

effective June 1, 2010. 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 meet 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 City of Philadelphia Division of Aviation. The documentation that constitutes the "Noise Exposure Maps" as defined in Section 150.7 of Part 150 includes the following from the PHL FAR Part 150 Noise Exposure Map Update Report:

- *Figure 1:* 2008 Existing Baseline Noise Exposure Map.
- *Figure 2:* 2013 Future Baseline Noise Exposure Map.
- *Section 1:* Appendix C, D and E—Consultation requirements.
- *Section 2:* Land Use Analysis.
- *Section 3:* 2008 Existing Baseline Noise Exposure Map and data requirements.
- *Table 3-1:* 2008 Existing Baseline Annual Average Day Operations.
- *Table 3-3:* 2008 Existing Baseline Runway Utilization.
- *Table 3-4:* 2008 Flight Track Utilization.
- *Section 4:* 2013 Future Baseline Noise Exposure Map and data requirements.
- *Table 4-1:* 2013 Future Baseline Annual Average Day Operations.
- *Table 4-2:* 2013 Future Baseline Runway Utilization.
- *Table 4-4:* 2013 Flight Track Utilization.

The FAA has determined that these noise exposure maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on June 1,

2010. 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 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 full noise exposure map documentation and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration's Harrisburg Airports District Office located at 3905 Hartzdale Drive, Suite 508, Camp Hill, PA 17011, Monday–Friday 8 a.m.–4:30 p.m.

Philadelphia International Airport's Office of the Noise Abatement Program Manager (Jonathan D. Collette) located at 2801 Island Avenue, Suite 13, Philadelphia, PA 19153, Monday–Friday 8 a.m.–4 p.m.

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

Issued in Camp Hill, Pennsylvania, June 1, 2010.

**Lori K. Pagnanelli,**

*Manager, Harrisburg Airports District Office.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

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

**ACTION:** Monthly Notice of PFC Approvals and Disapprovals. In June 2010, there were six applications approved. Additionally, eight approved amendments to previously approved applications are listed.

**SUMMARY:** The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). This notice is published pursuant to paragraph d of § 158.29.

#### PFC Applications Approved

*Public Agency:* County and City of Spokane, Washington.

*Application Number:* 10-08-C-00-GEG.

*Application Type:* Impose and use a PFC. PFC LEVEL: \$4.50.

*Total PFC Revenue Approved in This Decision:* \$850,000.

*Earliest Charge Effective Date:* August 1, 2012.

*Estimated Charge Expiration Date:* October 1, 2012.

*Class of Air Carriers Not Required To Collect PFC's:* None.

*Brief Description of Project Approved for Collection and Use:* Master plan update.

*Decision Date:* June 4, 2010.

**FOR FURTHER INFORMATION CONTACT:** Trang Tran, Seattle Airports District Office, (425) 227-1662.

*Public Agency:* City of Presque Isle, Maine.

*Application Number:* 10-02-C-00-PQI.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$4.50.

*Total PFC Revenue Approved in This Decision:* \$353,298.

*Earliest Charge Effective Date:* August 1, 2010.

*Estimated Charge Expiration Date:* January 1, 2018.

*Class of Air Carriers Not Required To Collect PFC's:* None.

*Brief Description of Project Approved for Collection and Use:*

Rehabilitate runway 1/19 and runway safety area, phase I.

Snow removal equipment.

Crack seal and repair.

Rehabilitate, mark, and sign taxiway

A.

Rehabilitate runway 1/19 and runway, phase II.

*Decision Date:* June 9, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Priscilla Scott, New England Regional Airports Division, (781) 238-7614.

*Public Agency:* Charlottesville—Albemarle Airport Authority, Charlottesville, Virginia.

*Application Number:* 10-19-C-00-CHO.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$4.50.

*Total PFC Revenue Approved in This Decision:* \$3,454,340.

*Earliest Charge Effective Date:* August 1, 2010.

