

the geometry-limited case with all engines operating via a finding of equivalent safety, as noted in Advisory Circular 25-7A, but does not permit a reduction in the margin for the engine-inoperative case.

2. JAR 25.147(c) includes an additional requirement regarding roll rate with one-engine inoperative relative to § 25.147(c).

3. JAR 25.253(a)(3) contains an additional requirement relative to § 25.253(a)(3); namely, that adequate roll capability must be available to assure a prompt recovery from a lateral upset condition.

4. JAR 25.253(a) (5), which has no Part 25 equivalent, specifies that extension of airbrakes at speeds above the maximum operating speed/Mach number ( $V_{MO}/M_{MO}$ ) must not result in an excessive positive load factor with the stick free and any nose-down pitching moment must be small.

For each of the above four issues the working group is to review airworthiness, safety, cost, and other relevant factors related to the specified differences, and reach consensus on harmonized Part 25/JAR 25 regulations and guidance material.

The FAA expects ARAC to submit its recommendation by December 31, 2000.

The FAA requests that ARAC draft appropriate regulatory documents with supporting economic and other required analyses, and any other related guidance material or collateral documents to support its recommendations. If the resulting recommendations(s) are one or more notices of proposed rulemaking (NPRM) published by the FAA, the FAA may ask ARAC to recommend disposition of any substantive comments the FAA receives.

#### Working Group Activity

The Flight Test Harmonization Working Group is expected to comply with the procedures adopted by ARAC. As part of the procedures, the working group is expected to:

1. Recommend a work plan for completion of the tasks, including the rationale supporting such a plan, for consideration at the meeting of ARAC to consider transport airplane and engine issues held following publication of this notice.

2. Give a detailed conceptual presentation of the proposed recommendations, prior to proceeding with the work stated in item 3 below.

3. Draft appropriate regulatory documents with supporting economic and other required analyses, and/or any other related guidance material or collateral documents the working group determines to be appropriate; or, if new

or revised requirements or compliance methods are not recommended, a draft report stating the rationale for not making such recommendations. If the resulting recommendation is one or more notices of proposed rulemaking (NPRM) published by the FAA, the FAA may ask ARAC to recommend disposition of any substantive comments the FAA receives.

4. Provide a status report at each meeting of ARAC held to consider transport airplane and engine issues.

The Secretary of Transportation has determined that the formation and use of ARAC are necessary and in the public interest in connection with the performance of duties imposed on the FAA by law.

Meetings of ARAC will be open to the public. Meetings of the Flight Test Harmonization Working Group will not be open to the public, except to the extent that individuals with an interest and expertise are selected to participate. No public announcement of working group meetings will be made.

Issued in Washington, DC, on September 14, 1998.

**Joseph A. Hawkins,**

*Executive Director, Aviation Rulemaking Advisory Committee.*

[FR Doc. 98-25069 Filed 9-17-98; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Monthly Notice of PFC Approvals and Disapprovals. In August 1998, there were six applications approved. This notice also includes information on one application, approved in June 1998, inadvertently left off the June 1998 notice. Additionally, 11 approved amendments to previously approved applications are listed.

**SUMMARY:** The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals 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). This notice is published pursuant to paragraph (d) of § 158.29.

#### PFC Applications Approved

*Public Agency:* City of Elko, Nevada.

*Application Number:* 98-01-C-00-EKO.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue in this Decision:* \$774,635.

*Earliest Charge Effective Date:* September 1, 1998.

*Estimated Charge Expiration Date:* October 1, 2000.

*Class of Air Carriers not Required to Collect PFC'S:* None.

*Brief Description of Projects Approved for Collection and Use:*

Aircraft rescue and fire fighting building and vehicle.

Security/perimeter fencing.

Master plan and terminal area study.

Airfield safety improvements.

Terminal building expansion, phase I. North general aviation apron improvements.

Snow removal equipment.

PFC application/administration fees.

*Decision Date:* June 29, 1998.

#### FOR FURTHER INFORMATION CONTACT:

Marlys Vandervelde, San Francisco Airports District Office, (650) 876-2806.

*Public Agency:* Meridian Airport Authority, Meridian, Mississippi.

*Application Number:* 98-05-C-00-MEI.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved in this Decision:* \$121,650.

*Earliest Charge Effective Date:* March 1, 2001.

*Estimated Charge Expiration Date:* September 1, 2002.

*Class of Air Carriers Not Required to Collect PFC'S:* None.

*Brief Description of Projects Approved for Collection and Use:*

Airfield lighting rehabilitation.

