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Acting Assistant U.S. Trade Representative for Intergovernmental Affairs and Public Liaison.

[FR Doc. 05-18822 Filed 9-20-05; 8:45 am]

BILLING CODE 3190-W5-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Notice; Receipt of Noise Compatibility Program and Request for Review for Buffalo Niagara International Airport

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by Niagara Frontier Transportation Authority for Buffalo Niagara International Airport under provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR part 150 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for Buffalo Niagara International Airport under part 150 in conjunction with the noise exposure maps, and that this program will be approved or disapproved on or before March 6, 2006.

DATES: The effective date of the FAA's determination on the noise exposure maps and of the start of its review of the associated noise compatibility program is September 7, 2005. The public comment period ends November 6, 2005.

FOR FURTHER INFORMATION CONTACT: Maria Stanco, New York Airports District Office, 600 Old Country Road, Suite 440, Garden City, New York 11530. Comments on the proposed noise compatibility programs should also be submitted to the above office.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for the Buffalo Niagara International Airport are in compliance with applicable requirements of part 150, effective September 7, 2005. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before March 6, 2006. This notice also announces the availability of this program for public review and comment.

Under section 103 of the Title I of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict non-compatible land uses 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.

As an airport operator who has submitted noise exposure maps that are found by the FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to Title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing non-compatible uses and for the prevention of the introduction of additional non-compatible uses.

The Niagara Frontier Transportation Authority submitted to the FAA in a letter dated, March 7, 2005, noise exposure maps, descriptions and other documentation. It was requested that the FAA review this material as the noise exposure maps, as described in section 103(a)(1) of the Act, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under section 10(b) of the Act.

The FAA has completed its review of the noise exposure maps (NEMs) and related description submitted by the Niagara Frontier Transportation Authority. The specific maps under consideration are the 2003 Noise Exposure Map (Chapter 4—Sheet 1) and the 2008 Noise Exposure Map (Chapter 5—Sheet 1). Additional required information on Flight Tracks is found on supplemental graphics (Chapter 4—Sheet 3, Chapter 5—Sheet 3). Narrative description of: the methodology used to

develop the NEMs; noncompatible land uses; numbers of residents within the 65 contours; fleet mix and runway use is found in Chapters 3, 4 and 5. The FAA has determined that these maps and accompanying narrative for Buffalo Niagara International Airport are in compliance with the applicable requirements. This determination is effective on September 7, 2005. 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 exposure contours onto the map depicting properties on the surface rest exclusively with the airport operator, which submitted these 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, which 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 Buffalo Niagara International Airport, effective on September 7, 2005. Preliminary review of the submitted material indicated 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 March 6, 2006.

The FAA's detailed evaluation will be conducted under the provision of 14 CFR part 150, section 150.33. The primary consideration 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 non-compatible land used and preventing the introduction of additional non-compatible 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 and the proposed noise compatibility program are available for examination at the following locations: Federal Aviation Administration, New York Airports District Office, 600 Old Country Road, Suite 440, Garden City, NY 11530.

Niagara Frontier Transportation Authority, 181 Ellicott St., Buffalo, NY 14203; and on-line at www.nfta.com/airport.

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

Issued in Garden City, New York, September 7, 2005.

Otto Suriani,

Acting Manager, New York Airports District.

[FR Doc. 05-18814 Filed 9-20-05; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability of a Final Environmental Assessment (Final EA) and Finding of No Significant Impact/Record of Decision (FONSI/ROD) for the Proposed New Air Traffic Control Tower at the St. Louis Downtown Airport in Cahokia, IL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability of a Final Environmental Assessment and Finding of No Significant Impact/Record of Decision (FONSI/ROD) for the Proposed New Air Traffic Control Tower at the St. Louis Downtown Airport in Cahokia, Illinois.

SUMMARY: The Federal Aviation Administration (FAA) is issuing this notice to advise the public that the FAA has prepared and approved on

September 8, 2005, a Finding of No Significant Impact/Record of Decision (FONSI/ROD) based on the Final Environmental Assessment (Final EA) for the following proposed action at the St. Louis Downtown Airport: the construction of a new Air Traffic Control Tower, associated support building, parking lot, and access road.

The FAA prepared the Final EA in accordance with the National Environmental Policy Act of 1969 and the FAA's regulations and guidelines for environmental documents. The Final EA was reviewed and evaluated by the FAA and was accepted on September 6, 2005 as a Federal document by the FAA's Responsible Federal Official.

FOR FURTHER INFORMATION CONTACT: Ms. Virginia Marcks, Environmental Engineer, ANI-430, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018. Telephone number: (847) 294-7494.

SUPPLEMENTARY INFORMATION:

Background

The existing Air Traffic Control Tower (ATCT) at the St. Louis Downtown Airport was built in 1973 and soon after was expanded by the addition of a mobile office trailer to house administrative personnel. The current tower stands approximately 52 feet in height with a controller's eye height of approximately 41 feet. Continual visibility problems, due to existing trees in an adjacent residential development, impede the controller's line of sight for airfield movement areas and runway approaches. The visibility problem, due to trees obscuring significant portions of two runway ends, 4 and 30L, are ongoing and worsening. The proposed new ATCT, with a total elevation of 553.8' MSL (141' 10" AGL) and a controller eye height of 528.3' MSL (116' 4" AGL) would significantly improve visual capabilities.

Air traffic controller equipment in the existing tower has not been significantly upgraded since the tower was constructed in 1973, although there has been nearly a 50 percent increase in airport operations over the past 30 years. Annual aircraft operations recorded during operating hours of the ATCT (7 a.m. to 9 p.m.), in the early 1970s, when the existing tower was constructed, totaled approximately 115,000. In 2001, the total number of operations recorded between the 7 a.m. to 9 p.m. timeframe was nearly 170,000. The proposed new ATCT would allow for modernized equipment, enhancing the level of safety for the current number of aircraft operations at the St. Louis Downtown Airport.

The Final EA has been prepared in accordance with the National Environmental Policy Act of 1969, as amended, FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures" and FAA Order 5050.4A, "Airport Environmental Handbook". The proposed development action is consistent with the National Airspace System Plan prepared by the U.S. Department of Transportation, Federal Aviation Administration (FAA).

A Final Environmental Assessment and the Finding of No Significant Impact/Record of Decision is available for public viewing during normal business hours at the Federal Aviation Administration, Great Lakes Region, ANI-430, 2300 East Devon Avenue, Des Plaines, IL 60018 (by appointment due to security, 847-294-7494).

The Final EA and FONSI/ROD will be available through October 19, 2005.

Issued in Des Plaines, Illinois September 8, 2005.

Art V. Schultz,

Acting Manager, Chicago NAS

Implementation Center, ANI-401, Great Lakes Region.

[FR Doc. 05-18813 Filed 9-20-05; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-2005-58]

Petitions for Exemption; Summary of Petitions Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions 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 certain petitions 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 October 11, 2005.

ADDRESSES: You may submit comments [identified by DOT DMS Docket Number