

operate a U.S.-registered airplane for compensation or hire inside the foreign country, even if the pilot does not hold a U.S. airline transport pilot certificate. Is Complainant's position in this case consistent with the 1985 interpretation, or is it distinguishable?

Evergreen is granted 35 days from the service date of Complainant's documents briefing the new issues to reply to Complainant's briefing of the new issues.

### Commercial Reporting Services of the Administrators

#### Civil Penalty Decisions and Orders

1. *Commercial Publications*: The Administrator's decisions and orders in civil penalty cases are available in the following commercial publications.

*Civil Penalty Cases Digest Service*, published by Hawkins Publishing Company, Inc., P.O. Box 480, Mayo, MD, 21106, (410) 798-1677;

*Federal Aviation Decisions*, Clark Boardman Callaghan, a subsidiary of West Information Publishing Company, 50 Broad Street East, Rochester, NY 14694, 1-800-221-9428.

2. *CD-ROM*. The Administrator's orders and decisions are available on CD-ROM through Aeroflight Publication, P.O. 854, 433 Main Street, Gruver, TX 79040, (806) 733-2483.

3. *On-Line Services*. The Administrator's decisions and orders in civil penalty cases are available through the following on-line services:

- Westlaw (the Database ID is FTRAN-FAA).
- LEXIS [Transportation (TRANS) Library, FAA file].
- CompuServe.
- FedWord.

#### Docket

The FAA Hearing Docket is located at FAA Headquarters, 800 Independence Avenue, SW, 926A, Washington, DC, 20591 (tel. no. 202-267-3641). The clerk of the FAA Hearing Docket is Ms. Stephanie McCain. All documents that are required to be filed in civil penalty proceedings must be filed with the FAA Hearing Docket Clerk at the FAA Hearing Docket. (See 14 CFR 13.210). Materials contained in the dockets of any case not containing sensitive security information (protected by 14 CFR Part 191) may be viewed at the FAA Hearing Docket.

In addition, materials filed in the FAA Hearing Docket in non-security cases in which the complaints were filed on or after December 1, 1997, are available for inspection at the Department of Transportation Docket, located at 400 7th Street, SW, Room PL-401,

Washington, DC 20590, (tel. no. 202-366-9329.) While the originals will be retained in the FAA Hearing Docket, the DOT Docket will scan copies of documents in non-security cases in which the complaint was filed after December 1, 1997, into their computer database. Individuals who have access to the Internet can view the materials in these dockets using the following Internet address; <http://dms.dot.gov>.

#### FAA Offices

The Administrator's decisions and orders, indexes, and digests are available for public inspection and coping at the following location in FAA headquarters:

FAA Hearing Docket, Federal Aviation Administration, 800 Independence Avenue, SW, Room 926A, Washington, DC 20591; (202) 267-3641.

These materials are also available at all FAA regional and center legal offices at the following locations:

Office of the Regional Counsel for the Aeronautical Center (AMC-7), Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73125; (405) 954-3296.

Office of the Regional Counsel for the Alaskan Region (AAL-7), Alaskan Region Headquarters, 222 West 7th Avenue, Anchorage, AL 99513; (907) 271-5269.

Office of the Regional Counsel for the Central Region (ACE-7), Central Region Headquarters, 601 East 12th Street, Federal Building, Kansas City, MO 64106; (816) 426-5446.

Office of the Regional Counsel for the Eastern Region (AEA-7), Eastern Region Headquarters, JFK International Airport, Federal Building, Jamaica, NY 11430; (718) 553-3285.

Office of the Regional Counsel for the Great Lakes Region (AGL-7), 2300 East Devon Avenue, Suite 419, Des Plaines, IL 60018; (708) 294-7108.

Office of the Regional Counsel for the New England Region (ANE-7), New England Region Headquarters, 12 New England Executive Park, Room 401, Burlington, MA 01803-5299; (617) 238-7050.

Office of the Regional Counsel for the Northwest Mountain Region (ANM-7), Northwest Mountain Region Headquarters, 1601 Lind Avenue, SW, Renton, WA 98055-4056; (425) 227-2007.

Office of the Regional Counsel for the Southern Region (ASO-7), Southern Region Headquarters, 1701 Columbia Avenue, College Park, GA 30337; (404) 305-5200.

Office of the Regional Counsel for the Southwest Region (ASW-7), Southwest Region Headquarters, 2601 Meacham Blvd., Fort Worth, TX 76137-4298; (817) 222-5087.

Office of the Regional Counsel for the Technical Center (ACT-7), Federal Aviation Administration Technical Center, Atlantic City International Airport, Atlantic City, NJ 08405; (609) 485-7087.

Office of the Regional Counsel for the Western-Pacific Region (AWP-7), Western-Pacific Region Headquarters, 15000 Aviation Boulevard, Lawndale, CA 90261; (310) 725-7100.

Issued in Washington, DC on October 26, 1999.

