



U.S. Department
of Transportation
**Federal Aviation
Administration**

September 10, 2018

John E. Putnam
Kaplan Kirsch Rockwell
1675 Broadway, Suite 2300
Denver, CO 80202

Re: State of Maryland Administrative Petition Regarding Baltimore/Washington
International Thurgood Marshall Airport

Dear John:

I am writing in response to the administrative petition dated June 26, 2018, that you submitted to Acting Administrator Dan Elwell on behalf of the State of Maryland.

We have read the administrative petition and concluded that no formal right exists in the applicable statutes, regulations, or guidance to "petition" the Acting Administrator as Maryland has done. We also note that the FAA's actions with respect to the DC Metroplex Environmental Assessment and the identified procedures at BWI are fully implemented and were complete years ago. There is no major federal action associated with these actions, and FAA does not have a legal duty to supplement the reviews associated with those documents.

Accordingly, the FAA declines to respond to Maryland's administrative petition. This letter does not constitute final agency action, nor should it be construed as a reopening of prior agency actions. However, as you may know, on July 25, 2018, the FAA agreed to reengage with the DC Metroplex BWI Community Roundtable but limited its involvement to issues outside the scope of the administrative petitions filed by Maryland and Howard County. If Maryland will withdraw its administrative petition, we are prepared to consider all recommendations from the roundtable addressing noise concerns at BWI. We believe that the roundtable is the proper forum to address the state's noise concerns from departing and arriving aircraft at BWI.

Sincerely,

A handwritten signature in cursive script that reads "James A. Lofton".

James A. Lofton
Assistant Chief Counsel for Airports & Environmental Law