

**SYSTEM MANAGER(S) AND ADDRESS:**

Office of the Secretary of Transportation Information Services, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590; Federal Highway Administration Office of Information Management, 400 Seventh Street, SW., Washington, DC 20590; Director, Office of Administration, Volpe National Transportation Systems Center, 55 Broadway, Cambridge, MA 02142; Director, Transportation Safety Institute, 6500 South MacArthur Blvd., Oklahoma City, Oklahoma 73169; Director, Office of Administration, Saint Lawrence Seaway Development Corporation at 180 Andrews Street, Massena, New York 13662-0520.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether their information is contained in this system should address written inquiries to the Department of Transportation Freedom Of Information Act and Privacy Act Office at 400 Seventh Street, SW., Washington DC 20590. Requests should include name, address and telephone number and describe the records you seek.

**RECORD ACCESS PROCEDURES:**

Same as "Notification procedure."

**CONTESTING RECORD PROCEDURES:**

Same as "System Manager."

**RECORD SOURCE CATEGORIES:**

Individuals provide their name and mailing address directly as part of the request to obtain copies of publications. These requests are accepted by the Department of Transportation, its operating administrations, and its contractors by telephone, fax, public Web site, postal mail, and e-mail.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

Dated: June 13, 2006.

**Kara Spooner,**

*Departmental Privacy Officer.*

[FR Doc. E6-9581 Filed 6-16-06; 8:45 am]

**BILLING CODE 4910-9X-P**

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****Privacy Act of 1974: System of Records**

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice to establish a system of records.

**SUMMARY:** DOT intends to establish a system of records under the Privacy Act of 1974.

**EFFECTIVE DATE:** July 31, 2006. If no comments are received, the proposal will become effective on the above date. If comments are received, the comments will be considered and, where adopted, the documents will be republished with changes.

**FOR FURTHER INFORMATION CONTACT:** Kara Spooner, Department of Transportation, Office of the Secretary, 400 7th Street, SW., Washington, DC 20590, (202) 366-1965 (telephone), (202) 366-7373 (fax), *kara.spooner@dot.gov* (Internet address).

**SUPPLEMENTARY INFORMATION:** The Department of Transportation system of records notice subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, has been published in the **Federal Register** and is available from the above mentioned address.

**DOT/ALL 17****SYSTEM NAME:**

Freedom of Information Act and Privacy Act Case Files.

**SECURITY CLASSIFICATION:**

Unclassified, non-sensitive.

**SYSTEM LOCATION:**

These records are located at Department of Transportation (DOT) Freedom of Information Act (FOIA) and Privacy Act (PA) offices located in Washington, DC, as well as FOIA Coordination offices at regional locations.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals who submit FOIA and PA requests and administrative appeals to DOT.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system contains records and related correspondence on individuals who have filed requests for information under the provisions of the Freedom of Information Act and Privacy Act of 1974, including requests for review of initial denials of such requests; copies of requested records and records under administrative appeal.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 552, Freedom of Information Act, as amended, and 5 U.S.C. 552a, the Privacy Act of 1974, as amended.

**PURPOSE(S):**

These records are maintained to process individuals' requests made under the provisions of the Freedom of Information Act and Privacy Act of 1974.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

To another Federal agency (a) with an interest in the record in connection with a referral of a Freedom of Information Act (FOIA) request to that agency for its views or decision on disclosure, or (b) in order to obtain advice and recommendations concerning matters on which the agency has specialized experience or particular competence that may be useful to DOT in making required determinations under the FOIA. See also Prefatory Statement of General Routine Uses.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

None.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:****STORAGE:**

Records are stored manually in file folders and electronically in databases.

**RETRIEVABILITY:**

Records are retrieved by the name of the individual who made the request or FOIA case tracking or control number.

**SAFEGUARDS:**

Computer records are maintained in a secure, password protected computer system. Paper records are maintained in lockable file cabinets. All records are maintained in secure, access-controlled areas or buildings.

**RETENTION AND DISPOSAL:**

Records are retained according to the National Archives' General Records Schedule 14 for FOIA request, appeal, control, reports and administrative files and Privacy Act request, amendment case, accounting of disclosure, control and administrative files.

**SYSTEM MANAGER(S) AND ADDRESS:**

Freedom of Information Act Officer, Department of Transportation, 400 7th Street, SW., Room 5432, Washington, DC 20590, for all elements of the Department of Transportation except the Federal Aviation Administration; Freedom of Information Act Officer, Federal Aviation Administration, 800 Independence Avenue, Washington, DC 20591.

**NOTIFICATION PROCEDURE:**

Same as "System Manager."

**RECORD ACCESS PROCEDURES:**

Same as "System Manager."

**CONTESTING RECORD PROCEDURES:**

Same as "System Manager."

**RECORD SOURCE CATEGORIES:**

Those individuals who submit initial requests and administrative appeals pursuant to FOIA and PA, the agency records obtained in the process of responding to such requests and appeals, and DOT personnel who handle such requests and appeals.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

During the course of a FOIA or PA action, exempt materials from other systems of records may in turn become part of the case records in this system. To the extent that copies of exempt records from those 'other' systems of records are entered into the FOIA/PA case file, the same exemptions apply for those records, as are claimed for the original systems of records which they are a part.

Dated: June 13, 2006.

**Kara Spooner,**

*Departmental Privacy Officer.*

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**BILLING CODE 4910-9X-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Approval of Noise Compatibility Program for Scottsdale Airport, Scottsdale, 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 City of Scottsdale, Arizona under the provisions of Title I of the Aviation Safety and Noise Abatement Act, as amended, (Public Law 96-193) (hereinafter referred to as "the Act") and 14 CFR part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On January 21, 2005, the FAA determined that the noise exposure maps submitted by the City of Scottsdale under Part 150 were in compliance with applicable requirements.

**DATES:** *Effective Date:* The effective date of the FAA's approval of the Noise Compatibility Program for Scottsdale Airport is May 30, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Michelle Simmons, Environmental Protection Specialist, Airports Division, Arizona Standards Section, AWP-623.4, Western-Pacific Region, Federal Aviation Administration, P.O. Box

92007, Los Angeles, California, 90009-2007. Telephone: 310/725-3614.

Documents reflecting this FAA action may be reviewed in the Office of the Airports Division, 15000 Aviation Boulevard, Room 3012, Hawthorne, California, 90261.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA has given its overall approval to the Noise Compatibility Program for Scottsdale Airport, effective May 30, 2006. Under section 104(a) of the Aviation Safety and Noise Abatement Act of 1979, as amended (herein after referred to as the "Act") [recodified as 49 U.S.C. 47504], 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 Federal Aviation Regulation (FAR) 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 FAR 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 FAR 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 FAR 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, and an FAA decision on the request may require an environmental assessment of the proposed action. 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 the Airport and Airway Improvement Act of 1982, as amended. Where federal funding is sought, requests for project grants must be submitted to the FAA Airports Division Office in Hawthorne, California.

The City of Scottsdale submitted to the FAA on October 13, 2004, the Noise Exposure Maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from September 28, 1982 through October 13, 2004. The Scottsdale Airport Noise Exposure Maps were determined by FAA to be in compliance with applicable requirements on January 21, 2005. Notice of this determination was published in the **Federal Register** on February 7, 2005.

The Scottsdale Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from September 28, 1982 to beyond the year 2009). It was requested that the FAA evaluate and approve this material as a Noise Compatibility Program as described in 49 U.S.C. 47504 (formerly Section 104(b) of the Act). The FAA began its review of the program on October 13, 2004 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 thirty (30) proposed actions for noise abatement, land use planning and