

submissions, or non-confidential summaries of submissions, to the panel received from other parties in the dispute, as well as the report of the dispute settlement panel, and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket WTO/DS-161, Korea—Measures Affecting Imports of Fresh, Chilled, and Frozen Beef Dispute) may be made by calling Brenda Webb, (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

**A. Jane Bradley,**

*Assistant U.S. Trade Representative for Monitoring and Enforcement.*

[FR Doc. 99-12906 Filed 5-20-99; 8:45 am]

BILLING CODE 3190-01-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Approval of Noise Compatibility Program, Key West International Airport, Key West, FL

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by Monroe County, Florida under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 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 November 9, 1998, the FAA determined that the revised noise exposure maps submitted by Monroe County, Florida under part 150 were in compliance with applicable requirements. On May 7, 1999, the Administrator approved the Key West International Airport noise compatibility program. Six (6) of the eight (8) proposed program measures were fully approved. Two (2) measures were disapproved.

**EFFECTIVE DATE:** The effective date of the FAA's approval of the Key West International Airport noise compatibility program is May 7, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mr. Tommy J. Pickering, P.E., Federal Aviation Administration, Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, Florida 32822, (407) 812-6331, Extension 29. 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 Key West International Airport, effective May 7, 1999. 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 revised 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 measure 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 reasonable 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 users, 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 others 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, § 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 Orlando, Florida.

Monroe County, Florida submitted to the FAA on October 26, 1998, updated noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from October 1, 1996 through October 25, 1998. The Key West International Airport revised noise exposure maps were determined by FAA to be in compliance with applicable requirements on November 9, 1998. Notice of this determination was published in the **Federal Register**.

The Key West International Airport study 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 to the year 2003. It was requested that FAA evaluate and approve 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 November 9, 1998, and was required by a 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 to be an approval of such program.

The submitted program contained eight (8) proposed actions for noise mitigation on and off the airport. 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 Administration effective May 7, 1999.

Outright approval was granted for six (6) of the specific program measures. Two (2) measures were disapproved.

The approval action was for the following program controls:

