

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration**

[Summary Notice No. PE-2001-42]

Petitions for Exemption; Summary of Dispositions of Petitions Issued**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of dispositions of prior petitions.

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 dispositions of certain petitions previously received. 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.

FOR FURTHER INFORMATION CONTACT: Forest Rawls (202) 267-8033, Sandy Buchanan-Sumter (202) 267-7271, or Vanessa Wilkins (202) 267-8029, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC, on May 31, 2001.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

Dispositions of Petitions

Docket No.: FAA-2001-8805.

Petitioner: Executive Jet Sales, Inc.

Section of 14 CFR Affected: 14 CFR 145.45(f).

Description of Relief Sought/

Disposition: To permit EJS to place and maintain its inspection procedures manual (IPM) in a number of fixed locations within its repair station facility rather than giving a copy of its IPM to each of its supervisory and inspection personnel. *Grant, 05/04/2001, Exemption No. 7530.*

Docket No.: FAA-2001-8811

(previously Docket No. 28884).

Petitioner: Aero Sky.

Section of 14 CFR Affected: 14 CFR 145.37(b).

Description of Relief Sought/

Disposition: To permit Aero Sky to continue to hold an FAA repair station certificate (certificate No. KQ7R556N) without having suitable permanent

housing facilities for at least one of the heaviest aircraft within the weight class of the rating it holds. *Grant, 05/10/2001, Exemption No. 6673B.*

Docket No.: FAA-2001-8750

(previously Docket No. 27429).

Petitioner: Community College of the Air Force.

Section of 14 CFR Affected: 14 CFR 147.31(c)(2)(iii).

Description of Relief Sought/

Disposition: To permit U.S. Air Force aviation maintenance technicians who have completed military aviation maintenance training courses to be evaluated using the same criteria that is used for the civilian sector. *Grant, 05/03/2001, Exemption No. 6094C.*

[FR Doc. 01-14110 Filed 6-4-01; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Aviation Rulemaking Advisory Committee; Airport Certification Issues Meeting****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of public meeting.

SUMMARY: This notice announces a public meeting of the Federal Aviation Administration's Aviation Rulemaking Advisory Committee to discuss Airport Certification issues.

DATES: The meeting will be held on June 21, 2001, from 1 p.m. to 5 p.m. Arrange for presentations by June 13, 2001.

ADDRESSES: The meeting will be held at the Federal Aviation Administration, 800 Independence Ave. SW., room 833, Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT:

Marisa Mullen, FAA, Office of Rulemaking (ARM-205), 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-7653, fax (202) 267-5075.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App II), notice is hereby given of a meeting of the Aviation Rulemaking Advisory Committee to be held on June 21, 2001, from 1 p.m. to 5 p.m. at the Federal Aviation Administration, 800 Independence Ave. SW., room 813, Washington, DC 20591. The agenda will include:

1. Opening Remarks
2. Committee Administration
3. ARAC Process Briefing
4. Friction Measurement and Signing Working Group Report and ARAC Decision

5. New Task—Rescue and Firefighting Requirements Working Group

6. Future Meetings

Attendance is open to the interested public but will be limited to the space available. The FAA will arrange teleconference capability for individuals wishing to participate by teleconference if we receive notification before June 13, 2001. Arrangements to participate by teleconference can be made by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Callers outside the Washington Metropolitan area will be responsible for paying long distance charges.

The public must make arrangements by June 13, 2001, to present oral statements at the meeting. The public may present written statements to the committee at any time by providing 25 copies to the Assistant Executive Director, or by bringing the copies to the meeting. Public statements will only be considered if time permits. In addition, sign and oral interpretation, as well as an assistive listening device, can be made available, if requested 10 calendar days before the meeting. Arrangements may be made by contacting the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC, on May 30, 2001.

Ben Castellano,

Assistant Executive Director for Airport Certification Issues, Aviation Rulemaking Advisory Committee.

[FR Doc. 01-14108 Filed 6-4-01; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Notice of Intent to rule on Application (01-14-C-00-CHO) To Use the Revenue From A Passenger Facility Charge (PFC) at Charlottesville-Albemarle Airport, Charlottesville, Virginia****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of Intent to Rule on Application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a passenger facility charge (PFC) at Charlottesville-Albemarle Airport 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

AVIATION RULEMAKING ADVISORY COMMITTEE (ARAC)

AIRPORT CERTIFICATION ISSUES

Meeting Minutes

DATE: June 21, 2001
TIME: 1:00 p.m.
PLACE: Federal Aviation Administration (FAA), 800 Independence Ave. SW,
room 833, Washington, DC 20591

The Assistant Chair, Mr. Ian Redhead, American Association of Airport Executives, called the meeting to order at 1:10 p.m. He welcomed the attendees and had the members introduce themselves. An attendance sheet was circulated (**Attachment 1**) and an agenda were distributed (**Attachment 2**).

Mr. Ben Castellano, FAA Assistant Executive Director, gave instructions governing the conduct of the meeting. As this ARAC Issues group had not met for several years and membership had changed, Ben asked that members update the address listing that was passed out so FAA could have accurate member information.

Ms. Brenda Courtney, FAA Office of Rulemaking, Manager of the Aircraft and Airport Rules Division, gave an ARAC process briefing to all members. A question and answer period followed.

Mr. Ben Castellano, previous FAA Representative, representing the Runway Friction Measurement and Runway Distance Remaining Signage working group (WG), presented the working group's final recommendations for the Issues group to discuss and vote for submission to FAA (**Attachment 3**).