Taxiway A rehabilitation.

Terminal canopy/rehabilitation design.

Terminal canopy/rehabilitation.

Construct equipment building.

*Decision Date:* August 5, 1998.

#### FOR FURTHER INFORMATION CONTACT:

David Shumate, Jackson Airports District Office, (601) 965-4628.

*Public Agency:* City of Chicago—Department of Aviation, Chicago Illinois.

*Application Number:* 98-08-C-00-ORD.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved in this Decision:* \$546,526,300.

*Earliest Charge Effective Date:* November 1, 2011.

*Estimated Charge Expiration Date:* September 1, 2017.

*Class of Air Carriers Not Required to Collect PFC'S: Air taxis.*

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Chicago O'Hara International Airport (ORD).

*Brief Description of Projects Approved for Collection at ORD and Use at ORD:*

Interactive computer training system.  
Concourse F extension.

Terminal 1 airside connection and concession infill.

Terminal 3 airport transit system (ATS) bridge.

Explosive blast mitigation—glass coating.

Terminal 1 elevator expansion.

Upper level roadway deck

rehabilitation.

ATS vehicles acquisition (three cars).

ATS remote station escalator.

ATS MIRA computer replacement.

Bessie Coleman Drive rehabilitation—phase II.

Small basin stormwater quality.

Runway 14R/32L rehabilitation.

Taxiway T extension rehabilitation.

Taxiway W rehabilitation.

Equipment service platforms as heating and refrigeration (H&R) plant.

H&R formulation.

General aviation apron pavement rehabilitation.

Military site airside fencing.

Acquisition of 1998 security and fire equipment.

Soil erosion and sedimentation control.

*Brief Description of Project Approved for Collection at ORD and Use at Chicago Midway Airport:* Home soundproofing.

*Brief Description of Projects Approved in Part for Collection at ORD and Use at ORD:* Concession area public space build out.

*Determination:* Partially approved. The FAA has determined that a portion of this project is for the benefit of the food court and other revenue producing vendors. Therefore, even though the public agency identifies these areas as public seating and for public use, the FAA has concluded that the seating areas proposed for the E/F apex, H/K apex, and Rotunda are not Airport Improvement Program or PFC eligible. The FAA has determined that approximately 49 percent of the total area (in the E/F apex, H/K apex, and Rotunda) will provide public circulation improvements and is eligible. Furthermore, the FAA's analysis concluded that the Concourse B food

court does not provide additional public circulation and is primarily for the benefit of the vendor area. Thus, the Concourse B food court is completely ineligible. In addition, since the public agency listed the Concourse H and K food courts separately from the H/K apex, the FAA assumed those are separate areas. However, because the public agency did not provide any plans, sketches, or additional information regarding these food courts, the FAA was unable to determine if any portion of those areas was eligible. Therefore, PFC funds cannot be used to fund any improvements in the H and K food courts.

Security checkpoint equipment.

*Determination:* Partially approved.

Explosive trace detection (ETD) equipment has already been deployed to each checkpoint in sufficient number to meet current FAA regulations and operating procedures. Therefore, the ETD element of this project is not approved. The approved amount represents the total project cost and includes the projected cost of acquisition and deployment of ETD equipment. Therefore, if the eligible cost of the project, without the ETD equipment, is less than the approved amount, the public agency must take steps to reduce the approved amount by amendment.

Airport maintenance complex addition.

*Determination:* Partially approved.

The eligible cost of utilities for the building must be a prorated share of the total cost based on the ratio of eligible to ineligible equipment housed in the building. The approved amount represents the total project cost however, if a portion of the utility cost is determined to be ineligible, the public agency must take steps to reduce the approved amount by amendment.

Landside formulation.

*Determination:* Partially approved.

Elements not specifically identified in the public agency's application Attachment B for this project are not included in this approval. Furthermore, to the extent that any of the elements listed involve ineligible (off-airport) work, the costs of planning, study, assessment, and design attributable to the off-airport portion of the project are not PFC eligible and the cost for that element must be adjusted or prorated accordingly. The approved amount is the total project cost because the public agency did not provide cost breakdowns for each component or study element. However, the public agency must take appropriate steps to decrease the approved amount if the eligible costs are less than the approved amount.

Wetlands relocation.

*Determination:* Partially approved.