*Estimated Charge Expiration Date:* August 1, 2016.

*Class of Air Carriers Not Required To Collect PFC's:* All air taxi/commercial operators filing or requested to file FAA Form 1800-31.

*Determination:* Approved. Based on information submitted in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Charlottesville—Albemarle Airport.

*Brief Description of Projects Approved for Collection and Use:*

Relocate runway 3 localizer.

Pavement management program—rehabilitate taxiway F.

Runway 21 extension—runway protection zone land acquisition.

Runway 21 extension—phase 1A.

Runway 21 extension—phase 1B, excavate embankment.

Runway 21 extension—phase 1b, excavate embankment additional share.

Runway 21 extension—phase 2, pave construct runway only.

Pavement management program—mill/overlay taxiway sections.

Runway 21 extension—phase 3, construction parallel taxiway.

Runway 21 extension—phase 4a, runway safety area embankment.

Rehabilitate electrical vault.

*Decision Date:* June 9, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Jeffery Breeden, Washington Airports District Office, (703) 661-1363.

*Public Agency:* City of Albany, Georgia.

*Application Number:* 10-05-C-00-ABY.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$4.50.

*Total PFC Revenue Approved in This Decision:* \$323,763.

*Earliest Charge Effective Date:* August 1, 2010.

*Estimated Charge Expiration Date:* February 1, 2013.

*Class of Air Carriers Not Required To Collect PFC's:* Air taxi/commercial operators.

*Determination:* Approved. Based on information submitted in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Southwest Georgia Regional Airport.

*Brief Description of Projects Approved for Collection and Use:*

Terminal rehabilitation and expansion.

Airfield electrical improvements.

PFC application development.

*Decision Date:* June 14, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Anna Guss, Atlanta Airports District Office, (404) 305-7146.

*Public Agency:* City of Atlanta, Georgia.

*Application Number:* 10-12-C-00-Atl.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$4.50.

*Total PFC Revenue Approved in This Decision:* \$19,332,000.

*Earliest Charge Effective Date:* January 1, 2023.

*Estimated Charge Expiration Date:* March 1, 2023.

*Class of Air Carriers Not Required To Collect PFC's:* Air taxi/commercial operators when enplaning revenue passengers in limited, irregular, special service air taxi/commercial operations such as air ambulance services, student

instruction, and non-stop sightseeing flights that begin and end at the airport and are concluded within a 25-mile radius of the airport.

*Determination:* Approved. Based on information submitted in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Hartsfield-Jackson Atlanta International Airport.

*Brief Description of Project Approved for Collection and Use:* Concourse D gate additions.

*Decision Date:* June 15, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Anna Guss, Atlanta Airports District Office, (404) 305-7146.

*Public Agency:* County of Pitken, Aspen, Colorado.

*Application Number:* 10-07-C-00-ASE.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$4.50.

*Total PFC Revenue Approved in This Decision:* \$1,640,955.

*Earliest Charge Effective Date:* August 1, 2010.

*Estimated Charge Expiration Date:* August 1, 2012.

*Class of Air Carriers Not Required To Collect PFC's:* Non-scheduled on demand carriers, air taxi/commercial operators filing FAA Form 1800-31.

*Determination:* Approved. Based on information submitted in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Aspen—Pitken County/Sardy Field.

*Brief Description of Projects Approved for Collection and Use:*

Snow removal equipment—runway sweeper.

Snow removal equipment—runway plow.

Airfield friction tester.

Snow removal equipment—airfield snow blower.

PFC application and administration fees.

*Decision Date:* June 18, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Chris Schaffer, Denver Airports District Office, (303) 342-1258.

