

Monday through Friday, except Federal holidays.

• **Fax:** Fax comments to Docket Operations at (202) 493–2251.

**Privacy:** In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

**Docket:** Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Alphonso Pendergrass (202) 267–4713, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

**Angela O. Anderson,**

*Director, Regulatory Support Division, Office of Rulemaking.*

## PETITION FOR EXEMPTION

**Docket No.:** FAA–2022–0273.

**Petitioner:** Aviation Specialties Unlimited, Inc.

**Section(s) of 14 CFR Affected:** §§ 91.9(a) and 91.205(h)(7).

**Description of Relief Sought:** Aviation Specialties Unlimited, Inc. (ASU) petitions for relief from 14 CFR §§ 91.205(h)(7) and 91.9(a) to conduct Airplane Night Vision Goggle (ANVG) operations under part 135 and to provide flight training to other part 135 operators, part 141 training, FAA Aviation Safety Inspector Training, international students and organizations, agricultural aircraft operators, public aircraft operators, and internal annual and recurrent training with an unreliable or not normally functioning radar (radio) altimeter. These operations will take place under visual flight rules (VFR) conditions at night, to include night landings and takeoffs from General Aviation airports.

[FR Doc. 2022–13145 Filed 6–17–22; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Waiver of Aeronautical Land Use Assurance: Independence Municipal Airport (IDP), Independence, KS

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of Intent of Waiver with respect to land use change from aeronautical to non-aeronautical.

**SUMMARY:** The Federal Aviation Administration (FAA) is considering a proposal from the City of Independence, KS, to release a 7.857 acre parcel of land from the federal obligation dedicating it to aeronautical use and to authorize this parcel to be used for revenue-producing, non-aeronautical purposes.

**DATES:** Comments must be received on or before July 21, 2022.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Amy J. Walter, Airports Land Specialist, Federal Aviation Administration, Airports Division, ACE–620G, 901 Locust Room 364, Kansas City, MO 64106. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to: Kelly Paussauer, City Manager, City of Independence, 811 W Laurel Street, Independence, KS 67301, (620) 332–2506.

**FOR FURTHER INFORMATION CONTACT:** Amy J. Walter, Airports Land Specialist, Federal Aviation Administration, Airports Division, ACE–620G, 901 Locust Room 364, Kansas City, MO 64106, Telephone number (816) 329–2603, Fax number (816) 329–2611, email address: [amy.walter@faa.gov](mailto:amy.walter@faa.gov).

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to change three parcels of land totaling 7.857 acres of airport property at the Independence Municipal Airport (IDP) from aeronautical use to non-aeronautical for revenue producing use. This parcel will be leased to VSE Aviation Services, LLC to expand their existing building and construct a parking lot.

No airport landside or airside facilities are presently located on this parcel, nor are airport developments contemplated in the future. There is no current use of the surface of the parcel. The parcel will serve as a revenue producing lot with the proposed change from aeronautical to non-aeronautical. The request submitted by the Sponsor meets the procedural requirements of the Federal Aviation Administration

and the change to non-aeronautical status of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this Notice.

The following is a brief overview of the request:

The Independence Municipal Airport (IDP) is proposing the use release of 7.857 acres of land from aeronautical to non-aeronautical. The use release of land is necessary to comply with Federal Aviation Administration Grant Assurances that do not allow federally acquired airport property to be used for non-aviation purposes. The rental of the subject property will result in the land at the Independence Municipal Airport (IDP) being changed from aeronautical to non-aeronautical use and release the lands from the conditions of the Airport Improvement Program Grant Agreement Grant Assurances. In accordance with 49 U.S.C. 47107(c) (2) (B) (i) and (iii), the airport will receive fair market rental value for the property. The annual income from rent payments will generate a long-term, revenue-producing stream that will further the Sponsor's obligation under FAA Grant Assurance number 24, to make the Independence Municipal Airport as financially self-sufficient as possible. Following is a legal description of the subject airport property at the Independence Municipal Airport (IDP):

A tract of land located in a portion of the Southeast Quarter of Section 21, Township 33 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as written by William A. Booe, LS 1046, 5–5–2022: Commencing at the Southeast corner of the Southeast Quarter; thence S 88°15'13" W, along the South line of the Southeast Quarter a distance of 1655.78 feet; thence N 01°24'44" W, a distance of 395.10 feet to the Point of Beginning; thence N 01°24'44" W, a distance of 610.00 feet; thence S 88°35'16" W, a distance of 321.77 feet; thence S 01°24'44" E, a distance of 610.00 feet; thence N 88°35'16" E, a distance of 321.77 feet to the Point of Beginning. Containing 4.506 acres. And a tract of land located in a portion of the Southeast Quarter of Section 21, Township 33 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as written by William A. Booe, LS 1046, 5–5–2022: Commencing at the Southeast corner of the Southeast Quarter; thence S 88°15'13" W, along the South line of the Southeast Quarter a distance of 1655.78 feet; thence N 01°24'44" W, a distance of 1005.10 feet;