Task 1, Friction Measurement: The WG recommends regulatory action to amend 14 CFR 139.305, Paved areas, and submitted a draft notice of proposed rulemaking (NPRM), titled "Runway Friction Measurement," dated January 29, 1999.

The WG stated that consensus had been reached on the need for a rule change to part 139. This NPRM contains the WG's draft regulatory language and preamble discussion, but does not contain a regulatory evaluation (cost/benefit analysis), nor has it undergone a legal review.

The major issues covered in the draft were described and discussed with the Issues members.

ACTION: ARAC voted unanimously to submit the NPRM recommendation to FAA for action, completing this task.

Task 2, Distance Remaining Signs: The WG recommends no regulatory action (majority opinion) on the signage task. As consensus had not been reached by the WG, both the majority and minority opinions were reviewed.

The minority opinion that regulatory action is necessary to ensure all airports have the required signs is held by the Air Line Pilots Association (ALPA).

The majority opinion (all other WG members) stated that no regulatory action is necessary as voluntary compliance already has resulted in approximately 97 percent of all airports having the requisite signage in place. A regulatory action would not have a corresponding impact for the time/resource allocation needed.

An open discussion followed.

ACTION: The ARAC voted, with dissenting opinions, to recommend no regulatory action to FAA, closing the task. The ARAC also recommends that FAA actively pursue ensuring advisory circulars detail the important benefits of proper signage, encouraging the remaining airports to apply smart business/safety practices. The dissenting opinions were from the members of ARFFWG and the National Air Disaster Alliance, who joined ALPA in registering their concerns over possible safety issues if regulatory action was not taken.

Mr. Ian Redhead introduced and discussed the requirements of the newly established task and working group assignment on Rescue and Firefighting Requirements. The notice on this new task was published in the Federal Register March 22, 2001 (66 FR 16087). **(Attachment 4)**. The task asked for the development of an NPRM (which included the preamble and rule language along with any supporting legal analysis) to implement any modifications, deletions, or additions identified in the review of 14 CFR part 139 subpart D. The NPRM recommendation is due to FAA by April 11, 2003.

Although the membership of the WG had not yet been completed, the Co-Chairs and FAA Rep had been selected and were introduced.

Co-Chairs: Mr. Jack Kreckie of ARFFWG and
Mr. Armen DerHohannesian of Armen DerHohannesian and Assoc., Inc.
FAA Rep: Mr. Ken Gilliam

Mr. Redhead asked that once the WG members were selected, the individuals provide biographies to each other to facilitate communication and sharing. Because the WG formation, meetings, and taskings may take some time to prepare, a new ARAC Airport Certification Issues meeting was not tentatively scheduled until November 1. The final date, place, and time of the next Issues meeting will be decided at a later date and notice will be given.

Mr. Redhead adjourned the meeting at 3:00 p.m.

Attendance

The June 21, 2001, meeting of the ARAC to address Airport Certification Issues was attended by 18 people, including committee members, alternates, government employees, and members of the general public.

Public Notification

An announcement of the meeting was published in the Federal Register on June 5, 2001 (66 FR 30261).

Approval

I certify that the above minutes are accurate.



Mr. Ian Redhead,
Assistant Chair for ARAC Airport Certification

Issued: April 8, 2002

4 Attachments

AVIATION RULEMAKING ADVISORY COMMITTEE

AIRPORT CERTIFICATION ISSUES

ATTENDANCE

JUNE 21, 2001

PLEASE PRINT

NON-MBR (N)	NAME	AFFILIATION	E-MAIL ADDRESS	TELEPHONE	FAX NUMBER
M OR N	SAMPLE NAME	XYZ ORGANIZATION	XXX@XXXX	202-XXX-XXXX	202-XXX-XXXX

1. N	MULLEN, MARISA	ARM-205	marisamullen@faa.gov	202-267-7653	-5075
2. M	Maniatis, Janice	National Air District	All.vance.jmaniatis@att.net	770-486-5630	770-486-5630 (please call first)
3.	BEN CASTELLANO	FAA AAS-300	BEN.CASTELLANO@FAA.GOV	202-267-8728	202-267-5257
4.	HENRY OGRODZINSKI	NASFO	henry0@NASFO.org	301-588-0587	301-585-1807
5.	BRENDA COURTNEY	ACM-200	Brenda.Courtney@FAA.gov	202-267-3327	x75075
6.	IAN REDHEAD	AAAE (NCGTP)	iredhead@ncgtp.com	(252) 522-4929	(252) 522-5728
7.	Beth Van Emburgh	AAAE	beth@aaae.com	703/824-0504	703/820-1395
8.	Dawn E. Lucini	ACI-NA	dlucini@aci-na.org	202/861-8083	202/331-1362
9.	JENNIFER BANKS	ACI-NA	jbanks@aci-na.org	202/861-8098	202/331-1362
10.	Matt Dailey	IPA @ UPS	mndailey@ipapilot.org	(502) 429-0778	Same
11.	David Kennedy	NATA	dkennedy@Nata-online.org	703-575-2051	703-575-8176

ATCH 1-1

AVIATION RULEMAKING ADVISORY COMMITTEE

AIRPORT CERTIFICATION ISSUES

ATTENDANCE

JUNE 21, 2001

PLEASE PRINT

NON-MBR (N)	NAME	AFFILIATION	E-MAIL ADDRESS	TELEPHONE	FAX NUMBER
MBR (M)	SAMPLE NAME	XYZ ORGANIZATION	XXX@XXXX	202-XXX-XXXX	202-XXX-XXXX

