

Fox System's acquisition is part of a larger transaction pursuant to which, in addition to Fox System's acquisition, (1) Grand Elk Railroad, Inc. (Grand Elk), a Class III carrier and Watco Holdings subsidiary, would acquire 142.64 miles of rail lines in Michigan owned by WCL,<sup>10</sup> and (2) after Fox System acquires the Lines, Fox System would transfer the Eden Spur, the West Bend Subdivision, and the Saukville Subdivision to Wisconsin & Southern Railroad, L.L.C. (WSOR), a Class II subsidiary of Watco Holdings, for WSOR to operate as part of its system.<sup>11</sup>

The effective date of the exemptions sought in Docket Nos. FD 36503, FD 36504, and FD 36505 was tolled to consider questions raised and solicit additional information. *See Grand Elk R.R.—Acquis. Exemption—Lines of Wis. Cent. Ltd. in the State of Mich.*, FD 36503 et al. (STB served Apr. 27, 2021). In a decision served on December 20, 2021, the Board held that the exemptions in Docket Nos. FD 36503, FD 36504, and FD 36505 could proceed and granted the petition for exemption sought in Docket No. FD 36506. *See Grand Elk R.R.—Acquis. Exemption—Lines of Wis. Cent. Ltd. in the State of Mich.*, FD 36503 et al. (STB served Dec. 20, 2021).

Fox System certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier. Pursuant to 49 CFR 1150.32(e), which applies “[i]f the projected annual revenue of the carrier to be created by a transaction under this exemption exceeds \$5 million,” Fox System certified on April 1, 2021, that notice of the transaction was posted at the workplaces of current WCL employees on the Lines and was being served on the national offices of the labor unions for those employees.

Fox System further certifies that the proposed transaction does not involve, and the purchase agreement does not include, any provision or agreement that would limit future interchange with a third-party connecting carrier.

The transaction may be consummated on or after December 31, 2021, the effective date of the exemption.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than December 27, 2021.

All pleadings, referring to Docket No. FD 36504, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on Fox System's representative: David F. Rifkind, Stinson, LLP, 1775 Pennsylvania Avenue NW, Suite 800, Washington, DC 20006-4605.

According to Fox System, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and historic preservation reporting under 49 CFR 1105.8(b).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: December 20, 2021.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

**Kenyatta Clay,**  
Clearance Clerk.

[FR Doc. 2021-27907 Filed 12-22-21; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent of Waiver With Respect to Land; Gerald R. Ford International Airport, Grand Rapids, MI

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

**ACTION:** Notice.

**SUMMARY:** The FAA is considering a proposal to change approximately 16 acres of airport land from aeronautical use to non-aeronautical use and to authorize the lease of airport property located at Gerald R. Ford International Airport, Grand Rapids, Michigan. The aforementioned land is not needed for aeronautical use. The property is located to the northeast of the Patterson Avenue and Oostema Boulevard intersection. This intersection is the primary access to the airport. The property is currently vacant and not used for aeronautical purposes. The airport is proposing to lease this land for non-aeronautical development. Proposed uses include, restaurant, hotel, car wash, retail, and/or gas station.

**DATES:** Comments must be received on or before January 24, 2022.

**ADDRESSES:** Documents are available for review by appointment at the FAA Detroit Airports District Office, Robert Tykoski, Community Planner, 11677 S Wayne Road, Ste. 107, Romulus, MI Telephone: (734) 229-2900/Fax: (734) 229-2950 and Casey Ries, Engineering and Planning Director, Gerald R. Ford International Airport Authority, 5500 44th Street SE, Grand Rapids, MI Telephone: (616) 233-6040/Fax (616) 233-6025).

Written comments on the Sponsor's request must be delivered or mailed to: Robert Tykoski, Community Planner, Federal Aviation Administration, Detroit Airports District Office, 11677 S Wayne Road, Ste. 107, Romulus, MI 48187, Telephone Number: (737) 229-2900/FAX Number: (734) 229-2950.

**FOR FURTHER INFORMATION CONTACT:** Robert Tykoski, Community Planner, Federal Aviation Administration, Detroit Airports District Office, 11677 S Wayne Road, Ste. 107, Romulus, MI 48187. Telephone Number: (734) 229-2900/FAX Number: (734) 229-2950.

**SUPPLEMENTARY INFORMATION:** In accordance with section 47107(h) of Title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

The property is vacant and designated on the ALP as future non-aeronautical development. There are three parcels identified for this non-aeronautical use. They received Federal reimbursement through AIP grant #3-26-0039-2010. The sponsor proposes to allow non-aeronautical development, such as a hotel, gas station, retail, restaurant, and/or a car wash. The sponsor will receive fair market value for the lease of this property.