**James S. Dillman,**

*Assistant Chief Counsel for Litigation.*

[FR Doc. 99-28510 Filed 10-29-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

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

**ACTION:** Monthly Notice of PFC Approvals and Disapprovals. In September 1999, there were five applications approved. This notice also includes information on one application, approved in August 1999, inadvertently left off the August 1999 notice. Additionally, eight approved amendments to previously approved applications are listed.

**SUMMARY:** The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals 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). This notice is published pursuant to paragraph d of § 158.29.

#### PFC Applications Approved

*Public Agency:* Monroe County, Key West, Florida.

*Application Number:* 99-04-C-00-EYW.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved in This Decision:* \$946,503.

*Earliest Charge Effective Date:* November 1, 1999.

*Estimated Charge Expiration Date:* May 1, 2001.

*Class of Air Carriers not Required to Collect PFC's:* None.

*Brief Description of Projects Approved for Collection at Key West International Airport (EYW) and Use at EYW:*

Construct electrical vault including installation of equipment and standby generator.  
Acquire rapid response vehicle.  
Environmental mitigation.  
Replace existing runway 9/27 lighting.  
Replace existing taxiway lighting.  
Resurface runway 9/27 including grooving and marking.  
Resurface taxiway A and connecting taxiways.  
Implement Part 150 noise study recommendations—phase 1.

*Brief Description of Projects Approved for collection at EYW and Use at Marathon Airport:*

Construct service road including landscaping.  
Replace medium intensity taxiway lights on parallel and connecting taxiways.  
Resurface taxiway A and connecting taxiways.  
Construct and mark two taxiway extensions.  
Environmental mitigation.  
Construct general aviation apron.  
Construct general aviation apron expansion.

*Decision Date:* August 31, 1999.

**FOR FURTHER INFORMATION CONTACT:** Miguel A. Martinez, Orlando Airports District Office, (407) 812-6331, extension 23.

*Public Agency:* Jackson Municipal Airport Authority, Jackson, Mississippi.  
*Application Number:* 99-03-C-00-JAN.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved in This Decision:* \$5,577,870.

*Earliest Charge Effective Date:* March 1, 2000.

*Estimated Charge Expiration Date:* January 1, 2003.

*Class of Air Carriers not Required to Collect PFC'S:* Air taxi/commercial operators.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Jackson International Airport.

*Brief Description of Projects Approved for Collection and Use:*

Terminal renovations.  
Rehabilitate east parallel taxiway.

*Decision Date:* September 3, 1999.

**FOR FURTHER INFORMATION CONTACT:** David Shumate, Jackson Airports District Office, (601) 965-4628.

*Public Agency:* Capital Region Airport Commission, Richmond, Virginia.

*Application Number:* 99-03-C-00-RIC.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved in This Decision:* \$75,846,839.

*Earliest Charge Effective Date:* November 1, 2000.

*Estimated Charge Expiration Date:* July 1, 2015.

*Class of Air Carriers not Required to Collect PFC'S:* Part 135 on-demand air taxi/commercial operators.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Richmond International Airport.

*Brief Description of Project Approved for Collection and Use:* Terminal roadways and elevated platform.

*Brief Description of Project Approved for Collection Only:* Terminal building addition and modifications.

*Decision Date:* September 7, 1999.

**FOR FURTHER INFORMATION CONTACT:** Arthur Winder, Washington Airports District Office, (703) 661-1363.

*Public Agency:* Port of Bellingham, Bellingham, Washington.

*Application Number:* 99-04-C-00-BLI.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved in This Decision:* \$1,400,000.

*Earliest Charge Effective Date:* January 1, 2000.

*Estimated Charge Expiration Date:* March 1, 2004.

*Class of Air Carriers not Required to Collect PFC'S:* Air taxi/commercial operators filing FAA Form 1800-31.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Bellingham International Airport.

*Brief Description of Project Approved for Collection and Use:* Terminal design.

*Brief Description of Project Approved for Collection Only:* Terminal rehabilitation and expansion.

*Brief Description of Project Approved for Use Only:* Alpha taxiway pullout on north.

*Decision Date:* September 21, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mary E. Vargas, Seattle Airports District Office, (425) 227-2660.

*Public Agency:* Metropolitan Airport Authority of Rock Island County, Moline, Illinois.

*Application Number:* 99-03-C-00-MLI.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved in This Decision:* \$12,879,837.

*Earliest Charge Effective Date:* July 1, 2009.

*Estimated Charge Expiration Date:* July 1, 2023.

*Class of Air Carriers not Required to collect PFC'S:* Part 135 air taxi/commercial operators.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Quad City International Airport.

*Brief Description of Projects Approved for Collection and Use:*

Runway 9/27 rejuvenation.  
Passenger terminal/concourse reconstruction and expansion.

*Decision Date:* September 23, 1999.

**FOR FURTHER INFORMATION CONTACT:** Richard A. Pur, Chicago Airports District Office, (847) 284-7527.

*Public Agency:* City of Morgantown, West Virginia.