* 12. Jack Kreckie	JACK KRECKIE	ARFF Working Group	jkreckie@massport.com	617 561-3406	617-561-1908
13.	Pam Walden	Port Authority of NY & NJ	pwalden@panynj.gov	212 435 3696	212 435-3898
14.	Brad Penrod	Allegheny County Airport Authority	bpenrod@pitairport.com	412 472-3677	412 472-3505
15.	Bill Pshuta	CHARLOTTEVILLE Airport Authority	WDPE@GOCHA.COM	804-973-8342	804-974-7476
16.	Nancy McKinley	with Airline Passenger Assn.	PER Telephone	800-821-4377	
17.	BARCLAY DICK	DICKSON AIRPORT AUTH.	bdick@tucsonairport.org	520-573-8100	520-573-8009
18. Colville	ARMEN DERHOHANNESIAN	ARMEN DERHOHANNESIAN + ASSOCIATES, LLC	AVIASAFETY@AOL.COM	603.926.4007	603.929.1425
19.					
20.					
21.					
22.					

ATCH 1-2

FEDERAL AVIATION ADMINISTRATION

**AVIATION RULEMAKING ADVISORY COMMITTEE (ARAC) MEETING ON
AIRPORT CERTIFICATION ISSUES
JUNE 21, 2001, 1 – 5 P.M.**

**Federal Aviation Administration
Room 833 (202-493-4137)
800 Independence Avenue, SW
Washington, DC 20591**

AGENDA

OPENING REMARKS

Ian Redhead
ARAC Assistant Chair

READING OF ETHICS STATEMENT

Ben Castellano
Assistant Executive Director

COMMITTEE ADMINISTRATION AND ORGANIZATION

Ben Castellano

ARAC PROCESS BRIEFING

Brenda Courtney
Manager, Aircraft & Airport Rules Division, Office of Rulemaking

FRICTION MEASUREMENT AND SIGNING WORKING GROUP
REPORT AND ARAC DECISION

Ben Castellano

NEW TASK -- RESCUE AND FIREFIGHTING REQUIREMENTS
WORKING GROUP

Ian Redhead

DISCUSSION OF FUTURE MEETING DATES, ACTIVITIES,
AND PLANS

Ben Castellano

ADJOURN

ATC H 2



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memorandum

Subject: **ACTION:** ARAC Issues

Date: **MAR 29 1999**

From: Manager, Airport Safety and Operations, AAS-300

Reply to
Attn. of:

To: ARAC Issues Group

Enclosed is a copy of the report from the ARAC Working Group on Friction Measurement and Distance Remaining Signs. Basically, the Working Group has recommended that friction measurement for maintenance purposes be made regulatory.

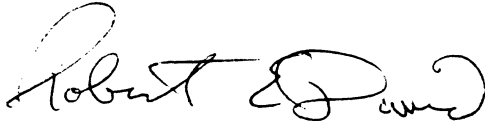
Along with the report from Paul McGraw is a proposed preamble for the friction measurement requirement. The next step is to request a formal legal and economic review of the proposed NPRM. However, before requesting this review, we wanted to provide the Issues Group's members with an opportunity to review and comment on the working group's proposal.

Please provide any comments you may have directly to Paul with copies to Ken and myself by April 20. Our mailing and email addresses are:

<p>Mr. Paul McGraw Director, Airport Capacity Air Transport Association 1301 Pennsylvania Ave., N.W. Suite 1100 Washington, DC 20004-1707 pmcgraw@air-transport.org</p>	<p>Mr. Ken Kenvin, A.A.E. Director, Airport Operations Dallas/Fort Worth International Airport P.O. Box 619428 DFW Airport, TX 75261-9428 kkenvin@dfwairport.com</p>
<p>Mr. Robert David Manager, Airport Safety and Operations Division, AAS-300 Federal Aviation Administration 800 Independence Ave., S.W. Washington, DC 20590 bob.david@faa.gov</p>	

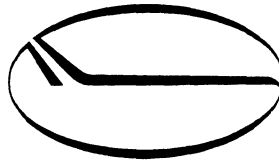
Once the legal and economic reviews have been completed, we will convene a meeting of the Issues Group so that the working group can make its formal presentation and close out this portion of its task.

As you may recall, the working group was also tasked with recommending whether distance remaining signs should be made mandatory or not. After discussion and review of this subject, the majority of the working group are recommending that these signs not be made mandatory under part 139 since most air carrier runways already have them installed. However, since this is a majority rather than a consensus opinion, those in disagreement with it have a dissenting opinion. Both the majority and minority views will be discussed at the next Issue Group meeting. We will notify you when this meeting is scheduled.

A handwritten signature in black ink, appearing to read "Robert E. David". The signature is fluid and cursive, with a large initial "R" and a distinct "D" at the end.

Robert E. David
Assistant Executive Director,
Airport Certification Issues

Enclosure



Air Transport Association

February 17, 1999

Kenneth M. Kenvin, A.A.E.
Chairman ARAC Airport Issues Group
P.O. Drawer 619428
DFW Airport, TX 75261-9428

Ken
Dear Mr. Kenvin,

As you know an ARAC working group has been working several airport issues, specifically a runway friction maintenance issue and a runway distance-to-go issue, and is now prepared to offer the ARAC Issues Group updates on both.

I have enclosed a draft preamble and rule making language, prepared by FAA contractors, on the subject of runway friction measurement, with the request that the Issues Group request formal FAA economic and legal document review. That review is needed before any further working group work can be accomplished. The working group was unanimous in supporting the need for regulatory change related to runway friction measurement.

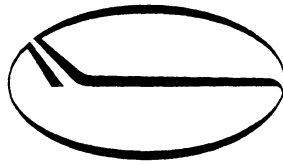
In addition there is a summary of the other working group issue related to distance to go signage. Our working group was unable to come to a consensus on this issue and suggest this issue be brought back to FAA for resolution.