The environmental assessment in support of this project included only detailed analysis for filling 6.3 acres of wetlands in a portion of the runway protection zone and for remediating 24.08 acres of wetlands located in the southwest portion of the airport by the Post Office. The remaining wetlands have not been environmentally evaluated and, thus, the public agency cannot meet the requirement of § 158.25(c)(1)(ii)(B) for the remaining wetlands and that portion of the project is not approved. In adding, at the time the FAA reviewed the PFC application, it was not known what acreage the U.S. Army Corps of Engineers would require in the Section 404 permitting process for the filling of wetlands on the airport. Thus, the necessary size of the wetland bank cannot be positively identified at this time. The approved amount represents the total amount requested and, thus, includes costs for those portions of the project not being approved in this decision. The public agency must take steps to adjust the approved PFC amount to cover only the cost of those elements approved in this decision.

*Brief Description of Projects Approved for Collection (at ORD) Only:*

Relocated Northwest Tollway connection.

Blast mitigation—phase II.

Concourse L extension.

Balmoral Drive extension.

I-190 collector/distributor.

ATS vehicles acquisition (12 cars).

Bessie Coleman bridge rehabilitation.

ATS station at rental car campus.

Lake O'Hare capacity enhancement.

Snow dump improvements.

Runway 9L/27R rehabilitation.

Runway 18/36 rehabilitation.

Runway 14L/32R rehabilitation.

Taxiway B rehabilitation at C3/C4.

Airside perimeter road rehabilitation and new construction.

National Pollutant Discharge

Elimination System permit compliance.

Brief Description of Projects Partially Approved for Collection (at ORD) only:

Concourse C upgrade.

Concourse B upgrade.

Concourse L upgrade.

Concourse K upgrade.

Concourse H upgrade.

*Determination:* Partially approved.

The FAA has determined that the public agency did not provide a sufficient description or justification for the majority of the proposed elements in each project to allow a determination of nominal eligibility for those elements. The FAA was able to conclude that the restroom work, insofar as this work is

needed to comply with Americans with Disabilities Act requirements, is eligible. The information provided on the remaining tasks in these projects did not allow the FAA to conclude that the remainder of these projects involved eligible reconstruction/repair rather than ineligible maintenance work. At the time the public agency submits its use application(s) for these projects, the public agency must provide adequate descriptions and justifications for each component of each of the concourse upgrade projects it wishes to finance with PFC revenue.

The public agency must also provide a cost breakdown for each project in the applicable use application that would permit the FAA to limit the approved amount to only those elements determined eligible.

New police facility.

**Determination:** Partially approved. The FAA has determined that not all activities at the Police Facility support part 107 functions. The Federal Security Manager for ORD has determined that approximately 80 percent of the facility will support part 107 functions. Therefore, the approved amount was limited to 80 percent of the total project cost.

Perimeter intrusion detection system.

**Determination:** Partially approved. FAA analysis has concluded that a majority of the airport perimeter is currently adequately fenced to meet part 107 requirements. Therefore, this PFC approval is limited to that portion of the system located between St. John's Cemetery and Post One, or approximately 42 percent of the entire perimeter. In addition to 42 percent of the cost of the system as proposed by the public agency, the approved amount includes funds to cover additional computer costs for connecting the modified detection system to a computer monitoring station.

High temperature water piping: Elimination of ball joints.

**Determination:** Partially approved. The eligible cost of utilities for the airport must be a prorated share of the total project cost based on the extent to which the high temperature water piping serves both eligible and ineligible buildings and/or spaces. The approved amount represents the total amount requested and, thus, includes costs for those portions of the project which may be found to be ineligible. The public agency must take steps to adjust the approved PFC amount to cover only the cost of the eligible share of the project once that share has been determined.

**Brief Description of Withdrawn Projects:** Chilled water central plant/piping network study implementation.

**Determination:** This project was withdrawn for the PFC application by the public agency by letter dated June 5, 1998. Therefore, the FAA will not rule on this project in this decision.

Replace four 2,000 ton chillers with three 4,000 ton chillers.

**Determination:** This project was withdrawn for the PFC application by the public agency by letter dated June 1, 1998. Therefore, the FAA will not rule on this project in this decision.

Two Explosive Detection System (EDS) units.

**Determination:** This project was withdrawn for the PFC application by the public agency by letter dated July 17, 1998. Therefore, the FAA will not rule on this project in this decision.

Five EDS units.

**Determination:** This project was withdrawn for the PFC application by the public agency by letter dated July 17, 1998. Therefore, the FAA will not rule on this project in this decision.

Global Positioning System antenna.

