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More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

David S. Adams,

*Assistant Secretary, Legislative Affairs.*

Dated: November 30, 2011.

**Robert S. Kovac,**

*Managing Director, Directorate of Defense Trade Controls, Department of State.*

[FR Doc. 2011-32534 Filed 12-19-11; 8:45 am]

**BILLING CODE 4710-25-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Approval of Noise Compatibility Program for Kona International Airport at Keahole, Keahole, North Kona, HI

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Hawaii State Department of Transportation, Airports Division (DOT-A) under the provisions of 49 U.S.C. 47501 *et seq.* (formerly the Aviation Safety and Noise Abatement Act, hereinafter referred to as “the Act”) and 14 Code of Federal Regulations (CFR) Part 150 (hereinafter referred to as “Part 150”). On January 12, 2010, the FAA determined that the noise exposure maps submitted by the DOT-A under Part 150 were in compliance with applicable requirements. On April 20, 2011 the FAA approved the Kona International Airport at Keahole noise compatibility program. All of the recommendations of the program were approved. No program elements relating to new or revised flight procedures for noise abatement were proposed.

**DATES:** *Effective Date:* The effective date of the FAA’s approval of the Noise Compatibility Program for Kona International Airport at Keahole is April 20, 2011.

**FOR FURTHER INFORMATION CONTACT:** Gordon Wong, Environmental Protection Specialist, FAA Western-Pacific Region, Honolulu Airports

District Office, 300 Ala Moana Boulevard, Room 7-128, Honolulu, Hawaii, telephone number (808) 541-1232. 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 Kona International Airport at Keahole, effective April 20, 2011. Under section 104(a) of the Aviation Safety and Noise Abatement Act of 1979, as amended (herein after referred to as the “Act”) [recodified as 49 U.S.C. 47504], 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 non-compatible land uses and prevention of additional non-compatible 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 non-compatible land uses around the airport and preventing the introduction of additional non-compatible 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 FAA’s approval of an airport noise compatibility program are delineated in FAR part 150, section 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 under the Airport and Airway Improvement Act of 1982, as amended. Where federal funding is sought, requests for project grants must be submitted to the FAA Airports District Office in Honolulu, Hawaii.

The DOT-A submitted to the FAA on April 27, 2009, the Noise Exposure Maps for evaluation. The FAA determined that the Noise Exposure Maps for Kona International Airport at Keahole were in compliance with applicable requirements on January 12, 2010. Notice of this determination was published in the **Federal Register** on January 25, 2010 (Volume 75/No. 15/ pages 3959-3960).

The Kona International Airport at Keahole 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 49 U.S.C. 47504 (formerly Section 104(b) of the Act). The FAA began its review of the program on October 27, 2010, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new or modified 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 Noise Compatibility Program recommended one Noise Abatement Element, eight Land Use Management Elements and three Program Management Elements. The FAA completed its review and determined

that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied. The overall program was approved, by the Manager of the Airports Division, Western-Pacific Region, effective April 20, 2011.

Approval was granted for one Noise Abatement Element, eight Land Use Management Elements and three Program Management Elements. The approved measures included: a pilot education program; maintaining an established communication process between DOT-A, Hawaii County, and Hawaii State Land Use Commission for the review of proposed development near the airport; DOT-A to encourage Hawaii County to revise the Environmental Quality Section of Hawaii County General Plan to include additional policies related to airport land use compatibility; establish an Airport Influence Area for Kona International Airport to define the area that land use compatibility policies would apply; DOT-A to encourage Hawaii County to adopt an airport compatibility checklist for discretionary review of projects within its vicinity; maintain compatible zoning designations within the 2013 60 DNL noise contour; require the dedication of noise and aviation easements through the subdivision approval process; adopt fair disclosure regulations to notify property owners of the noise generated by aircraft operations; adopt an airport noise overlay zone; monitor implementation of the part 150 Noise Compatibility Program; updated the Noise Exposure Maps and Noise Compatibility Programs as necessary; and acquire and implement a noise monitoring system.