After meeting with the FAA Rule Making office today we believe the proper course of action to be your review of the enclosed documents, dissemination to the entire Issues Group for comment, and after a reasonable time (two-three weeks?), send any changes back to the working group and finally an official meeting of the ARAC Issues Group where regulatory change will be voted on.

Your assistance and facilitation of this activity would be very appreciated.

Paul J. McGraw
ARAC Airports Working Group Chair

enclosures



Air Transport Association

September 3, 1998

TO: ARAC Friction Measurement and Signage (DTG) Working Group

FROM: Paul J. McGraw WG Chair

Recap of Distance-to-Go (DTG) work to date.

Distance-to-Go Markers were previously addressed in an NPRM in 1975. At that time a consensus was not reached and the NPRM was withdrawn.

Our Working Group (WG) minutes of March 9, 1995 indicated that "enough empirical data may not be available to require a regulatory change in Part 139. A strong policy statement issued by FAA should state that signage currently installed should not be removed by airport operators." In addition notes indicated that some changes in Advisory Circulars may be necessary regarding the placement of signage. (Note: ICAO DTG signage is expressed in meters while US airports express DTG in feet)

WG minutes of July 21, 1995 show that on informal survey of 85 certificated (Part 139) airports, of a total of approximately 671 such airports, 97% had DTG signs in place on air carrier runways. Another survey performed by FAA in 12/97 indicated that of 807 runways at Part 139 airports that had turbojet operations 77% or 623 of them had DTG signs.

The following arguments for and against regulation of these signs were noted in 7/21/95 minutes.

FOR REGULATION – 1) Snow often obscures runway markings 2) NTSB has recommended DTG signs as a result of airline accidents 3) DTG would assist pilots in determining land and hold short points 4) DTG assists pilots in establishing position on runway during low visibility 5) Pilots are not always familiar with the meaning of painted runway markings

AGAINST REGULATION – 1) FAA currently mandates system of pavement markings and lighting that alert pilots to their position on the runway 2) Most airports surveyed have voluntarily installed DTG signs 3) Few airline accidents involve the absence of DTG signage. No accidents identify missing DTG signs as primary cause. Many overrun incidents occur on runways with DTG in place 4) WG has been unable to establish why some airports have not installed DTG signs. 5) Dedicated federal funding unlikely to become available for DTG signs.

Air Transport Association of America

1301 Pennsylvania Ave., NW – Suite 1100 Washington, DC 20004-1707
(202) 626-4000

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 139

[Docket No. XXXXX; Notice No. 9X-XXXX]

RIN 2120-XXXX

Runway Friction Measurement

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to require airports that serve certain scheduled air carriers to establish a runway friction measurement program to ensure that runways, available for use by turbojet aircraft, meet minimum acceptable runway friction values. Runway surface deterioration, which can lead to friction loss and result in reduced aircraft braking efficiency and loss of directional control, has become a significant safety consideration. Currently, methods used to measure runway friction values and the frequency of the measurements are inconsistent and, in some cases, inadequate to ensure acceptable levels of safety. To ensure acceptable levels of safety, airports would be required as part of the runway friction measurement program, to identify minimum runway friction values, conduct initial and periodic runway friction measurements using

approved equipment, and record and retain the results of the measurements.

DATES: Comments must be received on or before [60 days after date of publication in the Federal Register.]

ADDRESSES: Comments on this proposed rulemaking should be mailed or delivered, in duplicate, to: U.S. Department of Transportation Dockets, Docket No. FAA-YYYY-NNNN, 400 Seventh Street SW., Room Plaza 401, Washington, DC 20590. Comments also may be sent electronically to the following Internet address: 9-NPRM-CMTS@faa.gov. Comments may be filed and/or examined in Room Plaza 401 between 10 a.m. and 5 p.m. weekdays, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Benedict Castellano, Airport Safety and Compliance Branch, AAS-310, Office of Airport Safety and Standards, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-8728. For information on issues involving runway friction measurements that are performed for operational purposes, which are not addressed in this notice, contact Rick Marinelli, Airport Safety and Compliance Branch, AAS-100, Design and Operations Criteria Division, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-7669.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Comments relating to the environmental, energy, federalism, or economic impact that might result from adopting the proposals in this document also are invited. Substantive comments should be accompanied by cost estimates. Comments must identify the regulatory docket or notice number and be submitted in duplicate to the DOT Rules Docket address specified above.

All comments received, as well as a report summarizing each substantive public contact with FAA personnel on this rulemaking, will be filed in the docket. The docket is available for public inspection before and after the comment closing date.

All comments received on or before the closing date will be considered by the Administrator before taking action on this proposed rulemaking. Comments filed late will be considered to the extent practicable. The proposals contained in this document may be changed in light of the comments received.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this document must include a pre-addressed, stamped postcard with those

comments on which the following statement is made:

"Comments to Docket No. XXXXX." The postcard will be date stamped and mailed to the commenter.

Availability of NPRMs

An electronic copy of this document may be downloaded using a modem and suitable communications software from the FAA regulations section of the FedWorld electronic bulletin board service (telephone: (703) 321-3339), the Government Printing Office's (GPO) electronic bulletin board service (telephone: (202) 512-1661), or, if applicable, the FAA's Aviation Rulemaking Advisory Committee Bulletin Board service (telephone: (800) 322-2722 or (202) 267-5948).

Internet users may reach the FAA's web page at <http://www.faa.gov/avr/arm/nprm/nprm.htm> or the GPO's web page at <http://www.access.gpo.gov/nara> for access to recently published rulemaking documents.

