

*Description of Relief Sought:* Insitu, Inc. proposes to operate the ScanEagle3, a fixed-wing unmanned aircraft system (UAS), with a maximum takeoff weight of 85 pounds (lbs.), for Durability & Reliability flight test hours to show compliance towards type certification in the United States. Relief is requested from the requirement that a person acting as a required flight crewmember or a pilot of a civil aircraft must hold a pilot certificate issued under part 61. Insitu proposes the use of remote certificated pilots who have undergone platform-specific training based on part 61, rather than part 61 certificated pilots, during the controlled flight test operations within a FAA UAS test site, over low population density areas, operating with a special airworthiness certificate in the experimental category and a civil Certificate of Waiver or Authorization.

[FR Doc. 2021-21640 Filed 10-4-21; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Notice of Intent To Release Certain Properties From All Terms, Conditions, Reservations and Restrictions of a Release Agreement Between the City of Fernandina Beach and the United States of America for a Parcel Previously Included in the Fernandina Beach Municipal Airport Property, Fernandina, FL**

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

**ACTION:** Request for public comment.

**SUMMARY:** The FAA hereby provides notice of intent to release 2.63 acres near the Fernandina Beach Municipal Airport, Fernandina Beach, FL from the restrictions and reservations as contained in a Release Agreement between the United States of America and the City of Fernandina Beach, dated November 24, 1954. The subject parcel is located on the Northwest Corner of Amelia Island Parkway and Amelia Road, north of the Fernandina Beach Municipal Airport in Nassau County. The subject parcel is defined as Nassau County, Florida, Parcel #06-2N-28-0000-0001-0010.

**DATES:** Comments are due on or before November 4, 2021.

**ADDRESSES:** Documents are available for review at Fernandina Beach Municipal Airport, and the FAA Airports District Office, 8427 SouthPark Circle, Suite 524, Orlando, FL 32819. Written comments on the Sponsor's request

must be delivered or mailed to: Hilary Maull, Program Manager, Orlando Airports District Office, 8427 SouthPark Circle, Suite 524, Orlando, FL 32819.

#### **FOR FURTHER INFORMATION CONTACT:**

Hilary Maull, Program Manager, Orlando Airports District Office, 8427 SouthPark Circle, Suite 524, Orlando, FL 32819.

**SUPPLEMENTARY INFORMATION:** The subject parcel was originally owned by the City of Fernandina Beach, Florida. On May 26, 1943, a ground lease was entered between the Federal Government and City of Fernandina Beach providing property for use as an airfield to be operated by the United States Navy. On July 9, 1947 a Cancellation of Lease and Quitclaim returned airport-owned property to the City of Fernandina Beach for the purposes of being operated as a public airport. On November 24, 1954 the United States of America, acting by and through the Administrator of Civil Aeronautics, and the City of Fernandina Beach approved a 'Release of the property with Restrictions and Reservations' (Restrictions). The Restrictions were established under Paragraphs 1C, 1D, and 1E of said Release, for a portion of airport property which included the subject parcel. The Restrictions were obligated to carry forward with the deed of the property. In 1954, the subject parcel was sold from the City of Fernandina Beach to a private entity, with Restrictions. Since the initial sale, the subject parcel has changed ownership multiple times.

The Restrictions implemented in 1954 are outdated compared to current FAA airport protection surface restrictions, and are no longer deemed necessary or relevant to the subject parcel. The release of Restrictions will allow the current property owner to re-sell the subject parcel for future development. Future use of the subject parcel must comply with all City of Fernandina Beach Zoning and land use regulations as established by the City of Fernandina Beach. Any proposed development of the subject parcel will require submittal of an Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) for review by the Federal Aviation Administration.

Documents reflecting the Sponsor's request are available, by appointment only, for inspection at the Fernandina Beach Municipal Airport and the FAA Airports District Office.

Section 125 of The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21) requires the FAA to provide an opportunity for public notice and comment prior to the "waiver" or "modification" of a

sponsor's Federal obligation to use certain airport land for non-aeronautical purposes.

**Bartholomew Vernace,**

*Manager, Orlando Airports District Office, Southern Region.*

[FR Doc. 2021-21621 Filed 10-4-21; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. 2021-01]

#### **Petition for Exemption; Summary of Petition Received; Merck & Co., Inc.**

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

**ACTION:** Notice.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number and must be received on or before October 25, 2021.

**ADDRESSES:** Send comments identified by docket number FAA-2021-0709 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Take comments to 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.

- *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,  
[alphonso.pendergrass@faa.gov](mailto:alphonso.pendergrass@faa.gov), 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.

**Timothy R. Adams,**

*Acting Executive Director, Office of Rulemaking.*

**Petition for Exemption**

*Docket No.:* FAA-2021-0709.

*Petitioner:* Merck & Co., Inc.

*Section(s) of 14 CFR Affected:*  
§ 91.211(b)(1)(ii).

