

enforcement activities are generally referred to as 'matching' programs because two lists of names are checked for match using automated assistance. This routine use is advisory in nature and does not offer unrestricted access to systems of records for such law enforcement and related antifraud activities. Each request will be considered on the basis of its purpose, merits, cost effectiveness and alternatives using 'Instructions on reporting computer matching programs to the Office of Management and Budget (OMB), Congress and the public', published by the Director, OMB, dated September 20, 1989.

10. It shall be a routine use of the information in any DOT system of records to provide to the Attorney General of the United States, or his/her designee, information indicating that a person meets any of the disqualifications for receipt, possession, shipment, or transport of a firearm under the Brady Handgun Violence Prevention Act. In case of a dispute concerning the validity of the information provided by DOT to the Attorney General, or his/her designee, it shall be a routine use of the information in any DOT system of records to make any disclosures of such information to the National Background Information Check System, established by the Brady Handgun Violence Prevention Act, as may be necessary to resolve such dispute.

Public comment is invited on the intention to establish General Routine Use Number 10.

Issued in Washington, DC, on January 30, 1997.

Michael P. Huerta,  
Associate Deputy Secretary, Acting Chief  
Information Officer.

[FR Doc. 97-3000 Filed 2-5-97; 8:45 am]  
BILLING CODE 4910-62-P

## Federal Aviation Administration

### Proposed Advisory Circular 25.812-XX, Photoluminescent Floor Proximity Emergency Escape Path Marking Systems

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

**ACTION:** Notice of availability of proposed Advisory Circular (AC) 25.812-XX and request for comments..

**SUMMARY:** This notice announces the availability of and requests comments on a proposed advisory circular (AC) which provides guidance material for use in demonstrating compliance with the provisions of part 25 of the Federal

Aviation Regulations (FAR) regarding floor proximity emergency escape path marking (FPEEPM) systems using photoluminescent elements. This notice is necessary to give all interested persons an opportunity to present their views on the proposed AC.

**DATES:** Comments must be received on or before March 10, 1997.

**ADDRESSES:** Send all comments on proposed AC to: Federal Aviation Administration, Attention: Frank Tiangsing, Regulations Branch, ANM-114, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW, Renton, WA 98055-4056. Comments may be inspected at the above address between 7:30 a.m. and 4:00 p.m. weekdays, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Katherine Burks, Transport Standards Staff, at the address above, telephone (206) 227-2114.

#### SUPPLEMENTARY INFORMATION:

Comments Invited

A copy of the draft AC may be obtained by contacting the person named above under **FOR FURTHER INFORMATION CONTACT**. Interested persons are invited to comment on the proposed AC by submitting such written data, views, or arguments as they may desire. Commenters should identify AC 25.812-XX and submit comments, in duplicate, to the address specified above. All communications received on or before the closing date for comments will be considered by the Transport Standards Staff before issuing the final AC.

#### Discussion

Manufacturers of photoluminescent materials have begun marketing FPEEPM systems utilizing such material. These systems do not require electrical power, which has been an integral part of all previous FPEEPM systems. Instead, the elements of these new systems are "Charged" by incident light provided by the normal airplane passenger cabin lighting, including sunlight which enters the cabin when the cabin window shades are open during daylight hours. When the cabin darkens, the elements "discharge the stored energy in the form of a luminescent glow."

Since these systems employ a different technology from those currently installed in airplanes, guidance in the form of an advisory circular is deemed necessary to ensure appropriate procedures are followed in the evaluations of these systems.

Issued in Renton, Washington, on January 30, 1997.

Darrell M. Pederson,  
Acting Manager, Transport Airplane  
Directorate, Aircraft Certification Service,  
ANM-100.

[FR Doc. 97-2961 Filed 2-5-97; 8:45 am]

BILLING CODE 4910-13-M

### Approval of Noise Compatibility Program, McGhee Tyson Airport, Knoxville, TN

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Metropolitan Knoxville Airport Authority under the provision of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Public Law 96-193) and 14 CFR Part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On April 28, 1993, the FAA determined that the noise exposure maps submitted by the Metropolitan Knoxville Airport Authority under Part 150 were in compliance with applicable requirements. On January 17, 1997, the Administrator approved the McGhee Tyson Airport noise compatibility program. All of the recommendations of the program were approved in full or in part. The noise compatibility program updates the original noise compatibility program, approved May 5, 1989, for McGhee Tyson Airport.

**EFFECTIVE DATE:** The effective date of the FAA's approval of the McGhee Tyson Airport noise compatibility program is January 17, 1997.

**FOR FURTHER INFORMATION CONTACT:** Peggy S. Kelley, Federal Aviation Administration, Memphis Airports District Office, 2851 Directors Cove, Suite 3, Memphis, Tennessee 38131-0301; Telephone 901-544-3495, Ext. 19. Documents reflecting the FAA action may be reviewed at the same location.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA has given its overall approval to the noise compatibility program for McGhee Tyson Airport, effective January 17, 1997.

Under section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), 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 noncompatible land uses and prevention of additional noncompatible 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 noncompatible land uses around the airport and preventing the introduction of additional noncompatible 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. Where federal funding is sought, requests for project grants must be submitted to the FAA Airports District Office in Memphis, Tennessee.

The Metropolitan Knoxville Airport Authority submitted to the FAA on July 5, 1995, the noise exposure maps, descriptions, and other documentation produced during the FAR Part 150 supplemental noise compatibility planning study conducted from October 1994 through June 1995. The McGhee Tyson Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on October 12, 1995. Notice of this determination was published in the Federal Register on October 26, 1995.

The McGhee Tyson Airport contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from the date of study completion beyond the year 2000. It was requested that the FAA evaluate and approved this material as a noise compatibility program as described in section 104(b) of the Act. The FAA began its review of the program on July 22, 1996, and was required by provision of the Act to approve or disapprove the program within 180 days (other than the use of new flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period shall be deemed an approval of such a program.

The submitted program contained two noise abatement measures, 13 land use measures and an amendment to a previously approved land use measure; and three program management actions. 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, therefore, was approved by the Administrator effective January 17, 1997.

Approval for Part 150 was granted, in total or in part, for both of the proposed operational (noise abatement) measures. The operational procedures will require an environmental decision before implementation by FAA. Approval was granted for all the land use and implementation actions. Land Use measures include establishing an airport influence area; airport noise overlay zoning for land use compatibility; amend subdivision regulations to require dedication of aviation easements; local building code

amendments for sound insulation; promote fair disclosure; acquisition of homes within the 65 DNL; acquisition of underdeveloped residential-zoned land within the 65 DNL contour; sound insulation; and aviation easements. An amendment to a previously approved measure for purchase assurance or sound insulation extended this mitigation to the remaining homes in the neighborhood. These determinations are set forth in detail in a Record of Approval endorsed by the Administrator on January 17, 1997. 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 Metropolitan Knoxville Airport Authority.

Issued in Memphis, Tennessee, January 30, 1997.

Wayne R. Miles,

*Assistant Manager, Memphis Airports District Office.*

[FR Doc. 97-2962 Filed 2-5-97; 8:45 am]

BILLING CODE 4910-13-M

#### **Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Chattanooga Metropolitan Airport, Chattanooga, TN**

**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 Chattanooga Metropolitan Airport, Chattanooga, Tennessee, under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

**DATES:** Comments must be received on or before March 10, 1997.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate in the FAA at the following address: Memphis Airports District Office, 2851 Directors Cove, Suite #3, Memphis, TN 38131-0301.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Hugh Davis, President, Chattanooga Metropolitan Airport Authority at the following address: P.O. Box 22245, Chattanooga, TN 37422.