AMENDMENTS TO PFC APPROVALS

Amendment No. city, state	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
01-01-C-03-SAT San Antonio, TX .....	05/28/10	\$238,029,391	\$364,227,049	01/01/13	05/01/19
03-02-U-03-SAT San Antonio, TX .....	05/28/10	NA	NA	01/01/13	05/01/19

## AMENDMENTS TO PFC APPROVALS—Continued

Amendment No. city, state	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
04-03-U-SAT San Antonio, TX. ....	05/28/10	NA	NA	01/01/13	05/01/19
07-06-C-01-SUN Haily, ID .....	06/02/10	691,368	763,226	11/01/10	12/01/10
04-07-C-03-JNU Juneau, AK .....	06/03/10	5,226,106	3,566,606	09/01/08	03/01/08
07-07-C-01-ALO Waterloo, IA .....	06/14/10	356,706	363,977	03/01/11	03/01/11
09-14-C-01-MRY Monterey, CA .....	06/21/10	854,823	980,026	08/01/10	12/01/10
07-11-C-01-MCO Orlando, FL .....	06/22/10	48,580,000	49,330,000	07/01/20	07/01/20

Issued in Washington, DC on July 14, 2010.

**Joe Hebert,**

Manager, Financial Analysis and Passenger Facility Charge Branch.

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-2010-0138]

#### Qualification of Drivers; Exemption Applications; Diabetes Mellitus

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to exempt twenty-five individuals from its rule prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. The exemptions will enable these individuals to operate CMVs in interstate commerce.

**DATES:** The exemptions are effective July 27, 2010. The exemptions expire on July 27, 2012.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Director, Medical Programs, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, Room W64-224, Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: <http://www.regulations.gov>.

*Docket:* For access to the docket to read background documents or comments, go to <http://www.regulations.gov> and/or Room W12-140 on the ground level of the

West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy Act:* Anyone may search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, or other entity). You may review DOT's Privacy Act Statement for the Federal Docket Management System published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf>.

#### Background

On June 16, 2010, FMCSA published a Notice of receipt of Federal diabetes exemption applications from twenty-five individuals and requested comments from the public (75 FR 34206). The public comment period closed on July 16, 2010 and no comments were received.

FMCSA has evaluated the eligibility of the twenty-five applicants and determined that granting the exemptions to these individuals would achieve a level of safety equivalent to, or greater than, the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(3).

#### Diabetes Mellitus and Driving Experience of the Applicants

The Agency established the current standard for diabetes in 1970 because several risk studies indicated that drivers with diabetes had a higher rate of crash involvement than the general population. The diabetes rule provides that "A person is physically qualified to drive a commercial motor vehicle if that person has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control" (49 CFR 391.41(b)(3)).

FMCSA established its diabetes exemption program, based on the Agency's July 2000 study entitled "A Report to Congress on the Feasibility of

a Program to Qualify Individuals with Insulin-Treated Diabetes Mellitus to Operate in Interstate Commerce as Directed by the Transportation Act for the 21st Century." The report concluded that a safe and practicable protocol to allow some drivers with ITDM to operate CMVs is feasible. The September 3, 2003 (68 FR 52441) **Federal Register** Notice in conjunction with the November 8, 2005 (70 FR 67777) **Federal Register** Notice provides the current protocol for allowing such drivers to operate CMVs in interstate commerce.

These twenty-five applicants have had ITDM over a range of 1 to 30 years. These applicants report no hypoglycemic reaction that resulted in loss of consciousness or seizure, that required the assistance of another person, or resulted in impaired cognitive function without warning symptoms in the past 5 years (with one year of stability following any such episode). In each case, an endocrinologist verified that the driver has demonstrated a willingness to properly monitor and manage his/her diabetes mellitus, received education related to diabetes management, and is on a stable insulin regimen. These drivers report no other disqualifying conditions, including diabetes-related complications. Each meets the vision standard at 49 CFR 391.41(b)(10).

The qualifications and medical condition of each applicant were stated and discussed in detail in the June 16, 2010, **Federal Register** Notice and they will not be repeated in this Notice.

#### Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes standard in 49 CFR 391.41(b)(3) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce.

To evaluate the effect of these exemptions on safety, FMCSA considered medical reports about the