

**SUPPLEMENTARY INFORMATION:** The ARC was created by the Amtrak Reform and Accountability Act of 1997 (ARAA), as an independent commission, to evaluate Amtrak's performance and to make recommendations to Amtrak for achieving further cost containment, productivity improvements, and financial reforms. In addition, the ARAA requires that the ARC monitor cost savings resulting from work rules established under new agreements between Amtrak and its labor unions; that the ARC provide an annual report to Congress that includes an assessment of Amtrak's progress on the resolution of productivity issues; and that, after two years, the ARC has the authority to determine whether Amtrak can meet certain financial goals specified under the ARAA and, if not, to notify the President and the Congress.

The ARAA provides that the ARC consists of eleven members, including the Secretary of Transportation and ten others nominated by the President and Congressional leaders. Each member is to serve a five-year term.

Issued in Washington, DC, January 5, 2000.

**Thomas A. Till,**

*Executive Director.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Proposed Advisory Circular 25-XX, Transport Airplane Propulsion Engine and Auxiliary Power Unit Installation Certification Handbook—The Propulsion Mega AC**

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

**ACTION:** Withdrawal of notice of availability of proposed advisory circular.

**SUMMARY:** This action withdraws a previously-issued notice of availability of proposed Advisory Circular (AC) 25-XX, "Transport Airplane Propulsion Engine and Auxiliary Power Unit Installation Certification Handbook—The Propulsion Mega AC." The FAA previously announced the availability of and requested public comments on that proposed AC. The intent of the AC was to provide one consolidated source of guidance on methods acceptable to the Administrator for showing compliance with the type certification requirements for propulsion systems and auxiliary power unit (APU) installations as they apply to transport category airplanes. The FAA is withdrawing the proposal at

this time to allow the majority of the affected public time to concentrate their resources towards concluding the harmonization of international aviation standards, which the FAA considers a higher priority. The FAA intends to re-issue the notice at a later time.

**ADDRESSES:** Send comments to Steve Happenny, Propulsion/Mechanical Systems Branch, ANM-112, Transport Airplane Directorate, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

**FOR FURTHER INFORMATION CONTACT:** Jill DeMarco, Program Management Branch, ANM-114, Transport Airplane Directorate, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (425) 227-1313; fax (425) 227-1320.

#### **SUPPLEMENTARY INFORMATION:**

##### **Discussion of Original Proposal**

On September 23, 1999, the FAA issued a notice of availability and request for comments on proposed Advisory Circular (AC) 25-XX, "Transport Airplane Propulsion Engine and Auxiliary Power Unit Installation Certification Handbook—*The Propulsion Mega AC*." The notice was published in the **Federal Register** on September 30, 1999 (64 FR 52819). The FAA initiated the proposed AC in response to requests by the affected aviation industry that the FAA provide one comprehensive source of FAA policy and guidance on various methods acceptable to the FAA Administrator for showing compliance with the type certification requirements for propulsion systems and auxiliary power unit (APU) installations on transport category airplanes. The public was provided until December 29, 1999, to submit comments on the proposed document.

##### **Requests from the Affected Public**

Since issuance of the notice, the FAA has received numerous requests from representatives of the affected industry and non-U.S. civil aviation authorities, asking that the FAA withhold further action on the proposed Propulsion Mega AC.

These representatives have stated that many in industry who will be most affected by the AC are members of Working Groups under the aegis of the FAA's Aviation Rulemaking Advisory Committee (ARAC). Currently, these ARAC Working Groups will be focusing their resources on expediting the final harmonization of 14 CFR part 25 rules and the European Joint Aviation Requirements (JAR)-25. The FAA has

encouraged ARAC to give this final harmonization effort its highest priority, thus increasing the workload of the same parties that normally would be reviewing the proposed Propulsion Mega AC. This will leave little time or resources for those parties to provide an adequate, thorough review of the proposed AC before the comment deadline.