**Determination:** This project was withdrawn for the PFC application by the public agency by letter dated August 5, 1998. Therefore, the FAA will not rule on this project in this decision.

360 degree tower simulator.

**Determination:** This project was withdrawn for the PFC application by the public agency by letter dated August 5, 1998. Therefore, the FAA will not rule on this project in this decision.

H&R plant A&B 4160V. switchgear and feeder replacement.

**Determination:** This project was withdrawn for the PFC application by the public agency by letter dated August 5, 1998. Therefore, the FAA will not rule on this project in this decision.

**Decision Date:** August 6, 1998.

**FOR FURTHER INFORMATION CONTACT:**

Philip M. Smithmeyer, Chicago Airports District Office, (847) 294-7335.

**Public Agency:** City of Phoenix, Arizona.

**Application Number:** 98-05-C-00-PHX.

**Application Type:** Impose and use a PFC.

**PCF Level:** \$3.00.

**Total PCF Revenue Approved in This Decision:** \$193,445,920.

**Earliest Charge Effective Date:** November 1, 1998.

**Estimate Charge Expiration Date:** April 1, 2002.

**Class of Air Carriers not Required to Collect PFC's:** (1) Air taxi/commercial operators filing FAA Form 1800-31; (2) commuters or small certificated air

carriers filing Department of Transportation Form 298-C Schedule T-1 OR E-1 with less than 7,500 enplanements annually at Phoenix Sky Harbor International Airport (PHX); and (3) large certificated route carriers filing Research and Special Programs Administration Form T-100 and providing non-scheduled service with less than 7,500 enplanements annually at PHX.

**Determination:** Approved. Based on the information submitted in the public agency's application, the FAA has determined that each class being approved accounts for less than 1 percent of the total annual enplanements at PHX.

**Brief Description of Projects Approved for Collection and Use:**

New fire station.

Rebuild north and south runways.

Terminal 4 expansion.

Taxiway to south side.

Reconstruct taxiway C.

Upgrade fire station 19.

Replace aviation fire truck.

Terminal 2 concrete ramp replacement.

Taxiway T.

Airfield guidance signs.

Reconstruct taxiway S.

Holding apron terminal 4.

Safety and security improvements.

**Decision Date:** August 7, 1998.

**FOR FURTHER INFORMATION CONTACT:** John P. Milligan, Western Pacific Region Airports Division, (310) 725-3621.

**Public Agency:** City of North Bend, Oregon.

**Application Number:** 98-03-I-00-OTH.

**Application Type:** Impose a PFC.

**PCF Level:** \$3.00.

**Total PCF Revenue Approved in This Decision:** \$136,800.

**Earliest Charge Effective Date:** April 1, 1999.

**Estimated Charge Expiration Date:** November 1, 2001.

**Class of Air Carriers not Required to Collect PFC's:** Non-scheduled air taxi/commercial operators utilizing aircraft having a seating capacity of less than 20 passengers.

**Determination:** Approved. Based on the information submitted in the public's agency's application, the FAA has determined that the class being approved accounts for less than 1 percent of the total annual enplanements at North Bend Municipal Airport.

**Brief Description of Projects Approved for Collection Only:**

East side terminal area site preparation.

East airport roadway alignment and runway 13/31 safety area.

*Decision Date:* August 21, 1998.  
**FOR FURTHER INFORMATION CONTACT:**  
 Mary Vargas, Seattle Airports District Office, (425) 227-2660.  
*Public Agency:* City of Manchester, New Hampshire.  
*Application Number:* 98-07-C-00-MHT.  
*Application Type:* Impose and use a PFC.  
*PFC Level:* \$3.00.  
*Total PFC Revenue Approved in This Decision:* \$84,643,000.  
*Earliest Charge Effective Date:* October 1, 1998.  
*Estimated Charge Expiration Date:* October 1, 2016.  
*Class of Air Carriers Not Required to Collect PFC'S:* Air taxi/commercial operators.  
*Determination:* Approved. Based on the information submitted in the public agency's application, the FAA has

determined that the class being approved accounts for less than 1 percent of the total annual enplanements at Manchester Airport.  
*Brief Description of Projects Approved for Collection and Use:*  
 Runway 6/24 system.  
 Construct two remote aircraft parking aprons.  
 Acquire Stead Aviation.  
*Decision Date:* August 24, 1998.  
**FOR FURTHER INFORMATION CONTACT:**  
 Priscilla Scott, New England Region Airports Division, (781) 238-7614.  
*Public Agency:* Grand Forks Regional Airport Authority, Grand Forks, North Dakota.  
*Application Number:* 98-05-C-00-GFK.  
*Application Type:* Impose and use a PFC.  
*PFC Level:* \$3.00.  
*Total PFC Revenue Approved in This Decision:* \$1,398,163.

