

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

[FR Doc. 97-26116 Filed 10-1-97; 8:45 am]

BILLING CODE 4910-13-M

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]

BILLING CODE 4910-13-M

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

comments previously provided to the Airport under Section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Mr. Ben Guttery, Federal Aviation Administration, Southwest Region, Airports Division, Planning and Programming Branch, ASW-610D, Fort Worth, TX 76193-0610, (817) 222-5614.

The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: 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).

On September 16, 1997, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Airport was substantially complete within the requirements of Section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than January 10, 1998.

The following is a brief overview of the application.

Level of the proposed PFC: \$3.00.

Proposed charge effective date: April 1, 1998.

Proposed charge expiration date: July 1, 2000.

Total estimated PFC revenue:

\$1,853,711.00.

PFC application number: 97-01-C-00-MFE.

Brief description of proposed projects:

Projects to impose and use PFC's

East and West Terminal Apron, Airfield Guidance Signs and Vault Upgrade, Widen Taxiway A, Runway 13-31 Safety Improvements, Master Plan Update, Terminal Drive Relocation, GA Apron Overlay, Cargo Apron Overlay and Association Taxiway Development, and PFC Administration Fees.

Proposed class or classes of air carriers to be exempted from collecting PFCs: None.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA regional Airports office located at: Federal Aviation Administration, Southwest Region, Airports Division, Planning and Programming Branch, ASW-610D, 2601 Meacham Boulevard, Fort Worth, TX 76137-4298.

In addition, any person may, upon request, inspect the application, notice

and other documents germane to the application in person at McAllen-Miller International Airport.

Issued in Fort Worth, Texas on September 16, 1997.

Naomi L. Saunders,
Manager, Airports Division.

[FR Doc. 97-26117 Filed 10-1-97; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement; Cape Girardeau County, Missouri

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for proposed improvements to the transportation system in Cape Girardeau County, Missouri.

FOR FURTHER INFORMATION CONTACT: Donald Neumann, Programs Engineer, FHWA Division Office, P.O. Box 1787, Jefferson City, MO 65102, Telephone: (573) 636-7104 or Scott Meyer, District Engineer, Missouri Department of Transportation, P.O. Box 160, Sikeston, MO 63801, Telephone: (573) 472-5333.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Missouri Department of Transportation (MoDOT), will prepare an environmental impact statement (EIS) for a proposed project to improve the transportation system in the vicinity of Missouri Route 25 in Cape Girardeau County, Missouri.

Improvements to the corridor are considered necessary to provide for a safe and efficient transportation network. Alternatives under consideration include (1) taking no action; (2) using alternative travel modes; (3) upgrading and improving the existing roadways; and (4) constructing a four-lane roadway on new or partially-new location. Design variations of grade and alignment will be incorporated into and studied with the various build alternatives. The proposed action will likely include transportation improvements from the intersection of Missouri Routes 25 and 77 northeast of Delta, Missouri to the new Route 74 interchange with Interstate 55 in Cape Girardeau, Missouri.

The scoping process will involve all appropriate federal, state, and local agencies, and private organizations and citizens who have previously expressed or are known to have interest in this

proposal. A series of public meetings will be held to engaged the regional community in the decision making process, and to obtain public comment. Public meetings are tentatively scheduled for fall, 1997 and spring 1998. In addition, a public hearing will be held to present the findings of the draft EIS (DEIS). The DEIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA or MoDOT at the addresses provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12373 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: September 22, 1997.

Donald L. Neumann, P.E.,
Programs Engineer, Jefferson City.

[FR Doc. 97-26074 Filed 10-1-97; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-227 (Sub-No. 11X)]

Wheeling & Lake Erie Railway Company—Abandonment Exemption—in Harrison and Jefferson Counties, OH

Wheeling & Lake Erie Railway Company (W&LE) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon an approximately 11.4-mile line of railroad on the Georgetown Branch, from milepost 0.0 in Adena to milepost 0.5 at AC&NA Junction and from milepost 0.0 at AC&NA Junction to milepost 10.9 at the former Georgetown Coal Preparation Plant, in Harrison and Jefferson Counties, OH.¹ The line traverses United States Postal Service Zip Codes 43901, 43989, 43981 and 43907.

W&LE has certified that: (1) no local traffic has moved over the line for at

¹ The 0.5-mile segment of the Georgetown Branch between Adena and AC&NA was formerly the north end of W&LE's Saginaw Branch, which, according to W&LE, was abandoned south of AC&NA Junction in 1993. See *The Wheeling & Lake Erie Railway Company—Abandonment Exemption—In Jefferson, Harrison and Belmont Counties, OH*, ICC Docket No. AB-227 (Sub-No. 3X) (ICC served Apr. 5, 1993).