

DEPARTMENT OF TRANSPORTATION**Office of the Secretary****Application of Swift Air, LLC for Certificate Authority**

AGENCY: Department of Transportation.

ACTION: Notice of order to show cause (Order 2006-9-10), Dockets OST-2005-22880 and OST 2005-23329.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue orders finding Swift Air, LLC fit, willing, and able, and awarding it certificates of public convenience and necessity to engage in interstate and foreign charter air transportation of persons, property and mail.

DATES: Persons wishing to file objections should do so no later than September 27, 2006.

ADDRESSES: Objections and answers to objections should be filed in Dockets OST-2005-22880 and OST 2005-23329, and addressed to U.S. Department of Transportation, Docket Operations, (M-30, Room PL-401), 400 Seventh Street, SW., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Ronãle Taylor, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-9721.

Dated: September 13, 2006.

Michael W. Reynolds,

Acting Assistant Secretary for Aviation and International Affairs.

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Noise Exposure Map Notice; Receipt of Noise Compatibility Program and Request for Review; Danbury Municipal Airport; Danbury, CT**

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure map for Danbury Municipal Airport, as submitted by the City of Danbury 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, is in compliance with applicable

requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for Danbury Municipal Airport under Part 150 in conjunction with the noise exposure map, and that this program will be approved or disapproved on or before March 9, 2007.

EFFECTIVE DATE: The effective date of the FAA's determination on the noise exposure map and of the start of its review of the associated noise compatibility program is September 6, 2006. The public comment period ends on November 6, 2006.

FOR FURTHER INFORMATION CONTACT: John C. Silva, Federal Aviation Administration, New England Region, Airports Division, ANE-600, 12 New England Executive Park, Burlington, MA 01803.

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 map submitted for Danbury Municipal Airport is in compliance with applicable requirements of Part 150, effective September 6, 2006. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before March 9, 2007. 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 a noise exposure map which meets applicable regulations and which depicts noncompatible land uses as of the date of submission of such map, a description of projected aircraft operations, and the ways in which such operations will affect such map. The Act requires such map 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 a noise exposure map that is found by FAA to be in compliance with the requirements of Federal Aviation Regulation (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 introduction of additional non-compatible uses.

The City of Danbury submitted to the FAA, on September 6, 2006, a noise exposure map, descriptions, and other documentation that were produced

during the Airport Noise Compatibility Planning (Part 150) study at Danbury Municipal airport from October 2003 to July 2006. It was requested that the FAA review this material as the noise exposure map, 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 City of Danbury. The specific maps under consideration were:

Danbury Airport, Part 150 Study—Noise Exposure Map:

1. Base Year 2003 Average Daily Noise Contours
2. Future Year 2008 Baseline DNL Noise Contours

The FAA has determined that the maps for Danbury Municipal Airport are in compliance with applicable requirements. This determination is effective on September 6, 2006.

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 map 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 a noise exposure map. 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 that submitted the map, 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