The disposition of proceeds from the lease of the airport property will be in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999 (64 FR 7696).

This notice announces that the FAA is considering the release of the subject airport property at the Gerald R. Ford International Airport, Grand Rapids, MI from its obligations to be maintained for aeronautical purposes. Approval does not constitute a commitment by the FAA to financially assist in the change in use of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA.

#### Legal Description

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<sup>10</sup> See *Grand Elk R.R.—Acquis. Exemption—Lines of Wis. Cent. Ltd. in the State of Michigan*, Docket No. FD 36503.

<sup>11</sup> See *Watco Holdings, Inc.—Exemption for Intra-Corp. Fam. Transaction—Fox Valley & Lake Superior Rail Sys., L.L.C.*, Docket No. FD 36505. Additionally, to continue in control of Fox System once it becomes a carrier, Watco Holdings filed a petition for exemption in *Watco Holdings, Inc.—Continuance in Control Exemption—Fox Valley & Lake Superior Rail Sys., L.L.C.*, Docket No. FD 36506.

TOWN 6 NORTH, RANGE, 10 WEST, CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 19, THEN N01°34'46" W 108.94 FEET ALONG THE WEST SECTION LINE, THENCE N88°41'18" E 75.00 FEET TO THE POINT OF BEGINNING; THENCE N01°34'46" W 594.58 FEET PARALLEL TO THE WEST SECTION LINE, THENCE N89°30'25" E 61.25 FEET; THENCE 166.27 FEET ALONG A 308 FOOT RADIUS CURVE TO THE RIGHT WHOSE LONG CHORD BEARS S75°01'40" E 164.26 FEET; THENCE N89°30'25" E 985.74 FEET; THENCE S01°18'46" E 585.73 FEET TO THE NORTH RIGHT-OF-WAY FOR JOHN J. OOSTEMA BOULEVARD (44TH STREET); THENCE S89°30'25" W 1164.93 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE; THENCE N00°29'35" W 35.53 FEET; THENCE S88°41'18" W 37.49 FEET TO THE POINT OF BEGINNING.

THE DESCRIPTION ABOVE ENCOMPASSES 16.3 ACRES MORE OR LESS.

Issued in Romulus, Michigan, on December 17, 2021.

**Stephanie Swann,**

*Acting Manager, Detroit Airports District Office, FAA, Great Lakes Region.*

[FR Doc. 2021–27769 Filed 12–22–21; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2021–0110]

#### Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on October 31, 2021, New York & Lake Erie Railroad (NYLE) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance<sup>1</sup> from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses. FRA assigned the petition Docket Number FRA–2021–0110.

Specifically, NYLE requested relief from the glazing requirements of 49 CFR 223.11, *Requirements for existing locomotives*, for locomotives NYLE 85

and NYLE 308. NYLE 85 is operated in freight and tourist service on the Oil Creek and Titusville Line in Titusville, Pennsylvania, and NYLE 308 is operated in occasional freight and tourist service in Gowanda, New York. NYLE stated the cost of glazing for both locomotives is prohibitively expensive.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at <https://www.regulations.gov>. Follow the online instructions for submitting comments.

Communications received by February 7, 2022 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), the U.S. Department of Transportation (DOT) solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

Issued in Washington, DC.

**Carolyn Hayward-Williams,**

*Director, Office of Railroad Systems and Technology.*

[FR Doc. 2021–27793 Filed 12–22–21; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2016–0018]

#### Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on December 15, 2021, Union Pacific Railroad (UP) petitioned the Federal Railroad Administration (FRA) to extend a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 232, Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices. UP also requests to extend an exemption from the requirements of title 49, United States Code (U.S.C.), section 20303, which mandate that a rail vehicle with defective or insecure equipment may be moved to make repairs only to the nearest available place at which the repairs can be made. The relevant FRA Docket Number is FRA–2016–0018.

Specifically, UP requests to extend its relief from 49 CFR 232.213, *Extended haul trains*; 232.15, *Movement of defective equipment*; and 232.103(f), *General requirements for all train brake systems*, to continue using wheel temperature detectors (WTD) on a segment of UP track to measure potential safety improvements and cost reductions on brake testing and maintenance. UP states that operations of trains under the waiver have demonstrated a significantly positive effect on the safety of train operations. Further, UP continues to collect data through the test component of the waiver and work with the test waiver oversight committee. UP also seeks clarification on condition 12 of the February 23, 2017, decision letter.<sup>1</sup>

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the

<sup>1</sup> These locomotives were previously granted relief under dockets FRA–2000–8267 and FRA–2004–19950, but that relief has expired. In Docket FRA–2000–8267, locomotive NYLE 85 was referred to as OCTL 85.

<sup>1</sup> <https://www.regulations.gov/document/FRA-2016-0018-0013>.