

takeoffs would disengage the afterburner mode at selected points after takeoff, such as the airport boundary. Element 8 recommended the purchase of three properties within the 75 DNL contour.

The following nine elements were approved. Element 4 recommended the continuation of performing military jet engine run-ups inside hush house facilities. Element 5 recommended obtaining aviation easements from homeowners within the 65 DNL and higher contours. Element 6 recommended that the City of Fort Smith take the lead in adopting noise disclosure regulations to ensure potential buyers are aware of an existing noise issue associated with properties for sale. The approval noted that this element is contingent upon the cooperation of surrounding jurisdictions with the City of Fort Smith. Element 7 recommended that voluntary amendments be made to the Uniform Building Code, which makes provisions for noise attenuation. The approval noted that the effectiveness of this element is contingent upon the cooperation of surrounding jurisdiction with the City of Fort Smith. Element 9 recommended the establishment of noise overlay districts for the City of Fort Smith in the airport vicinity. Element 10 recommended placing responsibility for managing day to day noise issues with the Airport Commission and staff. Element 11 recommended continuation of the Advisory Committee public involvement program. Element 12 recommend the establishment of a periodic noise monitoring program. Element 13 recommended periodic review of the Part 150 Study NEMs and NCP by the Airport Commission to determine whether an update of the program is required.

These determinations are set forth in detail in a Record of Approval endorsed by the Administrator on September 9, 1997. 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 the Fort Smith Airport Commission.

Issued in Fort Worth, Texas, September 22, 1997.

**Noami L. Saunders,**

*Manager, Airports Division*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-97-48]

#### Petitions for Exemption; Summary of Petitions Received; Disposition of Petitions Issued

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

**ACTION:** Notice of petitions for exemption received and of dispositions of prior petitions.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), disposition of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before October 23, 1997.

**ADDRESSES:** Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. 28991, 800 Independence Avenue, SW., Washington, D.C. 20591.

Comments may also be sent electronically to the following internet address: 9-NPRM-CMNTS@faa.dot.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 267-3132.

**FOR FURTHER INFORMATION CONTACT:** Heather Thorson (202) 267-7470 or Angela Anderson (202) 267-9681 Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part II of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on September 26, 1997.

**Joseph A. Conte,**

*Acting Assistant Chief Counsel for Regulations.*

#### Petitions for Exemption

*Docket No.:* 28991.

*Petitioner:* Joe Brigham, Inc.

*Sections of the FAR Affected:* 14 CFR 133.33 (d) and (e) and 133.45(d).

*Description of Relief Sought:* To permit JBI to operate its Bell Model UH-1B, a restricted category helicopter, in external-load operations in congested areas subject to an approved congested area plan.

[FR Doc. 97-26092 Filed 10-1-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent to Rule on Application to Impose and Use the Revenue From a Passenger Facility Charge (PFC) at McAllen-Miller International Airport, McAllen, Texas

**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 and use the revenue from a PFC at McAllen-Miller International Airport 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).

**DATES:** Comments must be received on or before November 3, 1997.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate copies to the FAA at the following address: Mr. Ben Guttery, Federal Aviation Administration, Southwest Region, Airports Division, Planning and Programming Branch, ASW-610D, Fort Worth, TX 76193-0610.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Derald Lary, Director of McAllen-Miller International Airport, at the following address: Mr. Derald Lary, Director of Aviation, McAllen-Miller International Airport, 2600 Main Street, Suite 100, McAllen, TX 78503-3142.

Air carriers and foreign air carriers may submit copies of the written