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-9680. Communications must identify the notice number or docket number of this NPRM.

Persons interested in being placed on the mailing list for future rulemaking documents should request from the above office a copy of Advisory Circular (AC) No. 11-2A, Notice of Proposed Rulemaking Distribution System, that describes the application procedure.

Background

Statement of the Problem

When commercial turbojet aircraft were introduced to U.S. airports in 1962, they were operated on the same smooth, nongrooved runway pavement surfaces as those previously used by piston engine aircraft exclusively. Turbojets, with their greater weight and higher landing speeds, have been involved in aircraft skidding and hydroplaning incidents and accidents that were attributed partially to inadequate friction levels between the runway surface and the aircraft's tires. This loss of friction was caused by a variety of factors including water on the runway, smoothing or "polishing" of the runway surface, and contaminants on the runway such as rubber and fuel.

To address this problem, several research studies were conducted by the National Aeronautics and Space Administration, the United States Air Force, and the United Kingdom's Ministry of Transportation to investigate various types of surface treatments that would eliminate the

potential for loss of aircraft control because of reduction in friction levels. Results of the studies showed that the use of grooving techniques (also known as macrotexturing) and the use of open-graded, thin asphalt concrete surface layers called "porous friction course" (also known as microtexturing) provided runways with good friction characteristics. Macrotexturing allows excess water on the surface of the runway to drain off the runway through channels grooved into the runway surface. Microtexturing permits rainwater to permeate through the course and drain off the runway transversally preventing water buildup on the runway surface.

Today most airports in the United States use these methods and materials. Consequently, the frequency of accidents and incidents, caused by loss of directional control and inadequate stopping capability, have been reduced greatly. However, the skid resistance of these surfaces will, over time, begin to deteriorate because of repeated usage, environmental conditions, and contaminants. As the runway deteriorates, the macrotexturing may crumble or fill in and the microtexture may become "polished." In addition, contaminants, primarily rubber deposits from aircraft tires, collect in the micro and macrotextures, thereby, reducing runway friction.

Currently, the FAA provides guidance and procedures in AC 150/5320-12C "Measurement, Construction, and Maintenance of Skid-Resistant Airport Pavement Surfaces," for the design and construction of skid-resistant pavement, pavement evaluation with friction measuring equipment, and maintenance of high skid-resistant pavements. However, there is no formal FAA requirement for airports to regularly inspect and record runway friction levels or to ensure runways are maintained in a manner that provides adequate friction levels. This NPRM proposes to amend 14 CFR part 139 to include these requirements for airports that serve certain scheduled air carrier turbojet aircraft.

This NPRM addresses runway friction measurements that are performed for maintenance purposes. These measurements differ from measurements performed for operational purposes, which are taken during periods of inclement weather that may affect runway conditions. Snow, ice, and slush pose unique problems in maintaining adequate runway friction and are being addressed separately by the FAA. To obtain further information regarding friction measurements for operational purposes, see the section "For Further Information Contact" in this document.

The National Transportation Safety Board

Since 1974 the National Transportation Safety Board (NTSB) has issued several safety recommendations regarding runway friction and friction measurement citing reduced friction levels as contributing factors in aircraft accidents and incidents. The FAA responded to certain recommendations made before 1994 by revising AC 150/5320-12. In 1994, the NTSB issued an Aircraft Accident Report (A-94-29) following the April 14, 1993, American Airlines accident at Dallas/Fort Worth International Airport, in which a McDonnell Douglas DC-10-30 aircraft skidded off the runway during a period when numerous thunderstorms were in the area. The investigation of the accident revealed that the surface of the landing runway had deteriorated as a result of high levels of jet traffic and weather-related erosion. In addition, the NTSB found that a rubber buildup at the approach end of the runway resulted in friction levels that fell below FAA minimum standards identified in AC 150/5320-12B. Although the NTSB did not find, in this case, that rubber buildup contributed to the loss of directional control, the NTSB did issue a recommendation with the accident report that the FAA require all airports that hold operating certificates issued under part 139 to perform runway friction measurement tests regularly. This proposal responds to that recommendation.

Aviation Rulemaking Advisory Committee

The FAA has established an Aviation Rulemaking Advisory Committee (ARAC) consisting of representatives from the aviation industry to provide advice and recommendations to the FAA on a wide range of safety-related issues. The ARAC forms working groups that are tasked with making recommendations to the ARAC. These recommendations, if accepted by the ARAC, are then presented to the FAA.

In June 1994, the FAA determined that it would be appropriate to request that the ARAC review NTSB Recommendation A-94-29. As a result, the Friction Measurement and Signing Working Group of the ARAC was established on October 4, 1994 (October 11, 1994, 59 FR 51471). The FAA tasked the working group of the ARAC with reviewing part 139 and supporting material, previous studies and surveys, procedures, and interpretations for the purpose of determining if it would be appropriate to undertake rulemaking and/or develop policy relative to performing runway friction measurement to be used in the maintenance of air carrier runway surfaces. The working group included representatives from the Air Line Pilots Association, the Air Transport Association of America, the American Association of Airport Executives, AMR Corporation, the Boeing Commercial Airplane Group, Douglas Products

Division, the International Brotherhood of Teamsters Airline Division, and K.J. Law Engineers.

