

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Noise Exposure Map Notice, Memphis International Airport, Memphis TN**

**AGENCY:** Federal Aviation Administration, DOT

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces the determination that the noise exposure maps submitted by Memphis-Shelby County Airport Authority for Memphis International Airport under the provisions of 49 U.S.C. 47501 *et seq* (Aviation Safety and Noise Abatement Act) and 14 CFR Part 150 are in compliance with applicable requirements.

**DATES:** The effective date of the FAA's determination on the noise exposure maps is July 29, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Tommy L. Dupree, Federal Aviation Administration, Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, Tennessee, 38118-1555 (901) 322-8185.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA finds that the noise exposure maps submitted for Memphis International Airport are in compliance with applicable requirements of part 150, effective July 29, 2005. Under 49 U.S.C. section 47503 of the Aviation Safety and Noise Abatement Act (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which met applicable regulations and which depict non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport. An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes to take to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses. The FAA has completed its review of the noise exposure maps and accompanying documentation submitted by the Memphis-Shelby County Airport

Authority. The documentation that constitutes the "noise exposure maps" as defined in § 150.7 of part 150 includes Figure 2.1, "Vicinity Map", Figure 2.2, "Runway Configuration", Figure 2.3, "MEM Area Airspace", Figure 2.4, "Overall Directional Runway Utilization", Figure 2.5, "North/east Flow Radar Flight Tracks", Figure 2.6, "Northeast Flow INM Flight Tracks", Figure 2.7, "South/West Flow Radar Flight Tracks", Figure 2.8, "South/West Flow NM Flight Tracks", Figure 2.10, "Runways 1 8L/C/R Departure Radar Data and Protected Areas South of MEM", Figure 2.11, "Runway 27 Departure Radar Data and Protected Area West of MEM", Figure 3.1, "Study Area Boundaries and Jurisdictions", Figure 3.2, "Land Use in Memphis & Shelby County", Figure 3.5, "City of Southaven Future Land Use Plan", Figure 3.6, "City of Southaven Proposed Land Use For Area 2", Figure 3.7, "City of Horn Lake Proposed Land Use Map", Figure 3.9, "De Soto County Future Land Use Map", Figure 3.10, "Noise Sensitive Sites", Figure 4.2, "2004 Existing Condition Noise Exposure Map", Figure 4.6, "2004 Existing Condition NEM With Noncompatible Land Use", Figure 5.2, "2009 Future Condition Noise Exposure Map", Figure 5.5, "2009 Future Condition NEM With Noncompatible Land Use", Table 3.2, "Noise Sensitive Sites", Table 4.1, "2004 Existing Condition Noise Exposure Estimates", Table 4.2, "2004 Existing Condition Day-Night Level (DNL) at Selected /Sites", Table 5.1, "2009 Future Condition Noise Exposure Estimates", Table 5.2, "2009 Future Condition Day-Night Level (DNL) at Selected Sites".

The FAA has determined that these noise exposure maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on July 29, 2005.

FAA's determination on the 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 47503 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 47506 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 exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 47503 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.

Copies of the noise exposure maps documentation and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration, Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, Tennessee, 38118-1555.

Memphis-Shelby County Airport Authority, Memphis International Metropolitan Airport, 2491 Winchester Road, Suite 113, Memphis, Tennessee 38118-3856.

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

Issued in Memphis, Tennessee, July 29, 2005.

**Rans D. Black,**

*Manager, Memphis Airports District Office.*

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**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration**

[Docket No. NHTSA-2005-22003]

**Notice of Receipt of Petition for Decision That Nonconforming 2005 Harley Davidson FX, FL, and XL Motorcycles Are Eligible for Importation**

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice of receipt of petition for decision that nonconforming 2005

Harley Davidson FX, FL, and XL motorcycles are eligible for importation.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 2005 Harley Davidson FX, FL, and XL motorcycles that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS) are eligible for importation into the United States because (1) they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards, and (2) they are capable of being readily altered to conform to the standards.

**DATES:** The closing date for comments on the petition is September 6, 2005.

**ADDRESSES:** Comments should refer to the docket number and notice number, and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW., Washington, DC 20590. (Docket hours are from 9 a.m. to 5 p.m.) Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

**SUPPLEMENTARY INFORMATION:**

**Background**

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and

affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

Wallace Environmental Testing Laboratories, Inc. (WETL) (Registered Importer 90-005) has petitioned NHTSA to decide whether non-U.S. certified 2005 Harley Davidson FX, FL, and XL motorcycles are eligible for importation into the United States. The vehicles that WETL believes are substantially similar are 2005 Harley Davidson FX, FL, and XL motorcycles that were manufactured for sale in the United States and certified by their manufacturer as conforming to all applicable FMVSS.

The petitioner claims that it carefully compared non-U.S. certified 2005 Harley Davidson FX, FL, and XL motorcycles to their U.S. certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

WETL submitted information with its petition intended to demonstrate that non-U.S. certified 2005 Harley Davidson FX, FL, and XL motorcycles, as originally manufactured, conform to many FMVSS in the same manner as their U.S. certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 2005 Harley Davidson FX, FL, and XL motorcycles are identical to their U.S. certified counterparts with respect to compliance with Standard Nos. 106 *Brake Hoses*, 111 *Rearview Mirrors*, 116 *Brake Fluid*, 119 *New Pneumatic Tires for Vehicles other than Passenger Cars*, 122 *Motorcycle Brake Systems*, and 205 *Glazing Materials*.

The petitioner states that the vehicles also conform to the Vehicle Identification Number Requirements Standard found in 49 CFR Part 565.

The petitioner further contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated below:

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: inspection of all vehicles and replacement of the following with U.S.-model components on vehicles not already so equipped: (a) Headlamps; (b) tail lamps; and (c) front and rear turn signal lamps.

Standard No. 120 *Tire Selection and Rims for Vehicles other than Passenger Cars*: (a) Installation of a tire information placard; (b) inspection of all

vehicles to ensure compliance with rim marking requirements, and replacement of rims that are not properly marked.

Standard No. 123 *Motorcycle Controls and Displays*: installation of a U.S.-model speedometer reading in miles per hour and a U.S.-model odometer reading in miles.

The petitioner also states that a certification label must be affixed to the motorcycle to comply with the requirements of 49 CFR part 567.

Comments should refer to the docket number and be submitted to: Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

**Authority:** 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

**Claude H. Harris,**

*Director, Office of Vehicle, Safety Compliance.*

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**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

[Docket No. NHTSA-2005-22019]

**Notice of Receipt of Petition for Decision That Nonconforming 1997 Ford Mustang Passenger Cars Are Eligible for Importation**

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice of receipt of petition for decision that nonconforming 1997 Ford Mustang passenger cars are eligible for importation.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 1997 Ford Mustang passenger cars that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS) are eligible for importation into the United States because (1) they are substantially