

For further information, please contact David Allen, U.S. Global Change Research Program, Suite 250, 1717 Pennsylvania Ave., NW., Washington, DC 20006 (<http://www.climate-science.gov>).

Dated: June 16, 2010.

**Trigg Talley,**

*Office Director, Office of Global Change, Department of State.*

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## DEPARTMENT OF STATE

[Public Notice 7066]

### Announcement of Meetings of the International Telecommunication Advisory Committee

*Summary:* This notice announces meetings of the International Telecommunication Advisory Committee (ITAC) to start preparations for the 2010 Plenipotentiary Conference of the International Telecommunication Union (ITU) and the 2011 ITU Radiocommunication Sector (ITU-R) World Radiocommunication Conference Preparatory Meeting.

The ITAC will meet to begin preparation of advice for the U.S. government on the 2010 ITU Plenipotentiary Conference (Guadalajara, Mexico) on Thursday July 8, 2010, 2-4 p.m. Eastern Daylight Time, at 1120 20th Street, Washington, DC 20036. There will also be reports on recent meetings at ITU and OAS/CITEL (e.g. Study Group meetings, the ITU World Telecommunication Development Conference). For those people outside the Washington, DC metro area, a conference bridge will be provided.

The ITAC will meet to begin preparation of advice for the U.S. government on the 2011 ITU-R World Radiocommunication Conference Preparatory Meeting on Wednesday, August 11, 2010, 2-4 p.m. Eastern Daylight Time, at 1200 Wilson Boulevard, Arlington, VA 22209. For those people outside the Washington, DC metro area, a conference bridge will be provided. People expecting to attend this meeting in person should advise the Department of State at [najarianpb@state.gov](mailto:najarianpb@state.gov) or 202 647-7847.

These meetings are open to the public as seating capacity allows. The public will have an opportunity to provide comments at this meeting. People desiring further information on these meetings or wishing to request reasonable accommodation may contact

the Secretariat at [minardje@state.gov](mailto:minardje@state.gov) or 202 647-5205.

Dated: June 14, 2010.

**Cecily C. Holiday,**

*International Communications & Information Policy, U.S. Department of State.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Approval of Noise Compatibility Program for Buckeye Municipal Airport, Town of Buckeye, AZ

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Town of Buckeye 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 September 22, 2008, the FAA determined that the noise exposure maps submitted by the Town of Buckeye under Part 150 were in compliance with applicable requirements. On May 13, 2010, the FAA approved the Buckeye Municipal Airport noise compatibility program. All of the recommendations of the program were approved.

**DATES: Effective Date:** The effective date of the FAA's approval of the Noise Compatibility Program for Buckeye Municipal Airport is May 13, 2010.

**FOR FURTHER INFORMATION CONTACT:** Ruben Cabalbag, Acting Manager, Los Angeles Airports District Office, Room 3000, 15000 Aviation Boulevard, Lawndale, CA 90261, (310) 725-3621. 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 Buckeye Municipal Airport, effective May 13, 2010.

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 under applicable law contained in Title 49

U.S.C. Where Federal funding is sought, requests for project grants must be submitted to the FAA Los Angeles Airports District Office in Hawthorne, California.

The Town of Buckeye submitted to the FAA the noise exposure maps, descriptions, and other documentation produced during the noise compatibility study. The Buckeye Municipal Airport noise exposure maps were determined by the FAA to be in compliance with applicable requirements on September 22, 2008. Notice of this determination was published in the **Federal Register** on February 25, 2009, Volume 74, Number 36, Page 8612.

The Buckeye Municipal Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions. 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 December 4, 2009, 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 five 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 May 13, 2010.

Outright approval was granted for five of specific program measures. The approved measures include such items as: Developing a pilot and community outreach program; Developing project review guidelines for development of proposals within the Public Airport Disclosure Area: Town of Buckeye to discourage re-zoning of parcels near the airport that would allow more than one dwelling unit per acre; Update noise exposure maps and noise compatibility programs; Oversee implementation of the Part 150 Noise Compatibility Program.