*Earliest Charge Effective Date:* September 1, 1998.  
*Estimated Charge Expiration Date:* September 1, 2004.  
*Class of Air Carriers Not Required to Collect PFC'S:* Air taxi/commercial operators filing FAA Form 1800-31.  
*Determination:* Approved. Based on the information submitted in the public agency's application, the FAA has determined that the class being approved accounts for less than 1 percent of the total annual enplanements at Grand Forks International Airport.  
*Brief Description of Projects Approved for Collection and Use:* Air cargo apron expansion and service road.  
*Decision Date:* August 24, 1998.  
**FOR FURTHER INFORMATION CONTACT:**  
 Irene R. Porter, Bismarck Airports District Office, (701) 250-4385.

AMENDMENTS TO PFC APPROVALS

Amendment No. city, state	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge expiration date	Amended estimated charge expiration date
95-01-C-01-LYH, Lynchburg, VA	07/28/98	\$752,416	\$515,216	12/01/98	07/01/98
97-01-C-01-MOB, Mobile, AL	08/14/98	1,300,000	1,300,000	06/01/99	06/01/99
93-01-C-05-MSY, New Orleans, LA	08/14/98	185,823,498	194,691,574	08/01/09	11/01/09
93-02-U-01-MSY, New Orleans, LA	08/14/98	5,802,615	16,523,148	08/01/09	11/01/09
96-03-C-01-MSY, New Orleans, LA	08/14/98	11,963,536	11,963,536	08/01/09	11/01/09
92-01-C-03-DTW, Detroit, MI	08/14/98	1,639,576,000	1,802,657,000	10/01/30	10/01/31
97-03-C-01-DTW, Detroit, MI	08/14/98	60,000,000	60,000,000	10/01/30	10/01/31
93-01-C-02-GEG, Spokane, WA	08/18/98	16,265,100	12,676,598	06/01/05	10/01/07
94-02-C-01-GEG, Spokane, WA	08/18/98	8,200,000	4,922,228	06/01/05	10/01/07
97-03-C-01-GEG, Spokane, WA	08/18/98	17,606,000	32,029,282	06/01/05	10/01/07
95-03-C-01-MFR, Medford, OR	08/27/98	1,810,000	2,082,935	11/01/00	06/01/03

Issued in Washington, DC, on September 10, 1998.  
**Eric Gabler,**  
*Manager, Passenger Facility Charge Branch.*  
 [FR Doc. 98-24966 Filed 9-17-98; 8:45 am]  
 BILLING CODE 4910-13-M

**DEPARTMENT OF TRANSPORTATION**  
**Federal Highway Administration**

**Transportation Equity Act for the 21st Century; Implementation of Guidance for Discretionary Program Funds for National Scenic Byways**

**AGENCY:** Federal Highway Administration (FHWA), DOT.  
**ACTION:** Notice.

**SUMMARY:** This document publishes implementation guidance on the Transportation Equity Act for the 21st Century (TEA-21), enacted on June 9, 1998, for eligible candidate projects in Fiscal Year 1999 concerned with the

scenic byways program. Implementation guidance materials on these topics were issued to FHWA region and division offices on July 7, 1998. This material describes activities eligible for discretionary funding, the application process, and criteria used to evaluate candidate projects.

**FOR FURTHER INFORMATION CONTACT:** Mr. Eugene Johnson, HEP-10, (202)366-2071; or Mr. Bob Black, HCC-32, Office of the Chief Counsel, (202)366-1359, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except for Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Electronic Access**

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office Electronic Bulletin Board Service at

(202)512-1661. Internet users may reach the **Federal Register's** home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

**Background**

The TEA-21 (Pub. L. 105-178, 112 Stat. 107) implementation guidance published in this **Federal Register** notice is provided for informational purposes. Specific questions on any of the material published in this notice should be directed to the appropriate contact person named in the caption **FOR FURTHER INFORMATION CONTACT.**

**Authority:** 23 U.S.C. 315; 49 CFR 1.48.  
 Issued on: September 10, 1998.

**Kenneth R. Wykle,**  
*Federal Highway Administration Administrator.*

The text of the FHWA guidance memorandum follows:  
*Action:* Request for Projects for Fiscal Year (FY) 1999 Scenic Byways Discretionary