

Hazardous Materials Safety and the Pipeline and Hazardous Materials Safety Administration's (PHMSA) Office of Hazardous Materials Safety announce a public meeting on September 23, 2011.

**DATES:** The public meeting will be held on September 23, 2011 from 9 a.m. until 12:30 p.m.

**ADDRESSES:** The public meeting will be held at FAA Headquarters (FOB 10A), Bessie Coleman Conference Center, 2nd Floor, 800 Independence Avenue, SW., Washington, DC 20591.

Prior to September 9th, participants are requested to register at the following Web site: <http://tinyurl.com/DOTPublicMeeting>.

Conference call capabilities will be available. Connection information will be provided to those who register and indicate that they will participate via conference call.

**FOR FURTHER INFORMATION CONTACT:**

Questions regarding the meeting should be directed to Ms. Janet McLaughlin, Division Manager, Office of Hazardous Materials Safety, International and Outreach Division, ADG-200, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 385-4916. E-mail:

[9-AWA-ASH-ADG-HazMat@faa.gov](mailto:9-AWA-ASH-ADG-HazMat@faa.gov).

We are committed to providing equal access to this meeting for all participants. If you need alternative formats or other reasonable accommodations, please call (202) 385-4916 or e-mail: [9-AWA-ASH-ADG-HazMat@faa.gov](mailto:9-AWA-ASH-ADG-HazMat@faa.gov) with your request by close of business on September 9th.

**Purpose of the Public Meeting**

Information and viewpoints provided by stakeholders are requested as the United States prepares for the 23rd International Civil Aviation Organization's Dangerous Goods Panel (ICAO DGP) Meeting. Proposals that are approved by the DGP will be incorporated into the 2013-2014 Edition of the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* and related documents. The Department of Transportation seeks to harmonize domestic regulations with international standards when such harmonization is not unsafe, unnecessary, or contrary to the public interest. See 49 U.S.C. 5120.

The agenda for the ICAO DGP is as follows:

- Agenda Item 1: Development of proposals, if necessary, for amendments to Annex 18—*The Safe Transport of Dangerous Goods by Air*.
- Agenda Item 2: Development of recommendations for amendments to

the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) for incorporation in the 2013-2014 Edition.

- Agenda Item 3: Development of recommendations for amendments to the *Supplement to the Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284SU) for incorporation in the 2013-2014 Edition.

- Agenda Item 4: Development of recommendations for amendments to the *Emergency Response Guidance for Aircraft Incidents Involving Dangerous Goods* (Doc 9481) for incorporation in the 2013-2014 Edition.

- Agenda Item 5: Resolution, where possible, of the non-recurrent work items identified by the Air Navigation Commission or the panel:

5.1: Review of provisions for the transport of lithium batteries.

5.2: Development of provisions for the carriage of dangerous goods on helicopters.

5.3: Review of provisions for information to the pilot-in-command.

5.4: Development of performance standards for State employees.

- Agenda Item 6: Other business.

Papers relevant to these agenda items can be viewed at the following webpage: <http://www.icao.int/anb/fls/dangerousgoods/DGP/>.

**Public Meeting Procedures**

A panel of representatives from the FAA and PHMSA will be present. The meetings are intended to be informal, non-adversarial, and to facilitate the public comment process. No individual will be subject to questioning by any other participant. Government representatives on the panel may ask questions to clarify statements. Unless otherwise stated, any statement made during the meetings by FAA or PHMSA representatives shall be neither construed as an official position of the government nor the final position of the decision of the US delegation.

There will be no admission fees or other charges to participate in the public meeting. The meeting will be open to all persons, subject to the capacity in the meeting room and lines available for those participating via conference call. Every effort will be made to accommodate all persons wishing to attend. The FAA and PHMSA will try to accommodate all speakers, subject to time constraints.

Issued in Washington, DC, on July 25, 2011.

**Christopher Glasow,**

*Director, Office of Hazardous Materials Safety.*

[FR Doc. 2011-19500 Filed 8-1-11; 8:45 am]

**BILLING CODE ;P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**Approval of Noise Compatibility Program for San Diego International, San Diego, CA**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice .

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by San Diego Regional Airport Authority under the provisions of 49 U.S.C. 47501 *et seq.* (formerly the Aviation Safety and Noise Abatement Act, hereinafter referred to as "the Act") and 14 Code of Federal Regulations (CFR) part 150 (hereinafter referred to as "Part 150"). On November 10, 2009, the FAA determined that the noise exposure maps submitted by San Diego Regional Airport Authority under Part 150 were in compliance with applicable requirements. On June 30, 2011, the FAA approved the San Diego International Airport noise compatibility program. Fourteen (14) of the nineteen (19) total number of recommendations of the program were approved. No program elements relating to new or revised flight procedures for noise abatement were proposed by the airport operator.

**DATES: Effective Date:** The effective date of the FAA's approval of the Noise Compatibility Program for San Diego International Airport is June 30, 2011.