In completing its task, the working group considered regulatory and nonregulatory alternatives. The alternatives considered were to (1) take no action, (2) encourage voluntary compliance, (3) subject airports to FAA conducted runway friction measurements, and (4) establish a regulatory requirement for airports to conduct runway friction measurements. The working group rejected the option of taking no action because doing so would not address NTSB recommendations and would not accomplish the FAA's safety objectives. The voluntary compliance alternative also was rejected based on an informal survey conducted by the working group. The survey results reported that only 34 out of 87 airports surveyed voluntarily measure runway friction levels. Finally, the working group rejected the option of FAA conducted measurements because of limited FAA resources. After review and consideration of the alternatives, the ARAC recommended that the FAA expand the regulatory requirements to require airports that serve certain air carriers to conduct runway friction measurements for maintenance purposes on runways serving turbojet aircraft. This recommendation from the ARAC forms the basis for this NPRM.

Discussion of the Proposal

Runway Friction Measurement Program

Currently, there are no requirements for airports to conduct runway friction measurements. The FAA is proposing to add a new § 139.305(d) that would require airports that serve certain air carriers to establish an approved runway friction measurement program. The requirements of part 139 apply to airports that serve air carriers conducting scheduled and unscheduled passenger operations using aircraft that have a seating capacity of more than 30 passengers. However, the proposed requirements would apply only to airports that hold an airport operating certificate issued under part 139 that serve air carriers conducting scheduled passenger operations using turbojet aircraft with a seating capacity of more than 30 passengers.

The FAA recognizes that there are a number of factors, including the volume and type of aircraft served by an airport, that affect the rate of runway deterioration and reduction in runway friction levels. These factors should be considered when identifying acceptable friction values and intervals at which the runway should be inspected to ensure runway friction values are at or above the minimum acceptable level. Therefore, rather than mandating specific minimum acceptable runway friction values and inspection intervals, the FAA is proposing that each certificate holder

be required to establish a runway friction measurement program. The FAA would require that the measurement program include minimum runway friction values, procedures for maintaining runways in accordance with those values, and procedures for conducting periodic runway friction measurements. These friction values and the measurement intervals would be identified based on the results of an initial or "baseline" runway friction measurement that the certificate holder would be required to conduct before establishing its runway friction program. The program would be subject to review and FAA approval, and the certificate holder would be required to include the program in its approved airport certification manual as required by § 139.205(b)(9). This proposal would allow certificate holders to take into consideration the specific circumstances of the airport when developing the program while providing the FAA with the means to ensure airports are evaluating and maintaining runways as necessary to provide an adequate level of safety.

Proposed § 139.305(d) would require certificate holders to establish and to obtain approval by the Administrator of a runway friction measurement program within 24 months after the effective date of a final rule, if adopted. The FAA is proposing different compliance dates for conducting initial runway measurements, under proposed § 139.305(c), and for

compliance with the minimum friction values identified in the certificate holder's runway friction measurement program under proposed § 139.305(e). These compliance times are discussed later in this NPRM.

Initial Runway Friction Measurements

To establish an effective runway friction maintenance program, a certificate holder must initially determine the overall condition of a runway surface by measuring friction levels. The initial or "baseline" measurements will serve two purposes. First, the measurement will ascertain the condition of the runway. The results of the measurements then will enable airport operators to develop an effective runway maintenance program. For example, a program with frequent periodic friction measurements may be required if the initial measurement reveals a runway in marginal condition. Second, this initial measurement would serve as a baseline against which future measurements can be compared.

Section 139.305(c) would require this initial baseline measurement to be conducted on all runways available for use by air carrier turbojet operations at certificated airports. The FAA proposes a compliance date for § 139.305(c) that is 18 months after the effective date of a final rule. This proposed compliance date would allow certificate holders adequate time to conduct initial measurements and still

allow 6 months to obtain approval for their runway friction measurement program as required under the 24 month compliance period for § 139.305(d). Section 139.305(c) also would require that a baseline measurement be completed for any reconstructed, resurfaced, or newly constructed runway before becoming available for operational use by turbojet aircraft to ensure runways constructed in the future are in compliance with the minimum acceptable friction values identified by the certificate holder.

Approved Continuous Friction Measuring Equipment

To quantify runway surface friction, a reliable measurement method must be used. Currently, various methods including visual inspection are used to determine runway friction levels. The results of these inspections have been inconsistent and lack adequate accuracy. To ensure measurement results are consistent for all certificate holders conducting runway friction measurement tests, proposed § 139.305(c) and (d)(2) of this NPRM would require that continuous friction measuring equipment (CFME), approved by the Administrator, be used when evaluating runway surfaces. This equipment provides quantitative results that can be used to determine whether friction values meet acceptable standards. A list of approved CFME can be found in AC 150/5320-12.

The FAA recognizes that there are costs associated with obtaining access to CFME. These costs are addressed in the "Regulatory Evaluation Summary" section of this proposal. The FAA notes, however, that in the mid-1980s CFME became eligible for Airport Improvement Program funding. In addition, airports that receive limited air carrier use may choose to lease or share ownership of CFME or hire a qualified contractor to conduct measurements on behalf of the airport.

Runway Friction Values

Identification of Minimum Runway Friction Values

Section 139.305(d)(1) proposes that, as part of the approved friction measurement program, certificate holders would be required to identify minimum acceptable runway friction values. AC 150/5320-12C contains friction values that the FAA has determined are acceptable and may be used as a basis for certificate holders to identify minimum values. The AC identifies acceptable friction values according to the following categories: (1) new runway design/construction, (2) runway maintenance planning, and (3) minimum values. The new runway design/construction category suggests friction values for newly constructed runways. The runway maintenance planning category suggests friction values that are considered acceptable to conduct operations, but indicate that the certificate holder should

(1) monitor friction values to establish the rate and extent of the deterioration of friction, (2) investigate the reason for the deterioration, and (3) develop a plan for taking appropriate corrective actions. The minimum values category identifies friction values that indicate corrective action should be taken immediately after determining the cause of the friction deterioration.