*Application Number:* 99-05-C-00-MGW.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved in this Decision:* \$192,739.

*Earliest Charge Effective Date:* July 1, 2001.

*Estimated Charge Expiration Date:* July 1, 2005.

*Classes of Air Carriers Not Required to Collect PFC'S:*

(1) Part 135 air carriers, (2) Part 91 air carriers, and (3) any unscheduled carriers operating under part 121.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that each approved class accounts for less than 1 percent of the total annual enplanements at Morgantown Municipal Airport.

*Brief Description of Projects Approved for Collection and Use:*

Rehabilitate access road.  
Install lights on access road.  
Acquire aircraft rescue and firefighting (ARFF)

communication equipment.  
Design rehabilitation of runway 18/36.  
Rehabilitation of runway 18.36.

*Brief Description of Projects Approved for Collection Only:*

Install perimeter fence.  
Design and construct ARFF/maintenance building.  
*Decision Date:* September 29, 1999.

**FOR FURTHER INFORMATION CONTACT:**  
Elonza Turner, Beckley Airports Field Office, (304) 252-6212.

**Amendments to PFC Approvals**

Amendment No. city, state	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
94-01-C-05-CVG, Covington, KY	08/12/99	37,146,000	\$32,718,000	02/01/96	11/01/95
95-02-C-02-CVG, Covington, KY	08/12/99	85,441,000	80,752,000	05/01/99	05/01/99
98-03-C-01-CVG, Covington, KY	08/12/99	21,097,000	21,923,000	01/01/00	09/01/99
98-04-C-01-CVG, Covington, KY	08/12/99	32,911,000	32,580,000	05/01/00	02/01/00
92-01-C-02-AOO, Altoona, PA	08/27/99	118,500	156,054	12/01/99	10/01/99
96-02-C-01-AOO, Altoona, PA	08/27/99	NA	NA	12/01/99	10/01/99
98-03-C-02-CVG, Covington, KY	09/07/99	21,923,000	22,005,000	09/01/99	09/09/99
98-04-C-02-CVG, Covington, KY	09/07/99	32,580,000	33,233,000	02/01/00	03/01/00

Issued in Washington, DC, on October 25, 1999.  
**Eric Gabler,**  
*Manager, Passenger Facility Charge Branch.*  
[FR Doc. 99-28511 Filed 10-29-99; 8:45 am]  
BILLING CODE 4910-13-M

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**  
[99-01-I-00-BFF]

**Notice of Intent to Rule on Application to Impose a Passenger Facility Charge (PFC) at the Western Nebraska Regional Airport, Scottsbluff, Nebraska**

**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 a PFC at the Western Nebraska Regional Airport 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 December 1, 1999.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Central Region, Airports Division, 901 Locust, Kansas City, MO 64106.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Rick A. Meter, Director of Public Works, Scotts Bluff County, at the following address: Western Nebraska Regional Airport, P.O. Box 690, Gering, Nebraska 69341.

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

previously provided to Scotts Bluff County under § 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:**  
Lorna Sandridge, PFC Program Manager, FAA, Central Region, 901 Locust, Kansas City, MO 64106, (816) 329-2641. 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 a PFC at the Western Nebraska Regional 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 July 7, 1999, the FAA determined that the application to impose a PFC submitted by Scotts Bluff County was not substantially complete within the requirements of § 158.25 of Part 158. The County of Scotts Bluff submitted supplemental information on September 24, 1999, to complete the application. The FAA will approve or disapprove the supplemental application, in whole or in part, no later than January 22, 2000.

The following is a brief overview of the application.

*Level of the proposed PFC:* \$3.00.  
*Proposed charge effective date:* April 2000.

*Proposed charge expiration date:* April 2003.

*Total estimated PFC revenue:* \$108,000.

*Brief description of proposed project(s):* Renovate terminal to improve disability access, baggage handling and passenger flow.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT.**

In addition, any person may, upon request, inspect the application, notice and other documents germane to the

application in person at the Western Nebraska Regional Airport.

Issued in Kansas City, Missouri on October 15, 1999.

**George A. Hendon,**  
*Manager, Airports Division, Central Region.*  
[FR Doc. 99-28512 Filed 10-29-99; 8:45 am]  
BILLING CODE 4910-13-M

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**Environmental Impact Statement; Teton and Pondera Counties, Montana**

**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 a proposed highway improvement project in Teton County and Pondera County, Montana.

**FOR FURTHER INFORMATION CONTACT:** Dale Paulson, Program Development Engineer, Federal Highway Administration, 2880 Skyway Drive, Helena, Montana 59602; Telephone: (406) 449-5306 ext 239; or Joel M. Marshik, Manager, Environmental Services, Montana Department of Transportation, 2701 Prospect Avenue, Helena, Montana 59620; Telephone: (406) 444-7632.

**SUPPLEMENTARY INFORMATION:**

**Electronic Access**

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's electronic Bulletin Board Service at