

disapproval of FAR part 150 program recommendations is measured according to the standards expressed in part 150 and Title 49 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 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 a FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and a 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 program grants must be submitted to the FAA Airports Division Office in Fort Worth, Texas.

The City of Austin submitted to the FAA on May 25, 2000, the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from October 1998 through May 2000. On April 5, 1999, the FAA determined that the noise exposure maps submitted by the City of Austin for Austin-Bergstrom International Airport under part 150 were in compliance with applicable

requirements. Notices of these determinations were published in the **Federal Register** on April 20, 1999, and May 25, 2000, respectively.

The Austin-Bergstrom International Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in Title 49. The FAA began its review of the program on May 8, 2000, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period shall be deemed to be an approval of such program.

The submitted program contained three proposed actions for noise mitigation on and off the airport that requested FAA approval. The FAA completed its review and determined that the procedural and substantive requirements of Title 49 and FAR part 150 have been satisfied. The overall program, therefore, was approved by the Administrator effective November 7, 2000.

Outright approval was granted for the three proposed action elements in the noise compatibility program where the City of Austin requested federal approval. Approved action elements included a "Fly Quiet Program" involving a voluntary preferential runway use policy and flight track management procedures, land use mitigation measures involving a land acquisition program and a sound insulation program, and program management measures involving a flight track and noise monitoring system, and provisions for updating the noise exposure map and noise compatibility program. These determinations are set forth in detail in a Record of Approval endorsed by the Administrator on November 7, 2000. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal are available at the FAA office listed above and at the administrative offices of: City of Austin, Department of Aviation, Austin-Bergstrom International Airport, 3600 Presidential Boulevard, Austin, Texas 78719.

Issued in Fort Worth, Texas, November 20, 2000.

Naomi L. Saunders,
Manager, Airports Division.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA, Inc.; Government/Industry Free Flight Steering Committee, Revised Agenda

The December 13 RTCA Free Flight Steering Committee meeting announced in the **Federal Register**, 65 FR 70869 (Tuesday, November 28, 2000), has been revised.

The revised agenda reads as follows: The agenda will include: (1) Welcome and Opening Remarks; (2) Review Summary of the Previous Meeting; (3) Report from FAA: (a) Free Flight Phase 1 Operational Assessment Update; (b) End-to-End Checklist for Safe Flight 21 Applications; (c) FAA Primary En Route Radar Restructuring Program; (4) Report and Recommendations from the Free Flight Select Committee; (d) National Airspace System Concept of Operations; (e) Addendum 4: Free Flight Phase 2; (5) CNS/ATM Focus Team Data Link Report; (6) National Airspace System Operational Evolution Plan; (7) Other Business; (8) Date and Location of Next Meeting; (9) Closing Remarks.

Persons wishing to present statements or obtain information should contact the RTCA, Inc., at (202) 833-9339 (phone), (202) 833-9434 (facsimile).

Issued in Washington, DC on November 30, 2000.

Janice L. Peters,
Designated Official.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent to Rule on Application to a Passenger Facility Charge (PFC) at Killeen Municipal Airport, Killeen, TX and Use the Revenue at Killeen Municipal Airport and Robert Gray Army Airfield

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 at Killeen