Issued in Hawthorne, California, on December 20, 2004.

George Aiken,

Manager, Safety and Standards Branch, Airports Division, Western-Pacific Region.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Notice: Receipt of Noise Compatibility Program and Request for Review for King County International Airport, Seattle, WA

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps (NEM) submitted by the airport director for King County International Airport under the provisions of 49 U.S.C. 47501 *et seq.* (Aviation Safety and Noise Abatement Act) and 14 CFR part 150 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for King County International Airport under part 150 in conjunction with the noise exposure map, and that this program will be approved or disapproved on or before June 21, 2005.

DATES: The effective date of the FAA's determination on the noise exposure maps and of the start of its review of the associated noise compatibility program is December 23, 2004. The public comment period ends February 21, 2005.

FOR FURTHER INFORMATION CONTACT: Dennis Ossenkop, Federal Aviation Administration, Airports Division, 1601 Lind Ave. SW., Renton, WA 98055–4056, telephone (425) 227–2611. 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 maps submitted for King County International Airport are in compliance with applicable requirements of part 150, effective December 23, 2004. Further, the FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before June 21, 2005. This notice also announces the availability of this program for public review and comment.

Under 49 U.S.C., section 47503 (the Aviation Safety and Noise Abatement Act, hereinafter referred to as ''the Act''), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps 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 noise exposure maps that are found by the FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes to take to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses.

The director of the King County International Airport submitted to the FAA on November 2, 2004, noise exposure maps, descriptions and other documentation that were produced during the King County International Airport FAR Part 150 Study dated March 2002 and a Supplemental Report dated July 2004. It was requested that the FAA review this material as the noise exposure maps, as described in section 47503 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 47504 of the Act.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by the director of the King County International Airport. The specific documentation determined to constitute the noise exposure maps includes the following from the *King County International Airport FAR Part 150 Study of 2004 and Supplemental Report of July 2004:*

- Figure S1 at page S.6, Revised Existing Noise Exposure Map, 2003;
- Figure S3 at page S11 Revised Future Noise Exposure Map, 2008;
- Table S1 at page S.2 Summary of Airport Planning Forecasts 2003–2023 and additional aviation activity data, Table S2 at page S.3;
- Table S4 at page S.5 Existing Noise Exposure Map with Existing Land Use 2003 presents estimates of the number of persons residing with the DNL 55 through 75 noise contours;
- Figures C12 through C15 at pages C.37 through C.40 present Flight Tracks;
- Figures C10 and C11 at pages C.28 and C.29 present Noise Measurement Locations;
- Table S6 at page S.10 Future Noise Exposure Map with Existing Land Use, 2008, presents estimates of the number of persons residing with the DNL 55 through 75 noise contours;
- Pages S.37 through S.47 present the Consultation Process during the study; Appendix F presents Revised Consultation; and
- The potential exists for numerous properties to be eligible for inclusion in the National Register of Historic Places. Consultation with the State Historic Preservation Office has indicated that it is not necessary to perform a detailed evaluation of potential eligible properties at this stage of planning. Detailed evaluation will occur during the preparation of environmental documents required prior to implementation of the program.

The FAA has determined that these maps for King County International Airport are in compliance with applicable requirements. This determination is effective on December 23, 2004. The 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 constitute 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 47503 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 maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 47506 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 the FAA's review of noise exposure maps. 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 those

maps, or with those public agencies and planning agencies with which consultation is required under section 47503 of the Act. The FAA has relied on the certification by the airport operator, under section 150.21 of FAR part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for King County International Airport, also effective on December 23, 2004. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before June 21, 2005.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed measure may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing non-compatible land uses and preventing the introduction of additional non-compatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. The FAA will consider all comments, other than those properly addressed to local land use authorities, to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations:

Federal Aviation Administration, Airports Division, 1601 Lind Avenue, SW., Suite 315, Renton, Washington;

Seattle Airports District Office, 1601 Lind Ave., SW., Suite 250, Seattle, Washington;

King County International Airport, 7233 Perimeter Road South, Seattle, Washington.

Questions may be directed to the individual named above under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Renton, Washington, December 23, 2004.

Lowell H. Johnson,

Manager, Airports Division, Northwest Mountain Region.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2004–90]

Petitions for Exemption; Summary of Petitions Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition for exemption received.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption, part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of certain petitions seeking relief from specified requirements of 14 CFR. 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 February 1, 2005.

ADDRESSES: You may submit comments identified by DOT DMS Docket Number FAA–2004–19708 or FAA–2004–19885 by any of the following methods:

- *Web Site: http://dms.dot.gov.* Follow the instructions for submitting comments on the DOT electronic docket site.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001.
- *Hand Delivery:* Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Docket: For access to the docket to read background documents or comments received, go to *http://dms.dot.gov* at any time or to Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: John Linsenmeyer (202) 267–5174 or Susan Lender (202) 267–8029, Office of Rulemaking (ARM–1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85 and 11.91.

Anthony F. Fazio,

Director, Office of Rulemaking.

Petitions for Exemption

Docket No.: FAA–2004–19708.

Petitioner: Associated Scientists at Woods Hole.

Sections of 14 CFR Affected: 14 CFR 21.191(g).

Description of Relief Sought: To allow the petitioner to operate a Leza-Lockwood Air Cam aircraft for the purposes of scientific research. The Leza-Lockwood Air Cam aircraft holds a special airworthiness certificate in the Experimental category, for the purpose of operating amateur-built aircraft.

Docket No.: FAA–2004–19885.

Petitioner: Simula Aerospace and Defense Group, Inc.

Sections of 14 CFR Affected: 14 CFR 91.307(a) (2)(i).

Description of Relief Sought: To permit pilots to carry and make available for emergency use the Durachute Emergency Parachute System, when the Durachute Emergency Parachute System has not been packed within the previous 120 days. Specifically, Simula Aerospace and Defense Group, Inc. requests that the Durachute Emergency Parachute System be legal for carriage and emergency use in civil aircraft for up to 5 years after the date it was packed.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2005–2]

Petitions for Exemption; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of disposition of prior petition.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption, part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains the disposition of certain petitions previously received. 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.