*Description of Relief Sought:* Merck seeks an alternative means of compliance for 14 CFR 91.211(b)(1)(ii) that will permit it to fly above FL 410 without one pilot wearing an oxygen mask. This request is based on additional conditions and limitations as well as the design features of the Gulfstream G550/650 aircraft designed to reduce the likelihood of decompression and provide for an automated emergency descent in the event of a decompression.

[FR Doc. 2021-21641 Filed 10-4-21; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**Notice of Final Federal Agency Actions on Proposed Highway in Indiana and Kentucky**

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

**ACTION:** Notice of limitation on claims for judicial review of actions by FHWA and other federal agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and the USFWS that are final pursuant to the statute.

The actions relate to the proposed I-69 Ohio River Crossing (ORX) project in Evansville, Indiana and Henderson, Kentucky and grant licenses, permits, and approvals for the project.

**DATES:** By this notice, FHWA is advising the public that FHWA and other Federal agencies have made decisions that are subject to 23 U.S.C. 139(l)(1) and are final within the meaning of that law. A claim seeking judicial review of those Federal agency decisions on the proposed highway project will be barred unless the claim is filed on or before March 4, 2022. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then the shorter time period applies.

**FOR FURTHER INFORMATION CONTACT:** For the FHWA: Ms. Michelle Allen, Federal Highway Administration, Indiana Division, 575 North Pennsylvania Street, Room 254, Indianapolis, IN 46204-1576; telephone: (317) 226-7344; email: [Michelle.Allen@dot.gov](mailto:Michelle.Allen@dot.gov). The FHWA Indiana Division Office's normal business hours are 7:30 a.m. to 4:00 p.m., EST. For the USFWS: Mr. Scott Pruitt, Field Supervisor, Indiana Field Office, USFWS, 620 South Walker Street, Bloomington, IN 47403-2121; telephone: (812) 334-4261; email: [Scott\\_Pruitt@fws.gov](mailto:Scott_Pruitt@fws.gov). Normal business hours for the USFWS Indiana Field Office are: 8 a.m. to 4:30 p.m., EST. For the Indiana Department of Transportation (INDOT), you may contact Laura Hilden, Director—Environmental Services, 100 North Senate Avenue, Room N758-ES, Indianapolis, IN 46204; telephone: (317) 552-9692; email: [lhilden@indot.in.gov](mailto:lhilden@indot.in.gov). Normal business hours for INDOT are: 8:00 a.m. to 4:30 p.m., EST. For the Kentucky Transportation Cabinet (KYTC), you may contact Danny Peake, Director—Division of Environmental Analysis, 200 Mero Street, Frankfort, KY 40622; telephone: (502) 564-7250; email: [Danny.Peake@ky.gov](mailto:Danny.Peake@ky.gov). Normal business hours for KYTC are: 8:00 a.m. to 4:30 p.m., EST.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FHWA has approved the Final Environmental Impact Statement (FEIS) for the I-69 ORX project in Evansville, Indiana and Henderson, Kentucky and issued a Record of Decision (ROD) on September 16, 2021.

The FEIS and ROD identified Central Alternative 1B Modified as the Selected Alternative. Decisions in the FEIS and ROD that were cited in the **Federal Register** included, but were not limited to, the following:

1. Purpose and need for the project.
2. Range of alternatives for analysis.

3. Screening of alternatives and the identification of alternatives to be carried forward for more detailed analysis in the Draft Environmental Impact Statement (DEIS).

4. Identification of Central Alternatives 1A and 1B as the Preferred Alternatives in the DEIS and the decision to prepare a combined FEIS and ROD.

5. Development and identification of Central Alternative 1B Modified as the Single Preferred Alternative.

6. Identification of Central Alternative 1B Modified as the Selected Alternative in the combined FEIS and ROD.

Interested parties may consult the FEIS and ROD for details about each of the decisions described above and for information on other issues decided. The FEIS and ROD can be viewed and downloaded from the project website at <https://i69ohiorivercrossing.com/>. People unable to access the website may contact FHWA, INDOT, or KYTC at the addresses listed above. Decisions in the I-69 ORX FEIS and ROD that have final approval include, but are not limited to, the following:

1. National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351].

2. Endangered Species Act [16 U.S.C. 1531-1544]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667d]; Migratory Bird Treaty Act [16 U.S.C. 703-712]; Bald and Golden Eagle Protection Act [16 U.S.C. 688-688d].

3. Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128].

4. Clean Air Act, 42 U.S.C. 7401-7671(q).

5. Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].

6. Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa-470(ll)]; Archeological and Historic Preservation Act [16 U.S.C. 469-469c]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001-3013].

7. Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601-4604]; Wild and Scenic Rivers Act [16 U.S.C. 1271-1287]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)-300(j)(6)].

8. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [42 U.S.C. 9601-9675]; Resource Conservation and Recovery Act (RCRA) [42 U.S.C. 6901-6992(k)].

9. Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; Uniform Relocation Assistance and Real Property Acquisition Act [42 U.S.C. 61].

10. Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].