

directly at (202) 330-0663, email: [sbousquet@rtca.org](mailto:sbousquet@rtca.org).

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., App.), notice is hereby given for a meeting of Special Committee 226. The agenda will include the following:

- Welcome and Administrative Remarks
- Introductions
- Agenda Overview
- Review FRAC comment
- Solicit proposals for further changes to DO-214 per FRAC comment
- Incorporate all changes into DO-214 draft
- Final review of DO-214 and draft updates/changes
- Committee to approve final document for release to the PMC
- Adjourn

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on September 10, 2013.

**Paige Williams,**

*Management Analyst, NextGen, Business Operations Group, Federal Aviation Administration.*

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. FAA-2008-0221]

#### Order Limiting Operations at Newark Liberty International Airport

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

**ACTION:** Notice of limited waiver of the slot usage requirement.

**SUMMARY:** This action grants with conditions a limited waiver of the slot usage requirement for operating authorizations (slots) at Newark Liberty International Airport (EWR) due to construction at the airport during the summer 2014 scheduling season. This waiver applies only to EWR slots for the following days and local times: (1) March 30 through June 15 for 0600-2259 slots; (2) Mondays through Saturdays from June 16 through

September 19 for 0600-0629 slots; (3) Sundays from June 22 through September 14 for 0600-0859 slots; and (4) September 20 through October 25 for 0600-2259 slots.

**DATES:** Effective upon publication. The deadlines for temporary slot returns under this waiver are January 15, 2014, for slots from March 30 through July 31, 2014, and July 1, 2014, for slots from August 1 through October 25, 2014.

**FOR FURTHER INFORMATION CONTACT:** Robert Hawks, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-7143; email: [rob.hawks@faa.gov](mailto:rob.hawks@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The Port Authority of New York and New Jersey (Port Authority) will resurface EWR runway 4L/22R in 2014. This will require closing the runway from April 1 through June 1 and from September 20 through September 30, 2014. Runway 11/29 will close June 1 through 15 for construction on the intersection with runway 4L/22R. Runway 4L/22R will be open during that period with reduced runway length. Night and weekend closures of runway 4L/22R are planned until late 2014.

The FAA, Port Authority, and airport stakeholders have been meeting for several months to review the construction plans and schedules, assess the potential operational impacts, and identify mitigation options.

##### FAA Analysis

Under the Order limiting operations at EWR, slots must be used at least 80 percent of the time. This rule is expected to accommodate routine weather and other cancellations under all but the most unusual circumstances. Slots not meeting the minimum usage requirement will not receive historical precedence for the following corresponding scheduling season.<sup>1</sup> The FAA may grant a waiver from the slot usage requirement in highly unusual and unpredictable conditions that are beyond a carrier's control and affect a carrier's operations for a period of five or more consecutive days. However, the FAA does not routinely grant general waivers to the usage requirement except under the most unusual circumstances.

The FAA has determined that the projected operational, congestion, and delay impacts of the 2014 EWR runway construction meet the requirements for a temporary waiver of the slot usage

requirement. Considering the throughput impacts during construction, reducing operations to minimize congestion and delays is in the public interest. Carriers that temporarily reduce flights and elect to temporarily return slots to the FAA rather than transfer them for another carrier's use should not be penalized by permanently losing the authority to operate.

##### FAA Decision

In consideration of the foregoing, the FAA has determined to issue a limited slot usage waiver for the summer 2014 scheduling season. This waiver applies only to EWR slots for the following days and local times: (1) March 30 through June 15 for 0600-2259 slots; (2) Mondays through Saturdays from June 16 through September 19 for 0600-0629 slots; (3) Sundays from June 22 through September 14 for 0600-0859 slots; and (4) September 20 through October 25 for 0600-2259 slots.<sup>2</sup> To obtain a waiver for a specific slot held, a carrier must temporarily return to the FAA slots that it will not operate during the waiver period. The carrier will retain historical precedence for these temporarily returned slots. These temporary slot returns permit the FAA to plan for days on which construction closures and resulting operational impacts occur. If the closure dates change due to weather, the FAA will apply the waiver, including retroactively, if a carrier notifies the FAA that the temporarily returned slots will not be operated on any new closure dates.

The FAA recognizes that some carriers may need additional time to finalize fall schedules or may make adjustments in fall schedules based on experiences during the spring construction. Accordingly, the FAA will allow an additional slot return date to allow for better planning by carriers. For slots from March 30 through July 31, 2014, the temporary slot return deadline is Wednesday, January 15, 2014. For slots from August 1 through October 25, 2014, the temporary slot return deadline is Tuesday, July 1, 2014. Temporary slot returns should be submitted to the Slot Administration Office by email at [7-awa-slotadmin@faa.gov](mailto:7-awa-slotadmin@faa.gov). These return notifications should indicate they are subject to this waiver.

<sup>2</sup> The FAA is granting the waiver until the end of the scheduling season rather than only for the September 20-30 runway closure. It may not be practical for carriers to resume some suspended flights in October.

<sup>1</sup> 78 FR 28280, 28281 (May 14, 2013).

Issued in Washington, DC, on September 13, 2013.

