

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]

BILLING CODE 4910-13-U

## 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 aviation easements, (6) voluntary sales assistance with aviation easement, and (7) noise monitoring.

These determinations are set forth in detail in a Record of Approval endorsed by the Administrator on December 9, 1999. 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 Tulsa Airports Improvement Trust, Tulsa International Airport Terminal, P.O. Box 58138, Tulsa, Oklahoma 74158.

Issued in Fort Worth, Texas, December 23, 1999.

**Joseph G. Washington,**

*Acting Manager, Airports Division.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Index of Administrator's Decisions and Orders of Civil Penalty Actions; Publication

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

**ACTION:** Notice of publication.

**SUMMARY:** This notice constitutes the required quarterly publication of an index of the Administrator's decisions and orders in civil penalty cases. This publication represents the quarter ending on December 31, 1999. This publication ensures that the agency is in compliance with statutory indexing requirements.

**FOR FURTHER INFORMATION CONTACT:** James S. Dillman, Assistant Chief Counsel for Litigation (AGC-400), Federal Aviation Administration, 400 7th Street, SW., Suite PL 200-A, Washington, DC 20590; telephone (202) 366-4118.

**SUPPLEMENTARY INFORMATION:** The Administrative Procedure Act requires Federal agencies to maintain and make available for public inspection and copying current indexes containing identifying information regarding materials required to be made available or published. 5 U.S.C. 552(a)(2). In a notice issued on July 11, 1990, and published in the **Federal Register** (55 FR 29148; July 17, 1990), the FAA announced the public availability of several indexes and summaries that provide identifying information about the decisions and orders issued by the Administrator under the FAA's civil penalty assessment authority and the rules of practice governing hearings and

appeals of civil penalty actions. 14 CFR Part 13, Subpart G.

The FAA maintains an index of the Administrator's decisions and orders in civil penalty actions organized by order number and containing identifying information about each decision or order. The FAA also maintains a cumulative subject-matter index and digests organized by order number. The indexes are published on a quarterly basis (i.e., January, April, July, and October).

The FAA first published these indexes and digests for all decisions and orders issued by the Administrator through September 30, 1990. 55 FR 45984; October 31, 1990. The FAA announced in that notice that only the subject-matter index would be published cumulatively and that the order number index would be non-cumulative. The FAA announced in a later notice that the order number indexes published in January would reflect all of the civil penalty decisions for the previous year. 58 FR 5044; 1/19/93.

The previous quarterly publications of these indexes have appeared in the **Federal Register** as follows:

Dates of quarter	Federal Register publication
11/1/89-9/30/90 ....	55 FR 45984; 10/31/90.
10/1/90-12/31/90 ..	56 FR 44886; 2/6/91.
1/1/91-3/31/91 .....	56 FR 20250; 5/2/91.
4/1/91-6/30/91 .....	56 FR 31984; 7/12/91.
7/1/91-9/30/91 .....	56 FR 51735; 10/15/91.
10/1/91-12/31/91 ..	57 FR 2299; 1/21/92.
1/1/92-3/31/92 .....	57 FR 12359; 4/9/92.
4/1/92-6/30/92 .....	57 FR 32825; 7/23/92.
7/1/92-9/30/92 .....	57 FR 48255; 10/22/92.
10/1/92-12/31/92 ..	58 FR 5044; 1/19/93.
1/1/93-3/31/93 .....	58 FR 21199; 4/19/93.
4/1/93-6/30/93 .....	58 FR 42120; 8/6/93.
7/1/93-9/30/93 .....	58 FR 58218; 10/29/93.
10/1/93-12/31/93 ..	59 FR 5466; 2/4/94.
1/1/94-3/31/94 .....	59 FR 22196; 4/29/94.
4/1/94-6/30/94 .....	59 FR 39618; 8/3/94.
7/1/94-12/31/94 ....	60 FR 4454; 1/23/95.
1/1/95-3/31/95 .....	60 FR 19318; 4/17/95.
4/1/95-6/30/95 .....	60 FR 36854; 7/18/95.
7/1/95-9/30/95 .....	60 FR 53228; 10/12/95.
10/1/95-12/31/95 ..	61 FR 1972; 1/24/96.
1/1/96-3/31/96 .....	61 FR 16955; 4/18/96.
4/1/96-6/30/96 .....	61 FR 37526; 7/18/96.
7/1/96-9/30/96 .....	61 FR 54833; 10/22/96.
10/1/96-12/31/96 ..	62 FR 2434; 1/16/97.
1/1/97-3/31/97 .....	62 FR 24533; 5/2/97.
4/1/97-6/30/97 .....	62 FR 38339; 7/17/97.
7/1/97-9/30/97 .....	62 FR 53856; 10/16/97.
10/1/97-12/31/97 ..	63 FR 3373; 1/22/98.
1/1/98-3/31/98 .....	63 FR 19559; 4/20/98.
4/1/98-6/30/98 .....	63 FR 37914; 7/14/98.
7/1/98-9/30/98 .....	63 FR 57729; 10/28/98.
10/1/98-12/31/98 ..	64 FR 1855; 1/12/99.
1/1/99-3/31/99 .....	64 FR 24690; 5/7/99.
4/1/99-6/30/99 .....	64 FR 43236; 8/9/99.

Dates of quarter	Federal Register publication
7/1/99-9/30/99 .....	64 FR 58879; 11/1/99.

The civil penalty decisions and orders, and the indexes and digests are available in FAA offices. Also, the Administrator's civil penalty decisions have been published by commercial publishers (Hawkins Publishing Company and Clark Boardman Callaghan) and are available on computer on-line services (Westlaw, LEXIS, Compuserve and FedWorld).

A list of the addresses of the FAA offices where the civil penalty decisions may be reviewed and information regarding these commercial publications and computer databases are provided at the end of the notice. Information regarding the accessibility of materials filed in recently initiated civil penalty cases in FAA civil penalty cases at the DOT Docket and over the Internet also appears at the end of this notice.

#### Civil Penalty Actions—Orders Issued by the Administrator

##### Order Number Index for 1999

(This index includes all decisions and orders issued by the Administrator from January 1, 1999, to December 31, 1999.)

- 99-1—American Airlines  
3/2/99 CP95SW0195 et seq.
- 99-2—Oxygen Systems, Inc.  
3/4/99 CP97SO0071
- 99-3—Clarence L. Justice  
6/11/99 CP98WP0055  
DMS No. FAA-1998-4751
- 99-4—Warbelow's Air Ventures  
7/1/99 CP97AL0012
- 99-5—Africa Air Corp.  
8/31/99 CP96EA0044
- 99-6—James K. Squire  
8/31/99 CP97WP0007
- 99-7—Premier Jets  
8/31/99 CP97NM0005
- 99-8—Michael McDermott  
8/31/99 CP98WP0055
- 99-9—Lifeflite Medical Air Transport  
8/31/99 CP98WP0062
- 99-10—Azteca Aviation  
8/31/99 CP97SW0024, CP98SW0015
- 99-11—Evergreen Helicopters  
8/31/99 CP97AL0001
- 99-12—Trans World Airlines, Inc.  
10/7/99 CP97SO0016, CP97SO0017
- 99-13—Falcon Air Express, Inc.  
12/22/99 CP97SO0073
- 99-14—Alika Aviation, Inc.  
12/22/99 CP97WP0045
- 99-15—Blue Ridge Airlines  
12/22/99 CP97NM0024
- 99-16—Sharon Dorfman  
12/22/99 CP98SW0005