

and frequency of aircraft operations (including nighttime operations) are found in Tables IV-6, IV-7, and IV-8. The Westmoreland County Airport Authority has determined that single family residential land uses in the airport environs are generally incompatible with noise levels above DNL 60 dBA. The Authority proposes to work with members of the Unity Township Zoning Hearing Board and the Unity Township Board of Supervisors to adopt a more stringent designation of noncompatibility for Unity Township (see Table III-1 of the NCP) than the federal/FAA standards as expressed in Table 1 of FAR part 150.

Comparability of Conditions: Federal part 150 regulations require the preparation of noise exposure contours based on forecast aircraft operations at the airport for five years from the date of submission and that reasonable assumptions concerning fleet mix, flight patterns, and planned airport developments be incorporated. The initial schedule of the Arnold Palmer Regional Airport's Part 150 Study indicated that the Noise Exposure Maps would be submitted near the end of 1999. Therefore, 2004 operating levels were used for the Future NEM/NCP. The NEMs were ultimately submitted to the FAA in November 2000 and the NCP was submitted in March 2001. Subsequently, at the FAA's request, certain pages of the NEM and NCP reports were revised and resubmitted in February 2002. To address additional comments received on the NEM and NCP from the FAA Environmental and Airspace Divisions, the Westmoreland County Airport Authority prepared another revision in June 2002.

A comparison of the 2004 and 2008 forecasts was completed (see Table II-3 NEM report) and it was found that there would be less than 3 percent difference between the two conditions (2004 = 48,318 annual aircraft operations and 2008 = 49,524 annual aircraft operations). The difference in aircraft operations between the two forecast years is 1,206 annual aircraft operations or approximately 3 operations per day. In addition, there is nothing to indicate that there would be significant changes in flight patterns, runway use, or fleet mix between 2004 and 2008. Therefore, the 2004 Future NEM/NCP noise contours are representative of 2007/2008 conditions as well. This determination is effective on December 24, 2002. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of FAR part 150. Such determination does

not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 107 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposures contours onto the map depicting properties on the surface rests exclusively with the airport operator which submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 103 of the Act. The FAA has relied on the certification by the airport operator, under section 150.21 of FAR part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for Arnold Palmer Regional Airport, also effective on December 24, 2002. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before June 22, 2003.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, other than those properly

addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations: Westmoreland County Airport Authority, 200 Pleasant Unity Road Suite 103, Latrobe, PA 15650 and Federal Aviation Administration, Harrisburg Airports District Office, 3905 Suite 506, Hartzdale Drive, Camp Hill, PA 17011.

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT**.

Issued in Camp Hill, Pennsylvania, December 24, 2002.

Sharon A. Daboin,

Manager Harrisburg Airports District Office.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-2002-70]

Petitions for Exemption; Summary of Petitions Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition for exemption received.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption, part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of a certain petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before February 3, 2003.

ADDRESSES: Send comments on the petition to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2002-13875-1 at the beginning of your comments. If you wish to receive confirmation that the