FAR part 150. The FAA announces its determination that the revised noise exposure maps for Akron-Canton Regional Airport for the years submitted with the noise compatibility program, are in compliance with applicable requirements of FAR part 150 effective May 13, 1998.

EFFECTIVE DATE: The effective date of the FAA's approval of the Akron-Canton Regional Airport noise compatibility program is April 9, 1998. The effective date of the FAA's determination on the revised noise exposure maps is May 13, 1998.

FOR FURTHER INFORMATION CONTACT:

Lawrence C. King, Program Manager, Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111. 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 Akron-Canton Regional Airport, effective April 9, 1998, and that revised noise exposure maps for 1997-2002 for this same airport are determined to be in compliance with applicable requirements of FAR part 150.

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 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 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 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 airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations with respect to the FAA's approval of an airport noise compatibility program are delineated in FAR part 150, § 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 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 Detroit Airports District Office in Belleville, Michigan.

Akron-Canton Regional Airport Authority submitted to the FAA on September 22, 1997, noise exposure maps, descriptions, and other documentation produced during the