

Ed

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

DATE: May 5, 1983

WASHINGTON, D.C. 20591

IN REPLY
REFER TO: APP-510



SUBJECT: Program Guidance Letter #10

FROM: Manager, Grants-in-Aid Division, APP-500

TO: All Regions and AAC-960
Attn: Manager, Airports Division

10.1 AIP Participation in ILS Projects - Bob David (426-3858). The National Airspace System Plan places a moratorium on the establishment of new ILS's. Although the moratorium refers specifically to the F&E Program, the Administrator has indicated that it also applies to the AIP. Therefore, AIP funds shall not be used to establish a full or partial ILS. Depending upon the circumstances it may be permissible, however, to use AIP funds to add a glide slope to an existing partial ILS. Such exceptions should be sent to APP-1 for approval before any commitment is made to a sponsor.

This prohibition is effective immediately and applies to all project applications and preapplications except those for which funds have been allocated (Phase 2 of FAA Form 107).

10.2 Effective Date Extended on Implementing A-95 Replacement - Bob Yatzeck (426-3857). The Office of Management and Budget, in a notice published in the Federal Register on April 11, has amended Executive Order 12372 so that the new rule will not become effective until September 30. The Executive Order withdrew OMB Circular A-95 and directed the Federal agencies to replace it with a new system. DOT published a proposed rule to implement the Order on January 24. The comment period closed March 10, and a final rule was scheduled to be published and to go into effect on April 30. However, OMB had to extend the effective date because many commenters asked for substantial changes in the proposed rule. OMB now envisions publishing the final rule in June. In the meantime, OMB, in a notice published in the Federal Register on April 21, has reopened the comment period until May 19, and has announced another public meeting for May 5. The reason for this somewhat unusual step is to permit further public comment on tentative resolutions to some of the problems raised by comments received to date. In the interim, continue to use existing A-95 procedures.

10.3 Implementation of the Jobs Legislation - Bob Yatzeck (426-3857). In a notice published in the Federal Register on May 2, the FAA announced a plan of fund distribution in accordance with the requirements of the emergency jobs legislation enacted on March 24. Copies of this notice were transmitted to FAA Regional Offices on April 21. The concluding paragraphs of the notice discuss the requirement, contained in section 101(c) of the jobs legislation, for grantees receiving funds appropriated under this Act to maximize the creation of new job opportunities and to disburse funds as rapidly as possible. A certification to this effect, using the language appearing in the notice, shall be contained in all such project applications, or preferably in preapplications, as a special certification and should be signed by the appropriate representative of the airport sponsor.

10.4 Programming Runway Friction Measurement Devices - Ben Castellano (426-3857). Applications and preapplications for runway friction measurement devices may be accepted but no action is to be taken until AAS-1 issues a specification for procurement. We are also developing criteria for determining the type of airport at which these will be eligible and a special assurance to cover operation and maintenance of the devices by the sponsor. We expect to have all three of these items ready in the next few weeks.

10.5 MBE Review for "Jobs Legislation" - Ed Williams (426-3857). There has been some confusion over the applicability to AIP of the mandatory 10 percent set-aside for MBE's authorized in Section 105(f) of the Surface Transportation Assistance Act of 1982 (STAA). This issue has arisen since the STAA provides the grant authority for the jobs legislation appropriation. Although the Department excluded the AAIA from this 10 percent requirement when it published an NPRM (48 Federal Register-8416, February 28, 1983) on DOT implementation of the STAA provision, we may eventually be included within this requirement as a result of comments received on the NPRM. However, until final action is taken on this proposal, MBE requirements for AIP grants should be administered in accordance with the current regulation, 49 CFR Part 23.

10.6 Update of Phase 1 Data on FAA Form 5100-107 - Angela Ferrari (426-8590). Please meet the requirements established by Order 5100.20A for entering preapplications into the data control system within 10 days of receipt. Also, as Phase 2 actions are processed against Phase 1 preapplications, you should update the Phase 1 to reflect only the remaining development and the associated funds requested. These changes are recorded in Blocks C59, C61 and C47 on the reverse of the Phase 2. Particular attention should be given to Block C59 to assure that the Phase 1 development category is revised to conform to work remaining on the Phase 1.

10.7 Revision of Work Codes to Document Noise Compatibility Measures on FAA Form 5100-107 - Angela Ferrari (426-8590). Experience with the work codes used on the FAA Form 5100-107 reveals an inability to adequately identify dollars spent to conduct noise compatibility planning and carry out noise compatibility programs. This identification is necessary to assure that we meet the 8 percent legislative minimum for noise compatibility purposes. For actions involving development for noise compatibility purposes, the following new codes are added to supplement the existing noise codes:

<u>WORK CODE</u>	<u>WORK DESCRIPTION</u>
D08	Runway Development for Noise Compatibility
E08	Taxiway Development for Noise Compatibility
G08	Lighting for Noise Compatibility
H08	NAVAIDS for Noise Compatibility
N05	Relocation Assistance for Noise Compatibility

Work codes in the M series and N03 will continue to be used to identify noise compatibility funding actions.

10.8 Redesignation of State System Plan Project Grant Numbers on FAA Form 5100-107 - Angela Ferrari (426-8590). Instructions for the designation of State System Plan Project numbers on the FAA Form 107 require use of the state identification number preceded by two zeros for the Airport or Sponsor (See N5100.162, App. 2, note 5). This procedure results in inadvertently identifying the project with development projects at locations with the same NASP code. To remedy the problem, use four zeros for the sponsor code for all State System Plan Project numbers.



Lowell H. Johnson