Noise abatement measure	Description	NCP pages
<b>Operational Measures</b>		
1. Conduct a Part 161 analysis of an access restriction prohibiting the operation of non-Stage 3 jet aircraft weighing less than 75,000 pounds at the airport.	<p>An FAR part 161 analysis is recommended to further study an access restriction prohibiting the operation of non-State 3 private/corporate jet aircraft weighing less than 75,000 pounds maximum gross weight at Key West International Airport to reduce existing noncompatible land uses and impacted populations. The access restriction to be studied includes a transition program that would initially prohibit such aircraft operations between the hours of 9 p.m. and 7 a.m. Two years later, all such operations would be prohibited from operating at the airport. This access restriction is not being recommended as an operational noise abatement measure at this time. The access restriction is recommended for further study, a Part 161 analysis, and integration into a part 150 update.</p> <p>FAA Action: <i>Disapproved for purposes of part 150.</i> With full implementation of the land use measures in this NCP, the airport operator can accomplish 100 percent compatible land uses within the DNL 65dB contour. The proposal to perform a FAR part 161 study is not considered to be an eligible noise project under part 150 because it does not meet criteria described in FAA's policy statement issued in the FEDERAL REGISTER on September 16, 1996. More specifically, part 161 proposed study does not meet Part 150 approval criteria of reducing noncompatible land uses beyond achievements gained by the nonrestrictive measures that are approved in this NCP. This disapproval of purposes of part 150 does not preclude the airport operator from pursuing a part 161 analysis outside the scope of the part 150 process.</p>	Pgs. 6–5 to 6–7, 8–1 and 8–6; Tables 6.2 and 8.1; and supplemental information dated 02/09/99.
2. Conduct an FAR part 161 analysis to further study an access restriction prohibiting aircraft from operating at the airport between the hours of midnight and 6:00 a.m.	<p>An FAR part 161 analysis is recommended to further study an access restriction prohibiting aircraft from operating at Key West International Airport between the hours of midnight and 6 a.m. to reduce neighborhood disturbance during these hours. This access restriction is not being recommended as an operational noise abatement measure at this time. The access restriction is recommended for further study, a part 161 analysis, and integration into a part 150 update.</p> <p>FAA Action: <i>Disapproved for purposes of part 150.</i> With full implementation of the land use measures in this NCP, the airport operator can accomplish 100 percent compatible land uses within the DNL 65dB contour. The proposal to perform a FAR part 161 study is not considered to be an eligible noise project under part 150 because it does not meet criteria described in FAA's policy statement issued in the FEDERAL REGISTER on September 16, 1996. More specifically, the part 161 proposes study does not meet part 150 approval criteria of reducing noncompatible land uses beyond achievements gained by the nonrestrictive measures that are approved in this NCP. This disapproval for purposes of part 150 does not preclude the airport operator from pursuing a part 161 analysis outside the scope of the part 150 process.</p>	Pgs. 6–10 to 6–12, 8–12 and 8–6; Tables 6.2 and 8.1; and supplemental information dated 02/09/99.
<b>Land Use Measures</b>		
3. Provide Noise Insulation in Exchange for Aviation Easements.	<p>A program for noise insulation of existing noncompatible structures is recommended for non-compatible single-family dwellings (and multi-family dwellings of four units or less) within the DNL 65+dB contour of the Year 2003 Future Condition Noise Exposure Map, With Program Implementation, in exchange for an aviation easement. Priority should be given first to homeowners located within the DM 70dB contour, and finally the homeowners located within the DNL 75 dB contour, then to homeowners located within the DNL 65 dB contour. The aviation easement will remain valid until noise levels exceed those projected for the year 2003 Future Condition Noise Exposure Map, Without Program Implementation. Eligible homeowners will be given the option of participating in either this program or the purchase program in Measure 4 below. If funding is not adequate to implement both programs simultaneously this program will be offered first.</p> <p>A program for noise insulation of noncompatible structures is also recommended for Key West High School. At the time when the high school is being renovated, measures to achieve a Noise Level Reduction (NRL) of 30 dB should be incorporated into the design and construction of all classrooms, libraries, offices, and other rooms for which noise insulation is specifically justified because of the substantial and disruptive effect of aircraft noise.</p> <p>FAA Action: <i>Approved.</i></p>	Pgs 7–10 to 7–13, 8–2, 8–3 and 8–6; Tables 7–2 and 8–1; Figures 5.2, 6.3 and 8.1; Appendices A and B; and supplemental information dated 02/09/99.
4. Purchase Homes, Provide Noise Insulation, then Resell with Easements.	<p>A program to purchase existing homes, provide noise insulation, then resell the homes with aviation easements is recommended for noncompatible single-family dwellings (and multi-family dwellings of four units or less) within the DNL 65+dB contour of the Year 2003 Future Condition Noise Exposure Map, With Program Implementation. Priority should be given first to homeowners located within the DNL 75 dB contour, then to homeowners located within the DNL 70 dB contour, and finally to homeowners located within the DNL 65 dB contour. The aviation easement will remain valid until noise levels exceed those projected for the year 2003 Future Condition Noise Exposure Map, Without Program Implementation. Eligible homeowners will be given the option of participating in either this program or the noise insulation program in Measure 3 above. If funding is not adequate to implement both programs simultaneously, Measure 3 will be offered first.</p> <p>FAA Action: <i>Approved.</i></p>	(Pgs. 7–8 to 7–10, 8–3, 8–4 and 8–6; Tables 7.2 and 8.1; Figures 5.2, 6.3 and 8.1; Appendices A and B; and supplemental information dated 02/09/99).