**Mark W. Bury,**

*Acting Assistant Chief Counsel for International Law, Legislation, and Regulations.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Passenger Facility Charge Approvals and Disapprovals

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

**ACTION:** Monthly notice of Passenger Facility Charge (PFC) approvals and disapprovals. In March 2013, there were three applications approved. This notice also includes information on two applications, one approved in January 2013 and the other approved in February 2013, inadvertently left off the January 2013 and February 2013 notices, respectively. Additionally, three 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:** Hattiesburg-Laurel Regional Airport Authority, Moselle, Mississippi.

**APPLICATION NUMBER:** 13-07-C-00-PIB.

**APPLICATION TYPE:** Impose and use a PFC.

**PFC LEVEL:** \$4.50.

**TOTAL PFC REVENUE APPROVED IN THIS DECISION:** \$172,569.

**EARLIEST CHARGE EFFECTIVE DATE:** May 1, 2013.

**ESTIMATED CHARGE EXPIRATION DATE:** August 1, 2015.

**CLASS OF AIR CARRIERS NOT REQUIRED TO COLLECT PFC'S:**

None.

**BRIEF DESCRIPTION OF PROJECTS APPROVED FOR COLLECTION AND USE:**

Security fence rehabilitation.

Seal coat runway/taxiway overlay/blast pad.

Directional sign installation and replacement.

Taxiway B extension/completion.

Extend terminal building.

Rehabilitate aircraft rescue and

firefighting fire station.

Wildlife hazard assessment and plan.

Security vehicle(s)—two.

Emergency access road—phases 1 through 4.

Terminal floor rehabilitation.

Sewage treatment plant loan payoff.

Airfield sign panel replacement.

Fence modification.

Obstruction removal.

Airfield lighting and surface rehabilitation.

Parking and entrance improvements.

Runway/taxiway/apron markings.

Aircraft rescue and firefighting vehicle.

Terminal access road overlay.

Move precision approach path indicator controls.

Rehabilitate terminal heating, ventilation and air conditioning system.

Access control system upgrade.

**BRIEF DESCRIPTION OF DISAPPROVED PROJECTS:**

Digital video recorder upgrade.

Fuel efficient off-road vehicle.

**DETERMINATION:** Disapproved.

Each project was determined to not meet the requirements of § 158.15(b).

**BRIEF DESCRIPTION OF WITHDRAWN PROJECTS:**

Expand terminal apron.

Expand and construct additional terminal parking lot.

Disadvantaged Business Enterprise plan.

**Date of Withdrawal:** January 23, 2013.

**DECISION DATE:** January 24, 2013.

**FOR FURTHER INFORMATION CONTACT:**

Jonathan Linquist, Jackson Airports District Office, (601) 664-9893.

**PUBLIC AGENCY:** Shenandoah Valley Regional Airport Commission, Weyers Cave, Virginia.

**APPLICATION NUMBER:** 13-03-C-00-SHD.

**APPLICATION TYPE:** Impose and use a PFC.

**PFC LEVEL:** \$4.50.

**TOTAL PFC REVENUE APPROVED IN THIS DECISION:** \$310,554.

**EARLIEST CHARGE EFFECTIVE DATE:** July 1, 2013.

**ESTIMATED CHARGE EXPIRATION DATE:** December 1, 2017.

**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 contained in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Shenandoah Valley Regional Airport.

**BRIEF DESCRIPTION OF PROJECTS APPROVED FOR COLLECTION AND USE:**

Air carrier and general aviation apron rehabilitation—design.

Air carrier and general aviation apron rehabilitation—design reimbursement.

Air carrier and general aviation apron rehabilitation—construction.

Rehabilitate and expand auto parking lot—design.

Airfield lighting control—design.

Aircraft rescue and firefighting gear.

Air carrier roof rehabilitation—phase 1. Rehabilitation and expand auto parking lot—construction.

Air carrier roof rehabilitation—phase 2 (skylights).

**DECISION DATE:** February 26, 2013.

**FOR FURTHER INFORMATION CONTACT:**

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

**PUBLIC AGENCY:** Metropolitan Nashville Airport Authority, Nashville, Tennessee.

**APPLICATION NUMBER:** 13-18-C-00-BNA.

**APPLICATION TYPE:** Impose and use a PFC.

**PFC LEVEL:** \$4.50.

**TOTAL PFC REVENUE APPROVED IN THIS DECISION:** \$1,975,000.

**EARLIEST CHARGE EFFECTIVE DATE:** June 1, 2017.

**ESTIMATED CHARGE EXPIRATION DATE:** August 1, 2017.

**CLASS OF AIR CARRIERS NOT REQUIRED TO COLLECT PFC'S:** Air carriers with enplaned passengers using air taxi/commercial operators operating at Nashville International Airport (BNA) that: (1) Have less than one percent of passengers boardings; or (2) have less than 25,000 enplaned passengers in calendar year 2011; or (3) provide unscheduled service at BNA.

**DETERMINATION:** Disapproved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for more than 1 percent of the total annual enplanements at BNA.

**BRIEF DESCRIPTION OF PROJECT APPROVED FOR COLLECTION AND USE AT A \$4.50 PFC LEVEL:**

Reconstruct taxiways B and T3.

**BRIEF DESCRIPTION OF PROJECT APPROVED FOR COLLECTION AND USE AT A \$3.00 PFC LEVEL:** Outbound baggage and check-in counter replacement.

**BRIEF DESCRIPTION OF WITHDRAWN PROJECT:** Improve storm water collection and treatment system.

**DATE OF WITHDRAWAL:** December 12, 2012.

**DECISION DATE:** March 6, 2013.