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Court Rejects Local Controls Over Philadelphia International Airport Expansion

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On August 27, 2010, the U.S. District Court for the Eastern District of Pennsylvania declared that a Pennsylvania statute concerning property acquisition for airports is preempted. Under the state statute, the City of Philadelphia would have been required to obtain Tinicum Township's approval to acquire property in the Township in connection with the planned PHL Capacity Enhancement Project. The court found that the expansion project was related to aviation safety, that aviation safety is subject to exclusive federal control, and that the state statute therefore is preempted by implication.