thence S 88°35'16" W, a distance of 321.77 feet; thence S 89°35'39" W, a distance of 80.00 feet; thence S 88°47'00" W, a distance of 158.02 feet to the Point of Beginning; thence S 88°47'00" W, a distance of 128.21 feet; thence S 01°20'36" E, a distance of 128.32 feet; thence N 88°47'00" E, a distance of 128.53 feet; thence N 01°29'10" W, a distance of 128.32 feet to the Point of Beginning. Containing 0.378 acres. And a tract of land located in a portion of the Southeast Quarter of Section 21, Township 33 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as written by William A. Booe, LS 1046, 5–5–2022: Commencing at the Southeast corner of the Southeast Quarter; thence S 88°15'13" W, along the South line of the Southeast Quarter a distance of 1655.78 feet; thence N 01°24'44" W, a distance of 1005.10 feet; thence S 88°35'16" W, a distance of 321.77 feet; thence S 89°35'39" W, a distance of 80.00 feet to the point of beginning; thence S 88°47'00" W, a distance of 158.02 feet; thence S 01°29'10" E a distance of 128.32 feet; thence S 88°47'00" W a distance of 128.53 feet; thence S 01°20'36" E a distance of 380.38 feet; thence N 88°51'48" E a distance of 287.45 feet; thence N 01°28'49" W a distance of 509.10 feet to the point of beginning. Containing 2.973 acres.

Any person may inspect, by appointment, the request in person at the FAA office listed above. In addition, any person may upon request, inspect the application, notice and other documents determined by the FAA to be related to the application in person at the Independence Municipal Airport.

Issued in Kansas City, MO, on June 14, 2022.

**James A. Johnson,**

*Director, FAA Central Region, Airports Division.*

[FR Doc. 2022–13195 Filed 6–17–22; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[FHWA Docket No. FHWA–2020–0008]

### Surface Transportation Project Delivery Program; Ohio Department of Transportation Audit #4 Report

**AGENCY:** Federal Highway Administration (FHWA), U.S. Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** The Moving Ahead for Progress in the 21st Century Act (MAP–

21) established the Surface Transportation Project Delivery Program that allows a State to assume FHWA's environmental responsibilities for environmental review, consultation, and compliance under the National Environmental Policy Act (NEPA) for Federal highway projects. When a State assumes these Federal responsibilities, the State becomes solely responsible and liable for carrying out the responsibilities it has assumed, in lieu of FHWA. This program mandates annual audits during each of the first 4 years of State participation to ensure compliance with program requirements. This notice finalizes the findings of the fourth and last audit report for the Ohio Department of Transportation (ODOT).

**FOR FURTHER INFORMATION CONTACT:** Ms. Megan Cogburn, Office of Project Development and Environmental Review, (202) 366–2056, [megan.cogburn@dot.gov](mailto:megan.cogburn@dot.gov); or Mr. Patrick Smith, Office of the Chief Counsel, (202) 366–1345, [patrick.c.smith@dot.gov](mailto:patrick.c.smith@dot.gov); Federal Highway Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Office hours are from 8:00 a.m. to 4:30 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

An electronic copy of this notice may be downloaded from the specific docket page at [www.regulations.gov](http://www.regulations.gov).

##### Background

The Surface Transportation Project Delivery Program, codified at 23 United States Code (U.S.C.) 327, commonly known as the NEPA Assignment Program, allows a State to assume FHWA's responsibilities for environmental review, consultation, and compliance for Federal highway projects. When a State assumes these Federal responsibilities, the State becomes solely liable for carrying out the responsibilities it has assumed, in lieu of the FHWA. The ODOT published its application for assumption under the NEPA Assignment Program on April 12, 2015, and made it available for public comment for 30 days. After considering public comments, ODOT submitted its application to FHWA on May 27, 2015. The application served as the basis for developing the memorandum of understanding (MOU) that identifies the responsibilities and obligations that ODOT would assume. The FHWA published a notice of the draft MOU in the **Federal Register** on October 15, 2015, at 80 FR 62153, with a 30-day comment period to solicit the views of

the public and Federal agencies. After the comment period closed, FHWA and ODOT considered comments and executed the MOU. The FHWA and ODOT amended the MOU on June 6, 2018, to update recent national program guidance and objectives for consistency with other States under the NEPA Assignment Program. The FHWA and ODOT renewed the MOU on December 14, 2020, for a new 5-year term effective December 28, 2020.

Section 327(g) of Title 23, U.S.C., requires the Secretary to conduct annual audits to ensure compliance with the MOU during each of the first 4 years of State participation and, after the fourth year, monitor compliance. The results of each audit must be made available for public comment. The first audit report of ODOT compliance was finalized on July 7, 2017. The second audit report of ODOT compliance was finalized on October 3, 2018. The third audit report was finalized on November 13, 2019. The FHWA published a notice in the **Federal Register** on June 17, 2020, at 85 FR 36661, soliciting public comment for 30 days on the draft fourth audit report. The FHWA received comments on the draft report from the American Road and Transportation Builders Association (ARTBA) and ODOT. The ARTBA's comments supported the Surface Transportation Project Delivery Program and did not relate specifically to Audit #4. The comments submitted by ODOT on the draft audit report were substantially similar to comments that had previously been discussed by the Audit Team with ODOT during the development of the audit report. The FHWA considered these comments during the audit process and determined they did not warrant changes to FHWA's observations. This notice announces the availability of the fourth and final audit report for ODOT.

**Authority:** Section 1313 of Public Law 112–141; Section 6005 of Public Law 109–59; 23 U.S.C. 327; 23 CFR part 773.

**Stephanie Pollack,**

*Deputy Administrator, Federal Highway Administration.*

### Surface Transportation Project Delivery Program

#### Final FHWA Audit #4 of the Ohio Department of Transportation

July 29, 2019 to August 2, 2019

#### Executive Summary

This is a report of the Federal Highway Administration's (FHWA) fourth and final audit of the Ohio Department of Transportation's (ODOT) assumption of National Environmental Policy Act (NEPA) responsibilities. A