Periodic Measurements

Because runway friction characteristics change over time depending on a variety of factors, including the type and frequency of aircraft activity, weather, and environmental conditions, it is necessary to continuously monitor runway friction levels. Therefore, in addition to requiring a baseline runway friction measurement, § 139.305(d)(2) of this proposal would require periodic runway friction measurements as part of the approved runway friction measurement program. The purpose of the periodic measurements would be not only to identify unacceptable runway friction levels, but also to identify the trend in changing runway conditions. These trends would assist airport operators in developing and revising runway maintenance plans and the FAA in evaluating these plans.

The intervals between the periodic measurements would be established by the airport operator and approved by the FAA. The interval schedule would be based on the initial

measurement and specific factors that affect the runway conditions at that airport. Because these factors will vary from airport to airport, so will the friction measurement intervals. For example, an airport that serves relatively few turbojet aircraft may only require friction measurements once every few years while an airport with a high volume of turbojet aircraft traffic may require friction measurements every week. AC 150/5320-12C provides guidance for identifying the frequency that friction measurements should be taken based on the number of daily turbojet aircraft landing per runway.

Recordkeeping Requirement

Section 139.305(d)(3) of this proposal would require that each certificate holder maintain records in sufficient detail to show compliance with initial and periodic runway friction measurements. The records also would require adequate detail to show compliance with the runway friction values that are identified in the certificate holder's approved runway friction measurement program. The data may include, but is not limited to, the date of the measurement, the runway that was inspected, the type of approved equipment used to perform the measurement, and the friction values obtained. To identify trends in runway deterioration, certificate holders would be required to retain the results of the four most recent measurements.

Because measurement intervals are expected to vary from airport to airport, the four most recent measurements may cover a relatively long or short period of time.

Compliance with Runway Friction Values

Proposed § 139.305(e) would require that certificate holders serving air carriers conducting scheduled operations ensure runways available for turbojet operations meet the minimum acceptable runway friction values identified in the runway friction measurement program by a date approved, in writing, by the Administrator. The amount of time needed to bring existing runways into compliance will vary depending on the cause of decreased runway friction levels and the action that is required to correct any runway friction deficiencies. For example, if runway surface friction levels are below the minimum acceptable level identified in the certificate holder's runway friction measurement program because of rubber deposits, the situation may be corrected quickly, relatively inexpensively, and with little impact on airport operations. However, if the runway requires resurfacing, the corrective action may require the approval of additional funds from Government agencies, contract bidding, and advanced planning and notification to airport users of operational changes to accommodate possible runway closures. The FAA recognizes that bringing runways into compliance with the runway friction values identified

in the approved runway friction measurement program will vary among certificate holders. Therefore proposed § 139.305(e) provides that the certificate holder would identify a reasonable compliance date which would be required to be approved in writing by the Administrator.

Acceptable Standards and Procedures

Currently, § 139.305(c) states that the FAA ACs in the 150 series contain acceptable standards and procedures for the maintenance and configuration of paved areas. This NPRM proposes to amend § 139.305(c) by redesignating that paragraph as § 139.305(f) and revising paragraph (f) to indicate that these ACs also contain acceptable standards and procedures for friction measurement.

Paperwork Reduction Act

[TO BE COMPLETED.]

Compatibility With ICAO Standards

[TO BE COMPLETED.]

[Option One] In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to comply with International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. The FAA determined that there are no ICAO Standards and Recommended Practices that correspond to these proposed regulations.

OR

[Option Two] In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to comply with International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. The FAA has reviewed the corresponding ICAO Standards and Recommended Practices and has identified no differences with these proposed regulations.

OR

[Option Three] In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to comply with International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. The FAA has reviewed the corresponding ICAO Standards and Recommended Practices and has identified the following differences with these proposed regulations. If this proposal is adopted, the FAA intends to file **[a difference/these differences]** with ICAO.

Regulatory Evaluation Summary

[TO BE COMPLETED.]

Changes to Federal regulations must undergo several economic analyses. First, Executive Order (EO) 12866 directs that each Federal agency shall propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980 requires agencies to analyze the economic effect of regulatory

changes on small entities. Third, the OMB directs agencies to assess the effect of regulatory changes on international trade. In conducting these analyses, the FAA has determined that this proposed rule **[is/is not]** "a significant regulatory action" under section 3(f) of EO 12866 and therefore, **[is/is not]** subject to review by OMB. This proposed rule **[is/is not]** considered significant under the regulatory policies and procedures of the Department of Transportation (44 FR 11034, February 26, 1979). This proposed rule **[would/would not]** have a significant impact on a substantial number of small entities and **[would/would not]** constitute a barrier to international trade. The FAA invites the public to provide comments and supporting data on the assumptions made in this evaluation. All comments received will be considered in the final regulatory evaluation.

Initial Regulatory Flexibility Determination

[TO BE COMPLETED]

The Regulatory Flexibility Act (RFA) of 1980, 5 U.S.C. 601-612, was enacted by Congress to ensure small entities are not unnecessarily or disproportionately burdened by Government regulations. The RFA requires a regulatory flexibility analysis if a proposed rule has a significant economic impact on a substantial number of small business entities. FAA Order 2100.14A, Regulatory

Flexibility Criteria and Guidance, establishes threshold costs and small entity size standards for complying with RFA requirements.

International Trade Impact Statement

[TO BE COMPLETED.]

The provisions of this proposed rule **[would have little/or no]** impact on trade for both U.S. firms doing business in foreign countries and foreign firms doing business in the United States.

