

MARYLAND REGISTER

Proposed Action on Regulations

Comparison to Federal Standards Submission and Response

Name: Natalie I Henson
Agency: Department of Transportation
Address: 7201 Corporate Center Drive
State: MD
Zip: 21076
Phone: 410-865-1091
Email: nwolfe@mdot.state.md.us

In accordance with Executive Order 01.01.1996.03 and memo dated July 26, 1996, the attached document is submitted to the Department of Business and Economic Development for review.

The Proposed Action is not more restrictive or stringent than corresponding federal standards.

COMAR Codification: 11.03.01..01-1 and .12

Corresponding Federal Standard:

Federal Aviation Regulation, Part 150, Airport Noise Compatibility Planning

Discussion/Justification:

FAR Part 150 is the primary federal regulation guiding and controlling planning for aviation noise compatibility on and around airports. The regulations contained in Part 150 are voluntary and airport operators are not required to participate. However, an approved Part 150 Noise Compatibility Program is the primary vehicle for gaining approval of applications for federal grants for noise abatement projects, and provides the required analyses for evaluating the impacts of any proposed constraints upon an airport's operations.

The noise level criteria in this proposed regulation are identical to those set forth in FAR Part 150.

TO BE COMPLETED BY DBED

Agree

Disagree

Comments:

I do not have the subject matter expertise on Noise Zones. However, I believe DOT has the subject matter expertise and trust their assertion that these regulations do not exceed the federal regulations.

Name: Sandy Popp

Date: 8/27/2014

Submit to Governor's Office

Governor's Office Response

X- Approve
_ -Disapprove

Comments:

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	08/28/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 10/3/2014

2. COMAR Codification

Title	Subtitle	Chapter	Regulation
11	03	01	.01-1 and .12

3. Name of Promulgating Authority

Department of Transportation

4. Name of Regulations Coordinator	Telephone Number
Natalie I Henson	410-865-1091

Mailing Address

7201 Corporate Center Drive

City	State	Zip Code
Hanover	MD	21076

Email
nwolfe@mdot.state.md.us

5. Name of Person to Call About this Document	Telephone No.
Jeanette Brewer	410-859-7734

Email Address
jbrewer1@bwairport.com

6. Check applicable items:
 New Regulations

DEPARTMENT OF TRANSPORTATION

Subtitle 03 MARYLAND AVIATION ADMINISTRATION

11.03.01 Baltimore/Washington International Thurgood Marshall Airport

Authority: Transportation Article, §§5-202, 5-204, 5-208, 5-805, 5-806, 5-819, Md. Code Ann.

Notice of Proposed Action

□

The Executive Director of the Maryland Aviation Administration proposes to amend Regulations .01-1 and .12 under COMAR 11.03.01 Baltimore/Washington International Thurgood Marshall Airport.

This action was considered by the Maryland Aviation Commission in an open meeting on May 22, 2013, notice of which was given, pursuant to State Government Article §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to incorporate by reference the new certified Baltimore/Washington International Thurgood Marshall Airport (BWI) Noise Zone, reflecting the new base year of 2014 and new future years of 2019 and 2024.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Ellen Sample, Director, Office of Noise & Land Use Compatibility, MAA, P.O. Box 8766, BWI Airport MD 21240, or call 410-859-7925, or email to dsample@bwiairport.com, or fax to 410-859-7288. Comments will be accepted through November 2, 2014. A public hearing will be held, A public hearing has been scheduled for Tuesday, October 21, 2014 at 991 Corporate Boulevard, Linthicum MD 21090.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2015

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

No

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

Funds not necessary to implement regulations.

E. If these regulations have no economic impact under Part A, indicate reason briefly:

This amendment merely adjusts the currently adopted Airport Noise Zone for Baltimore/Washington International Thurgood Marshall Airport, and areas of change have no economic impact.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

This amendment merely adjusts the currently adopted Airport Noise Zone for Baltimore/Washington International Thurgood Marshall Airport, and areas of change have no economic impact.

G. Small Business Worksheet:

a. Intended Beneficiaries: N/A

b. Intended Beneficiaries: Households: N/A

c. Intended Beneficiaries: Businesses: N/A

d. Other Direct or Indirect Impacts: Adverse: N/A

e. Other Direct or Indirect Impacts: Positive: This amendment proposes to reduce by 659 acres the currently adopted Airport Noise Zone for Baltimore/Washington International Thurgood Marshall Airport with no adverse impacts estimated.

f. Long-Term Impacts: Ensures continued orderly development of land near Baltimore/Washington International Thurgood Marshall Airport begun in 1976, reducing the amount of land located in areas incompatible with aircraft noise.

g. Estimates of Economic Impact: None

Attached Document:

Title 11

MARYLAND DEPARTMENT OF TRANSPORTATION

Subtitle 03 MARYLAND AVIATION ADMINISTRATION

11.03.01 Baltimore/Washington International Thurgood Marshall Airport

Authority: Transportation Article, §§5-202, 5-204, 5-208, 5-805, 5-806, and 5-819, Annotated Code of Maryland

.01-1 Incorporation by Reference

- A. (text unchanged)
- B. Documents Incorporated.
 - (1)
 - (4) (text unchanged)
 - (5) The certified Baltimore/Washington International Thurgood Marshall Airport (BWI) Noise Zone, consisting of the 65, 70, and 75 L_{dn} contours overprinted on county tax maps as indicated below:
 - (a) (text unchanged)
 - (b) (text unchanged)
 - (c) Anne Arundel County Tax Maps 3, 4, [7,] 8, 9, and 15;
 - (d) Howard County Tax Maps 38, [43,] and 44.
 - (6)–(8) (text unchanged)
- C. (text unchanged)

.12 Certified Baltimore/Washington International Thurgood Marshall Airport (BWI) Noise Zone.

- A. (text unchanged)
- B. BWI Noise Zone.
 - (1)–(2) (text unchanged)
 - (3) The certified Baltimore/Washington International Thurgood Marshall Airport (BWI) Noise Zone consists of the 65, 70, and 75 L_{dn} contours overprinted on county tax maps as indicated as follows:
 - (a) (text unchanged)
 - (b) (text unchanged)
 - (c) Anne Arundel County Tax Maps 3, 4, [7,] 8, 9, and 15;
 - (d) Howard County Tax Maps 38, [43,] and 44.
 - (4) The noise zone is a composite of the 65, 70, and 75 L_{dn} noise contours for the base year of [2005] 2014 and future years of [2012] 2019 and [2017] 2024.
 - (5) (text unchanged)
- C. (text unchanged)

PAUL J. WIEDEFELD
Executive Director
Maryland Aviation Administration