Noise abatement measure	Description	NCP pages
5. Update Noise Contours Annually.	In order to monitor compliance with the aviation easement noise level limit in measures 3 and 4 above, it is recommended that the County of Monroe update the Key West International Airport noise contours annually for comparison with the Year 2003 Future Condition Noise Exposure Map, Without Program Implementation.	Pgs 7-9, 7-10, 7-13, 8-4 and 8-6; Tables 7.2 and 8.1; and Figure 5.2.
6. Rezone Vacant Parcels.	<p>FAA Action: <i>Approved.</i></p> <p>It is recommended that the County of Monroe direct a written request to the City of Key West to rezone two vacant parcels to prevent noncompatible development. One parcel on the southwest corner of Flagler Avenue and 11th Street (Parcel ID # 65100.000000) would be rezoned from single family residential development (SF) to an airport noise compatible land use zoning such as limited commercial (LC). Another parcel on South Roosevelt Boulevard (Parcel ID # 65090.000100) would be rezoned from coastal low density residential (LDR-C) to an airport noise and public safety compatible land use zoning such as limited commercial (LC) Pgs 7-15, 7-16 and 8-4; Tables 7.2 and 8.1; and Figure 8.2..</p> <p>FAA Action: <i>Approved.</i></p>	
7. Acquire Vacant Parcel.	<p>It is recommended that the vacant parcel on the southwest corner of Flagler Avenue and 11th Street (Parcel ID #65100.000000) be acquired to prevent noncompatible development if the City of Key West does not rezone the parcel to an airport noise compatible land use zoning.</p> <p>FAA Action: <i>Approved under 14 CFR part 150 with respect to the described vacant land within the DNL 65 db contour where it can be demonstrated that the property is in imminent danger of being developed noncompatibly and local controls are insufficient to prevent that development.</i> Mitigation with respect to new noncompatible development that is allowed to occur on this property is outside the parameters of this part 150 approval. However, the FAA would encourage local government to exercise its prerogative to change the zoning to a compatible use prior to development.</p>	Pgs 7-15, 7-16, 8-5 and 8-6; Tables 7.2 and 8.1; and Figure 8.2.
8. Establish Compatible Land Use Zoning.	<p>Establishment of airport noise compatible land use zoning and public safety compatible land use zoning is recommended, as required by Florida Statutes Chapters 163 and 333. The County of Monroe will seek the cooperation of the City of Key West to establish airport noise compatible land use zoning and public safety compliance land use zoning.</p> <p>FAA Action: <i>Approved.</i></p>	Pgs 7-16 to 7-18 and 8-5; Tables 7.2 and 8.1; and Figure 8.3.

These determinations are set forth in detail in a Record of Approval endorsed by the Administrator on May 7, 1999. 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 office of Monroe County, Florida.

Issued in Orlando, Florida, on May 10, 1999.

**John W. Reynolds, Jr.,**

*Assistant Manager, Orlando Airports District Office.*

[FR Doc. 99-12952 Filed 5-20-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[Docket No. FHWA-99-5660]

#### Notice of Request for Reinstatement of an Expired Information Collection: Nationwide Personal Transportation Survey

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, this notice announces the intention of FHWA to request the Office of Management and Budget (OMB) to reinstate its clearance of an expired information collection identified below under Supplementary Information. The Nationwide Personal Transportation Survey (NPTS) is conducted periodically on behalf of the Department of Transportation (DOT) to obtain information on the travel patterns of the American public and how travel is changing over time.

**DATES:** Comments must be submitted on or before July 20, 1999.

**ADDRESSES:** All signed, written comments should refer to the docket number that appears in the heading of this document and must be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. All comments received will be available for examination at the above address between 10:00 a.m. to 5:00 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped envelope or postcard.

**FOR FURTHER INFORMATION CONTACT:** Ms. Susan Liss, (202) 366-5060, Office of

Highway Policy Information, Federal Highway Administration, 400 7th Street, SW., Washington, DC 20590-0001. Office hours are from 9:15 a.m. to 5:45 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

**Title:** Nationwide Personal Transportation Survey (NPTS).

**OMB Number:** 2125-0545.

**Background:** Title 49, U.S.C. Sec. 301, authorizes the DOT to collect statistical information relevant to domestic transportation. Title 23, U.S.C. Sec. 307 authorizes the DOT to engage in studies to collect data for planning future highway programs. The data from this survey is used to analyze the amount and nature of personal travel on all modes by the American public. The information in the survey is used by FHWA and other DOT administrations to evaluate travel in terms of the mobility of various subgroups; the safety of vehicle drivers and passengers and pedestrians; the role of travel in economic productivity; and maintaining our mobility while protecting the human and natural environment. Many changes in travel and the related social patterns, such as the aging of the baby boomers, require that the DOT update the personal travel data on a periodic basis. Changes in household composition, the role of women, the