

Executive Director/CIO, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549.

Dated: December 30, 2002.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 03-602 Filed 1-10-03; 8:45 am]

BILLING CODE 8010-01-P

## SOCIAL SECURITY ADMINISTRATION

### Rate for Attorney Fee Assessment Beginning in 2003

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Notice.

**SUMMARY:** The Social Security Administration is announcing that the attorney fee assessment rate under section 206(d) of the Act, 42 U.S.C. 406(d), is 6.3 percent for 2003.

**FOR FURTHER INFORMATION CONTACT:** John B. Watson, Social Security Administration, Office of the General Counsel, Phone: (410) 965-3137, email [John.Watson@ssa.gov](mailto:John.Watson@ssa.gov).

**SUPPLEMENTARY INFORMATION:** Section 406 of Pub. L. 106-170, the Ticket to Work and Work Incentives Improvement Act of 1999, established an assessment for the services required to determine and certify payments to attorneys from the benefits due claimants under Title II of the Act. This provision is codified in section 206 of the Act (42 U.S.C. 406). The legislation set the assessment for calendar year 2000 at 6.3 percent of the amount that would be required to be certified for direct payment to the attorney under section 206(a)(4) or 206(b)(1) before the application of the assessment. For subsequent years, the legislation requires the Commissioner of Social Security to determine the percentage rate necessary to achieve full recovery of the costs of determining and certifying fees to attorneys, but not in excess of 6.3 percent. The Commissioner of Social Security has determined, based on the best available data, that the current rate of 6.3 percent will continue for 2003. We will continue to review our costs on a yearly basis.

Dated: January 3, 2003.

**Dale W. Sopper,**

*Acting Deputy Commissioner for Finance Assessment and Management.*

[FR Doc. 03-538 Filed 1-10-03; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Noise Exposure Map Notice; Receipt of Noise Compatibility Program and Request for Review Arnold Palmer Regional Airport, Latrobe, Pennsylvania

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps (NEM) submitted by the Westmoreland County Airport Authority for the Arnold Palmer Regional Airport under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR part 150 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program (NCP) that was submitted for Arnold Palmer Regional Airport under part 150 in conjunction with the noise exposure maps, and that this program will be approved or disapproved on or before June 22, 2003.

**EFFECTIVE DATE:** The effective date of the FAA's determination on the noise exposure maps and of the start of its review of the associated noise compatibility program is December 24, 2002. The public comment period ends February 22, 2003.

**FOR FURTHER INFORMATION CONTACT:** James Byers, Federal Aviation Administration, Harrisburg Airports District Office, 3905 Hartzdale Drive, Camp Hill, PA 17011. Telephone (717) 730-2833. Comments on the proposed noise compatibility program should also be submitted to the above office.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA finds that the noise exposure maps submitted for the Arnold Palmer Regional Airport are in compliance with applicable requirements of part 150, effective December 24, 2002. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before June 22, 2003. This notice also announces the availability of this program for public review and comment.

Under section 103 of Title I of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict noncompatible land uses

as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to Title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The Westmoreland County Airport Authority submitted to the FAA on December 6, 2002 noise exposure maps, descriptions and other documentation which were produced during the Arnold Palmer Regional Airport part 150 Noise Compatibility Study conducted between March 1999 and November 2002. It was requested that the FAA review this material as the noise exposure maps, as described in section 103(a)(1) of the Act, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under section 104(b) of the Act.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by the Westmoreland County Airport Authority. The specific maps under consideration are "1999 Noise Exposure Map" (NEM1) and "2004 Noise Exposure Map" (NEM2) with "Recommended Noise Compatibility Program" (NCP) in the submission. The documentation that constitutes the "Noise Exposure Maps" as defined in section 150.7 of part 150 includes: NEM1 and NEM2 contain current and forecast condition graphics such as depiction of the airport and its boundaries and runway configurations; land uses such as hospitals, libraries, churches, historical points, schools, nursing homes, commercial and industrial areas, community service areas, and residential areas; and the areas within the DNL 60, 65, 70 and 75. Estimates of the number of people residing within the DNL 60, 65, 70 and 75 are found in Table V-1. The locations of noise monitoring sites are found in Exhibit IV-6. Flight tracks for the existing condition and the five-year forecasted timeframes are found in Exhibits IV-3, IV-4, and IV-5. The type

and frequency of aircraft operations (including nighttime operations) are found in Tables IV-6, IV-7, and IV-8. The Westmoreland County Airport Authority has determined that single family residential land uses in the airport environs are generally incompatible with noise levels above DNL 60 dBA. The Authority proposes to work with members of the Unity Township Zoning Hearing Board and the Unity Township Board of Supervisors to adopt a more stringent designation of noncompatibility for Unity Township (see Table III-1 of the NCP) than the federal/FAA standards as expressed in Table 1 of FAR part 150.

**Comparability of Conditions:** Federal part 150 regulations require the preparation of noise exposure contours based on forecast aircraft operations at the airport for five years from the date of submission and that reasonable assumptions concerning fleet mix, flight patterns, and planned airport developments be incorporated. The initial schedule of the Arnold Palmer Regional Airport's Part 150 Study indicated that the Noise Exposure Maps would be submitted near the end of 1999. Therefore, 2004 operating levels were used for the Future NEM/NCP. The NEMs were ultimately submitted to the FAA in November 2000 and the NCP was submitted in March 2001. Subsequently, at the FAA's request, certain pages of the NEM and NCP reports were revised and resubmitted in February 2002. To address additional comments received on the NEM and NCP from the FAA Environmental and Airspace Divisions, the Westmoreland County Airport Authority prepared another revision in June 2002.

A comparison of the 2004 and 2008 forecasts was completed (see Table II-3 NEM report) and it was found that there would be less than 3 percent difference between the two conditions (2004 = 48,318 annual aircraft operations and 2008 = 49,524 annual aircraft operations). The difference in aircraft operations between the two forecast years is 1,206 annual aircraft operations or approximately 3 operations per day. In addition, there is nothing to indicate that there would be significant changes in flight patterns, runway use, or fleet mix between 2004 and 2008. Therefore, the 2004 Future NEM/NCP noise contours are representative of 2007/2008 conditions as well. This determination is effective on December 24, 2002. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of FAR part 150. Such determination does

not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 107 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposures contours onto the map depicting properties on the surface rests exclusively with the airport operator which submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 103 of the Act. The FAA has relied on the certification by the airport operator, under section 150.21 of FAR part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for Arnold Palmer Regional Airport, also effective on December 24, 2002. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before June 22, 2003.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, other than those properly

addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations: Westmoreland County Airport Authority, 200 Pleasant Unity Road Suite 103, Latrobe, PA 15650 and Federal Aviation Administration, Harrisburg Airports District Office, 3905 Suite 506, Hartzdale Drive, Camp Hill, PA 17011.

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT**.

Issued in Camp Hill, Pennsylvania, December 24, 2002.

**Sharon A. Daboin,**

*Manager Harrisburg Airports District Office.*

[FR Doc. 03-653 Filed 1-10-03; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2002-70]

#### Petitions for Exemption; Summary of Petitions Received

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

**ACTION:** Notice of petition for exemption received.

**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 a certain petition seeking relief from specified requirements of 14 CFR. 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.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before February 3, 2003.

**ADDRESSES:** Send comments on the petition to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2002-13875-1 at the beginning of your comments. If you wish to receive confirmation that the