Federalism Implications

[TO BE COMPLETED.]

The regulations proposed herein **[would/would not]** have substantial direct effects on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal **[would/would not]** have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Unfunded Mandates Reform Act

[TO BE COMPLETED.]

Title II of the Unfunded Mandates Reform Act of 1995 (the Act), codified in 2 U.S.C. 1501-1571, requires each Federal agency, to the extent permitted by law, to prepare a

written assessment of the effects of any Federal mandate in a proposed or final agency rule that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more (adjusted annually for inflation) in any one year.

Section 204(a) of the Act, 2 U.S.C. 1534(a), requires the Federal agency to develop an effective process to permit timely input by elected officers (or their designees) of State, local, and tribal governments on a proposed "significant intergovernmental mandate." A "significant intergovernmental mandate" under the Act is any provision in a Federal agency regulation that would impose an enforceable duty upon State, local, and tribal governments, in the aggregate, of \$100 million (adjusted annually for inflation) in any one year. Section 203 of the Act, 2 U.S.C. 1533, supplements section 204(a), provides that before establishing any regulatory requirements that might significantly or uniquely affect small governments, the agency shall have developed a plan that, among other things, provides for notice to potentially affected small governments, if any, and for a meaningful and timely opportunity to provide input in the development of regulatory proposals.

This rule [does/does not] contain a Federal intergovernmental or private sector mandate that exceeds \$100 million a year.

Energy Impact

[TO BE COMPLETED.]

List of Subjects in 14 CFR Part 139

Air carriers, Airports, Aviation safety, Reporting and recordkeeping requirements.

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend part 139 of Title 14, Code of Federal Regulations as follows:

PART 139—CERTIFICATION AND OPERATIONS: LAND AIRPORTS SERVING CERTAIN AIR CARRIERS

1. The authority citation for part 139 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701-44706, 44709, 44719.

2. Amend § 139.305 to redesignate and revise paragraph (c) as paragraph (f), and add new paragraphs (c), (d), and (e) to read as follows:

§ 139.305 Paved Areas.

* * * * *

(c) Each certificate holder serving air carriers that conduct scheduled operations must conduct an initial runway

friction measurement for each runway available for use by turbojet operations using approved continuous friction measurement equipment for:

(1) Existing runways, no later than *[18 months after the effective date of the final rule]*; and

(2) Any newly constructed runway or reconstructed or overlaid runway, before making that runway available for use.

(d) Each certificate holder serving air carriers that conduct scheduled turbojet operations must establish a runway friction measurement program that is approved by the Administrator no later than *[24 months after the effective date of the final rule]*. As part of its program, the certificate holder must:

(1) Identify minimum runway surface friction values for each runway and procedures for maintaining the runways in accordance with those values;

(2) Identify procedures for conducting periodic runway friction measurements using approved continuous friction measurement equipment; and

(3) Record, retain, and make available for inspection by the Administrator the results of the four most recent runway friction measurements. The records must contain adequate detail to show compliance with the values identified in paragraph (d)(1).

(e) Each certificate holder serving air carriers that conduct scheduled operations must ensure that its runways that are available for turbojet operations meet the minimum acceptable runway friction values identified in the certificate holder's runway friction measurement program as required under paragraph (d)(1) of this section by a date approved in writing by the Administrator.

(f) FAA Advisory Circulars in the 150 series contain standards and procedures for the maintenance, friction measurement, and configuration of paved areas acceptable to the Administrator.

Issued in Washington, DC, on

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Aviation Rulemaking Advisory Committee; Airport Certification Issues Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of public meeting.

SUMMARY: This notice announces a public meeting of the Federal Aviation Administration's Aviation Rulemaking Advisory Committee to discuss Airport Certification issues.

DATES: The meeting will be held on June 21, 2001, from 1:00 p.m. to 5:00 p.m. Arrange for presentations by June 13, 2001.

ADDRESS: The meeting will be held at the Federal Aviation Administration, 800 Independence Ave. SW, room 833, Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: Marisa Mullen, FAA, Office of Rulemaking (ARM-205), 800 Independence Avenue, SW, Washington, DC 20591. telephone, (202) 267-7653, fax (202) 267-5075.

SUPPLEMENTARY INFORMATION: Pursuant to § 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App II), notice is hereby given of a meeting of the Aviation Rulemaking Advisory Committee to be held on June 21, 2001, from 1:00 p.m. to 5:00 p.m. at the Federal Aviation Administration, 800 Independence Ave. SW, room 813, Washington, DC 20591. The agenda will include:

1. Opening Remarks
2. Committee Administration

3. ARAC Process Briefing
4. Friction Measurement and Signing Working Group Report and ARAC Decision
5. New Task -- Rescue and Firefighting Requirements Working Group
6. Future Meetings

Attendance is open to the interested public but will be limited to the space available. The FAA will arrange teleconference capability for individuals wishing to participate by teleconference if we receive notification before June 13, 2001.

Arrangements to participate by teleconference can be made by contacting the person listed in the "FOR FURTHER INFORMATION CONTACT" section. Callers outside the Washington metropolitan area will be responsible for paying long distance charges.

The public must make arrangements by June 13, 2001, to present oral statements at the meeting. The public may present written statements to the committee at any time by providing 25 copies to the Assistant Executive Director, or by bringing the copies to the meeting. Public statements will only be considered if time permits. In addition, sign and oral interpretation, as well as an assistive listening device, can be made available, if requested 10 calendar days before the meeting. Arrangements may be made by contacting the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC, on **MAY 30 2001**



Ben Castellano,
Assistant Executive Director
for Airport Certification Issues,
Aviation Rulemaking Advisory Committee.