These determinations are set forth in detail in a Record of Approval signed by the Western-Pacific Region Airports Division Manager on May 13, 2010. 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 Town of Buckeye. The Record of Approval also will be available online 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, California on June 8, 2010.

**Debbie Roth,**

*Acting Manager, Airports Division, Western-Pacific Region, AWP-600.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No. FTA-2009-0002]

#### Notice of Buy America Waiver for Minivans and Minivan Chassis

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of Buy America Waiver.

**SUMMARY:** In response to formal requests from El Dorado National, Kansas, and Chrysler Group LLC, and informal requests from several other parties, and based on the fact that no manufacturer has identified itself as willing and able to supply minivans or minivan chassis that are assembled in the United States, the Federal Transit Administration hereby waives its Buy America final assembly requirement for minivans and minivan chassis. This waiver is valid until such time as a domestic source becomes available.

**FOR FURTHER INFORMATION CONTACT:** For questions please contact Jayme L. Blakesley at (202) 366-0304 or [jayme.blakesley@dot.gov](mailto:jayme.blakesley@dot.gov).

#### SUPPLEMENTARY INFORMATION:

El Dorado National, Kansas ("El Dorado") asked the Federal Transit Administration ("FTA") to waive its Buy America requirements, on the basis of non-availability, for minivan chassis manufactured and assembled by Chrysler in Ontario, Canada. El Dorado uses Chrysler minivan chassis to manufacture its Amerivan lowered-floor minivans. In its request for a waiver, El Dorado asserts that General Motors and Chrysler minivan chassis, including those used on the Chevrolet Uplander, Pontiac Montana, Buick Terraza, Saturn Relay, Chrysler Town & Country, and Dodge Grand Caravan, are no longer manufactured in the United States. El Dorado manufactures its product by purchasing Chrysler minivan chassis, replacing the floor, installing wheelchair securement equipment, and adding a ramp to the side door.

According to El Dorado, in 2008 General Motors and Chrysler stopped manufacturing minivans in the United States. The absence of a domestic source for minivan chassis has severely impacted El Dorado; 75% of its sales are to FTA grantees.

By subsequent letter dated March 5, 2010, the Chrysler Group LLC ("Chrysler") requested a public interest waiver of the final assembly requirements for minivans and minivan chassis. According to Chrysler, minivans are no longer available from a domestic source—Chrysler closed its St. Louis final assembly facility in 2008; Honda has declined to make its minivans eligible for purchase with FTA funds; Nissan may change its final assembly location from the United States to Japan; and Toyota has not responded to public procurements.<sup>1</sup>

In addition to the requests from El Dorado and Chrysler, FTA has received many inquiries from its grantees about the non-availability of minivans from a domestic source. According to these grantees, minivans are no longer available from a source that is willing or able to comply with FTA's Buy America requirements.

With certain exceptions, FTA's "Buy America" requirements prevent FTA from obligating an amount that may be appropriated to carry out its program for a project unless "the steel, iron, and manufactured goods used in the project are produced in the United States." 49 U.S.C. 5323(j)(1). One such exception is if "the steel, iron, and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality." 49 U.S.C. 5323(j)(2)(B). In the case of a specific procurement, FTA presumes that the conditions exist to a waiver if no responsive and responsible bid is received offering an item produced in the United States. For requests that will affect an entire industry, FTA will not waive its Buy America requirements until it can ascertain whether the item truly is not available from a domestic source.

In order to verify El Dorado's assertion that minivans and minivan chassis are not available from a

<sup>1</sup> Contrary to Chrysler's assertion that Toyota has not responded to public procurements, in May 2010 FTA learned that Toyota may have certified compliance with the Buy America requirements when it supplied minivans to a transit provider. FTA attempted to communicate with Toyota by letter, e-mail, and telephone to determine whether Toyota is willing and able to supply Buy America-compliant minivans. Toyota has not responded. Therefore, until such time as Toyota can document its willingness and ability to comply with FTA's Buy America requirements, Toyota minivans will not be eligible for purchase with FTA funds.