**FOR FURTHER INFORMATION CONTACT:** Victor Globa, Environmental Protection Specialist, Federal Aviation Administration, Los Angeles Airports District Office, Mailing Address: P.O. Box 92007, Los Angeles, California 90009-2007. Street Address: 15000 Aviation Boulevard, Lawndale, California 90261. Telephone: 310/725-3637. 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 San Diego International Airport, effective June 30, 2011.

Under section 47504 of the Act, 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 non-compatible land uses and prevention of additional non-compatible land uses within the area covered by the Noise Exposure Maps. The Act 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 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 Part 150 program recommendations is measured according to the standards expressed in part 150 and the Act and is limited to the following determinations:

a. The Noise Compatibility Program was developed in accordance with the provisions and procedures of Part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing non-compatible land uses around the airport and preventing the introduction of additional non-compatible 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 part 150, section 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. Prior to an FAA decision on a request to implement the action, an

environmental review of the proposed action may be required. 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 Los Angeles Airports District Office in the Western-Pacific Region.

The San Diego International Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from June 21, 2010 to the year 2014. It was requested that the FAA evaluate and approve this material as a Noise Compatibility Program as described in section 47504 of the Act. The FAA began its review of the program on January 5, 2011, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new or modified 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 19 proposed actions for noise abatement, noise mitigation, land use planning and program management on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the Act and part 150 have been satisfied. The overall program was approved by the FAA, effective June 30, 2011.

FAA approval was granted for fourteen (14) specific program measures. The approved measures included such items as: Sound Attenuate Additional Eligible Non-Residential Noise Sensitive Receptor Buildings for noncompatible development that were constructed or existed before October 1, 1998; Sound Attenuate Eligible Residential Units has been approved for homes or noncompatible development that were constructed or existed before October 1, 1998; Urge the City of San Diego to Prohibit New Incompatible Land Use Development was approved since the Federal government has no control over local land use planning and this measure is within the authority of the San Diego Regional Airport Authority and local planning jurisdictions; Continue to Encourage City Participation in the Compatibility Planning Process was approved since the Federal government has no control over local land use planning and this measure is within the authority of the San Diego Regional Airport Authority

and local planning jurisdictions; Continue to Serve as the San Diego County Airport Land Use Commission was approved since the Federal government has no control over local land use planning and this measure is within the authority of the San Diego Regional Airport Authority and local planning jurisdictions, (Approval of this measure does not extend to or necessarily endorse decisions of the Airport Land Use Commission.); Maintain Existing Noise Information Department was approved; Continue to Maintain and Improve the Aircraft Noise and Operations Monitoring System (ANOMS) was approved for purposes of part 150, (Approval of this measure does not obligate the FAA to participate in funding the acquisition or installation of the permanent noise monitors and associated equipment. For the purpose of aviation safety, this approval does not extend to the use of monitoring equipment for enforcement purposes by in-situ measurement of any pre-set noise thresholds.); Design and Implement a Fly Quiet Program was approved since this measure is within the jurisdiction of the airport management, (This approval does not imply approval of any enforcement actions to ensure compliance with flight procedures by the Airport Sponsor. Any recommended change to existing flight procedures not approved in this NCP and any flight procedures or flight tracks not already in place at SAN are disapproved for inclusion in the handbook. Such changes would need to be separately reviewed, for reasons of aviation safety and efficiency, by the FAA. Noise mitigation measures must be accompanied by an analysis demonstrating their noise benefits. Changes in flight procedures normally also need appropriate environmental analysis. Any new procedures proposed for noise abatement at SAN may not be implemented prior to a study to determine whether they can be implemented safely and efficiently, and whether they are noise beneficial. Wording for publications and signage, and location of any on-airport signage, must be coordinated with the FAA before final issuance. Approval of this measure does not obligate the FAA to participate in funding the acquisition or installation of the permanent noise monitors and associated equipment.); Maintain Airport Noise Advisory Committee was approved; The Noise Information Officer will Meet on a Regular Basis with Representatives from Commercial Airlines and General Aviation was approved but does not require the representatives to meet;

Deliver Airport Use Regulations to Each Airline was approved but does not require the air carriers to meet; Continue to Provide Noise and Aircraft Operations Information in the Quarterly Noise Reports was approved, (For the purpose of aviation safety, this approval does not extend to the use of monitoring equipment for enforcement purposes by in-situ measurement of any pre-set noise thresholds.); Revise the Noise Exposure Map was approved; and, Revise the Noise Compatibility Program was approved and this approval does not extend to potential regulatory action affecting general aviation and commuter aircraft operations or to enforcement structures not otherwise specifically approved by the FAA.