Additionally, these representatives indicate that new recommendations to the FAA may come out of ARAC as a result of the activities of these Working Groups, and those recommendations (and subsequent rulemaking) may affect the form and content of part of the proposed AC.

##### **Withdrawal of the Notice**

The FAA has reviewed and considered these requests from the affected public, and has determined that a temporary withdrawal of the notice of proposed advisory circular and suspension of the public comment period is appropriate at this time. The FAA has placed high priority on completing the regulatory harmonization effort in a timely manner, and expects the affected industry's resources (via ARAC) to be directed primarily towards that goal. Once the harmonization effort has concluded, however, the FAA plans to re-issue the notice and re-open the period for public comment.

When formally re-issued, the draft AC likely will not be substantially changed from its current form. In fact, approximately 99% of the draft AC is comprised of the text of current regulations, historical background, advisory circular material, and long-standing accepted FAA policy. (The remaining 1% is new policy and advisory material not previously released formally to the public.) All of that currently-existing material can be found in other documents that have been:

- Available to the public for some time, and
- Used by applicants in demonstrating compliance with the pertinent regulations, and
- Used by the FAA in finding compliance with regulations.

Those documents remain valid in their current form.

**Note:** The FAA will continue to provide resources to further modify the draft AC and subsequent draft versions will be available on the Internet at <http://www.faa.gov/avr/air/airhome.htm>, at the link titled "Draft AC's" under the "Available Documents" drop-down menu. The public can continue to refer to this draft document as a consolidated source reference for currently-existing material.

Because the proposed AC likely will not change significantly before it is re-issued, and because of the time already allotted to the public for review of the proposal, the FAA intends to provide a shortened period for public comment when the notice is re-issued.

Issued in Renton, Washington, on January 5, 2000.

**Donald L. Riggin,**

*Acting Manager, Transport Airplane  
Directorate, Aircraft Certification Service.*

[FR Doc. 00-580 Filed 1-10-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Approval of Noise Compatibility Program, Tulsa International Airport, Tulsa, Oklahoma

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Tulsa Airports Improvement Trust for Tulsa International Airport under the provisions of Title 49, USC, Chapter 475 and 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 June 16, 1999, the FAA determined that the noise exposure maps submitted by the Tulsa Airports Improvement Trust for Tulsa International Airport under Part 150 were in compliance with applicable requirements. On December 9, 1999, the Administrator approved the noise compatibility program. All of the recommendations of the program were approved.

**EFFECTIVE DATE:** The effective date of the FAA's approval of the Tulsa International Airport noise compatibility program is December 9, 1999.

**FOR FURTHER INFORMATION CONTACT:** Timothy L. Tandy, Department of Transportation, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, Texas, 76137, (817) 222-5635. 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 Tulsa International Airport, effective December 9, 1999.

Under Title 49 USC, section 47504 (hereinafter referred to as "Title 49"), 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 within the area covered by the noise exposure maps. Title 49 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 Title 49 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, § 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 Division Office in Fort Worth, Texas.

The Tulsa Airports Improvement Trust submitted to the FAA on May 26, 1999, the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from May 18, 1995 through May 26, 1999. The Tulsa International Airport Noise exposure maps were determined by FAA to be in compliance with applicable requirements on June 16, 1999. Notice of this determination was published in the **Federal Register** on June 30, 1999.

The FAR Part 150 Study for Tulsa International 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 to the year 2002. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in Title 49. The FAA began its review of the program on June 16, 1999 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 seven proposed actions for noise mitigation on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of Title 49 and FAR part 150 have been satisfied. The overall program, therefore, was approved by the Administrator effective December 9, 1999.

Outright approval was granted for all of the specific program elements: (1) Continue airport's existing noise concern/citizen liaison program, (2) update and review the FAA part 150 study, (3) voluntary acquisition of residences, (4) voluntary sound attenuation of homes and churches, (5) voluntary purchase of avigation easements, (6) voluntary sales assistance with avigation easement, and (7) noise monitoring.