The FAA determinations are set forth in detail in the Record of Approval signed by the Manager of the Airports Division, Western-Pacific Region, on April 20, 2011. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative offices of the Kona International Airport at Keahole. The Record of Approval also will be available on-line at: [http://www.faa.gov/airports/environmental/airport\\_noise/part\\_150/states/](http://www.faa.gov/airports/environmental/airport_noise/part_150/states/)

Issued in Hawthorne, California on December 12, 2011.

**Mark A. McClardy,**

Manager, Airports Division, Western-Pacific Region, AWP-600.

[FR Doc. 2011-32500 Filed 12-19-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Request To Release Airport Property

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

**ACTION:** Notice of Intent To Rule on Request to Release Airport Property at the Liberal Mid-America Regional Airport & Airport Industrial Park Liberal, KS.

**SUMMARY:** The FAA proposes to rule and invites public comment on the release of land at the Liberal Mid-America Regional Airport & Airport Industrial Park, Liberal, Kansas, under the provisions of 49 U.S.C. 47107(h)(2).

**DATES:** Comments must be received on or before January 19, 2012.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Lynn D. Martin, Airports Compliance Specialist, Federal Aviation Administration, Airports Division, ACE-610C, 901 Locust Room 364, Kansas City, MO 64106.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to: Debra S. Giskie, Airport Manager, Liberal Mid-America Regional Airport & Airport Industrial Park, City of Liberal, P.O. Box 2199, Liberal, KS 67901, (620) 626-2207.

**FOR FURTHER INFORMATION CONTACT:** Lynn D. Martin, Airports Compliance Specialist, Federal Aviation Administration, Airports Division, ACE-610C, 901 Locust Room 364, Kansas City, MO 64106, (816) 329-2644, [lynn.martin@faa.gov](mailto:lynn.martin@faa.gov).

The request to release property may be reviewed, by appointment, in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release approximately 0.33 acres of airport property at the Liberal Mid-America Regional Airport & Airport Industrial Park (LBL) under the provisions of 49 U.S.C. 47107(h)(2). On June 24, 2011, the Airport Manager at the Liberal Mid-America Regional Airport requested from the FAA that approximately 0.33 acres of property be released for sale to Allan and Charlene Classen for use as a repair/maintenance operation. On October 31, 2011, the FAA determined that the request to release property at the Liberal Mid-America Regional Airport and Airport Industrial Park (LBL) submitted by the Sponsor meets the procedural

requirements of the Federal Aviation Administration and the release of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this Notice.

The following is a brief overview of the request:

Liberal Mid-America Regional Airport and Airport Industrial Park (LBL) is proposing the release of one parcel, of 0.33 acres, more or less. The release of land is necessary to comply with Federal Aviation Administration Grant Assurances that do not allow federally acquired airport property to be used for non-aviation purposes. The sale of the subject property will result in the land at the Liberal Mid-America Regional Airport and Airport Industrial Park (LBL) being changed from aeronautical to nonaeronautical use and release the lands from the conditions of the Airport Improvement Program Grant Agreement Grant Assurances. In accordance with 49 U.S.C. 47107(c)(2)(B)(i) and (iii), the airport will receive fair market value for the property, which will be subsequently reinvested in another eligible airport improvement project for general aviation facilities at the Liberal Mid-America Regional Airport and Airport Industrial Park.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon appointment and request, inspect the application, notice and other documents determined by the FAA to be related to the application in person at the Liberal Mid-America Regional Airport and Airport Industrial Park.

Issued in Kansas City, MO, on November 30, 2011.

**Jim A. Johnson,**

Manager, Airports Division.

[FR Doc. 2011-32499 Filed 12-19-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Second Tier Environmental Impact Statement: Jackson County, MO

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

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that a Second Tier Environmental Impact Statement (EIS) will be prepared for proposed improvements to I-70 from west of the