FAA disapproved five (5) specific program measures. The disapproved measures included: Develop and Implement Left Turn "Over-the-Bay" Departure Route was disapproved since the analysis shows no effect or benefit on the Community Noise Equivalent Level (CNEL) 65 dB contour and the measure may adversely impact operational safety and efficiency; Encourage the FAA and Airlines Operating at SAN to Use Continuous Descent Approaches for Arrivals to Runway 27 was disapproved since the analysis does not demonstrate the measure's noise benefits on the 65 dB CNEL contour; Maintain Westerly Runway Heading (275-degrees) or 290-degree Heading for Runway 27 Departures Until One and One Half Miles West of the Shoreline, Weather, Airspace, and Safety Permitting was disapproved since the analysis does not demonstrate the measure's noise benefits on the 65 dB CNEL contour; Sound Attenuate Additional Eligible Residential Units Based on Hill Effects Behind the Start of Takeoff was disapproved for purposes of part 150 since additional information and analysis is necessary to justify the measure's noise benefits; and, Cooperate with Public Agencies Concerning Air Service was disapproved for purposes of part 150 since the Federal government has no control over local land use planning and this measure is within the authority of the San Diego Regional Airport Authority and local planning jurisdictions.

These determinations are set forth in detail in a Record of Approval signed by the Manager, Airports Division (AWP-600) on June 30, 2011. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative offices of the

San Diego County Regional Airport Authority.

The Record of Approval also will be available on-line at: [http://www.faa.gov/airports/environmental/airport\\_noise/part\\_150/states/](http://www.faa.gov/airports/environmental/airport_noise/part_150/states/).

Issued in Hawthorne on July 15, 2011.

**Mark A. McClardy,**

*Manager, Airports Division, Western-Pacific Region.*

[FR Doc. 2011-19499 Filed 8-1-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Buy America Waiver Notification

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice provides information regarding the FHWA's finding that a Buy America waiver is appropriate for the use of non-domestic RuggCom RS900G, RS900L, and RS930L network controllers for replacement of outdated network controllers on Recovery Act project; X-STP-S000(497) in Oregon State.

**DATES:** The effective date of the waiver is August 3, 2011.

**FOR FURTHER INFORMATION CONTACT:** For questions about this notice, please contact Mr. Gerald Yakowenko, FHWA Office of Program Administration, (202) 366-1562, or via e-mail at [gerald.yakowenko@dot.gov](mailto:gerald.yakowenko@dot.gov). For legal questions, please contact Mr. Michael Harkins, FHWA Office of the Chief Counsel, (202) 366-4928, or via e-mail at [michael.harkins@dot.gov](mailto:michael.harkins@dot.gov). Office hours for the FHWA are from 8 a.m. to 4:30 p.m., E.T., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

An electronic copy of this document may be downloaded from the **Federal Register's** home page at: <http://www.archives.gov> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

##### Background

The FHWA's Buy America policy in 23 CFR 635.410 requires a domestic manufacturing process for any steel or iron products (including protective coatings) that are permanently incorporated in a Federal-aid construction project. The regulation also provides for a waiver of the Buy America requirements when the application would be inconsistent with

the public interest or when satisfactory quality domestic steel and iron products are not sufficiently available. This notice provides information regarding the FHWA's finding that a Buy America waiver is appropriate to use non-domestic RuggCom RS900G, RS900L, and RS930L network controllers for replacement of outdated network controllers on Recovery Act project; X-STP-S000(497) in Oregon State.

In accordance with Division A, section 123 of the "Consolidated Appropriations Act, 2010" (Pub. L. 111-117), the FHWA published a notice of intent to issue a waiver on its Web site for RuggCom RS900G, RS900L, and RS930L network controllers for replacement of outdated network controllers (<http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=54>) on April 6th. The FHWA received three comments in response to the publication. The first comment suggested a potential domestic manufacturer; Optelecom-NKF based in Maryland. Optelecom-NKF was contacted by ODOT, and the company stated that their products are manufactured outside the country but assembled domestically. The second commenter simply opposed the waiver request but did not suggest a domestic manufacturer. The third commenter supported the waiver request based on his experience with the RuggCom RS900G, RS900L, and RS930L network controllers. During the 15-day comment period, the FHWA conducted additional nationwide review to locate potential domestic manufacturers for RuggCom RS900G, RS900L, and RS930L network controllers. Based on all the information available to the agency, the FHWA concludes that there are no domestic manufacturers of RuggCom RS900G, RS900L, and RS930L network controllers.

In accordance with the provisions of section 117 of the SAFETEA-LU Technical Corrections Act of 2008 (Pub. L. 110-244, 122 Stat. 1572), the FHWA is providing this notice as its finding that a waiver of Buy America requirements is appropriate. The FHWA invites public comment on this finding for an additional 15 days following the effective date of the finding. Comments may be submitted to the FHWA's Web site via the link provided to the Oregon waiver page noted above.

**Authority:** 23 U.S.C. 313; Pub. L. 110-161, 23 CFR 635.410.

Issued on: July 26, 2011.

**Victor M. Mendez,**

*Federal Highway Administrator.*

[FR Doc. 2011-19509 Filed 8-1-11; 8:45 am]

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