

14 CFR Parts 93 and 159

[Docket No. 19948; Amdt. Nos. 93-43 and 159-26]

Metropolitan Washington Airports

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of postponement of effective dates of final rules.

SUMMARY: This document postpones the effective date of the Metropolitan Washington Airports Policy and implementing Rules. The postponement is necessary in order to allow additional time for consideration of the comments received on a proposed revised policy.

DATE: The effective date of the Amendment Nos. 93-42 and 159-24 is delayed until November 30, 1981.

FOR FURTHER INFORMATION CONTACT: Edward S. Faggen, Counsel, (703) 557-8123, Metropolitan Washington Airports, Federal Aviation Administration, Washington National Airport, Hangar 9, Washington, D.C. 20001.

SUPPLEMENTARY INFORMATION:

Background

The Metropolitan Washington Airport MWA Policy was announced on August 15, 1980, by the Secretary of Transportation. On September 15, 1980, the Administrator issued final rules implementing the Policy which were to become effective January 5, 1981. The Congress, in the Department of Transportation and Related Agencies Appropriation Act of 1981, Pub. L. 96-400, provided that none of the funds appropriated could be used to mandate any reduction of the total number of certificated air carrier slots allocated per hour at National before April 26, 1981. The Metropolitan Washington Airports policy elements were viewed as interrelated, and, as a result of the law, the effective date of the entire policy was postponed by the Department of Transportation until April 26, 1981.

On March 24, 1981, in order to provide adequate time for review of the entire policy, the effective date of the Metropolitan Washington Airports Policy and implementing regulations was postponed by the Secretary until October 25, 1981 (46 FR 19225; March 30, 1981). As a result of the review the

Administrator issued an NPRM on July 8, 1981, which proposed to modify the MWA policy and to revoke the rules issued September 15, 1980 (46 FR 36068; July 13, 1981). Extensive comments have been received on the NPRM and the review of the comments is still underway. The review is not expected to be completed until after October 25, 1981, the presently scheduled effective date of August 15, 1980, policy. Allowing the August 1980 policy to become effective when a proposal which could amend all or portions of that policy is under review would be inconsistent and against public interest.

Need for Immediate Adoption

As the rule is scheduled to become effective shortly, additional notice and public procedure on this change in effective date are impracticable, unnecessary, and contrary to the public interest, and good cause exists for making this change in effective date, effective immediately.

Adoption of the Amendment

Accordingly, in order to allow sufficient time to complete the review of comments on the proposed revised policy, the effective dates of the Metropolitan Washington Airports Policy (45 FR 62397; September 18, 1980) and Amendments 93-37 and 159-20 (45 FR 62406; September 18, 1980) as amended by Amendments 93-38 and 159-22 (45 FR 71251; October 27, 1980) as amended by Amendments 93-42 and 159-24 (46 FR 19225; March 30, 1981) are further amended to November 30, 1981.

(Secs. 103, 307 (a), (b), and (c), and 313(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1303, 1348 (a), (b), and (c) and 1354(a)); Secs. 2 and 5 of the Act for the Administration of Washington National Airport, 54 Stat. 686, as amended by 61 Stat. 94; Sec. 4 of the Second Washington Airport Act, 64 Stat. 770; Sec. 6 of the Department of Transportation Act (49 U.S.C. 1655))

Note.—This change of effective dates is not a significant regulation under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

Issued in Washington, D.C., On October 22, 1981.

J. Lynn Helms,
Administrator.

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