

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Notice of Release From Federal Grant Assurance Obligations and Land Exchange, Tucson International Airport, Tucson, Pima County, Arizona**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of request to release airport land.

**SUMMARY:** The Federal Aviation Administration (FAA) is considering a proposal and invites public comment on the application for release of approximately 158-acres more or less of property from federal Grant Assurance obligations and land exchange at Tucson International Airport, Tucson, Arizona. Tucson Airport Authority (TAA) is requesting a total release from federal obligations on approximately 158-acres more or less of TAA property, and to authorize a land exchange of approximately 61.4-acres more or less [and cash] between TAA and the United States Air Force (USAF). The release property is comprised of a portion of two parcels along the southern boundary of the abandoned Hughes Access Road, adjacent to the main airport airfield and campus.

**DATES:** Comments must be received on or before March 24, 2023.

**ADDRESSES:** Comments on the request may be mailed or delivered to the FAA at the following address: Mr. Mike N Williams, Manager, Phoenix Airports District Office, Federal Aviation Administration, 3800 N Central Ave, Suite 1025, 10th Floor, Phoenix, Arizona, 85012. In addition, one copy of the comment submitted to the FAA must be mailed or delivered to Ms. Danette Bewley, A.A.E., President and Chief Executive Officer, Tucson Airport Authority, 7250 S Tucson Boulevard, Suite 300, Tucson, AZ 85756.

**SUPPLEMENTARY INFORMATION:** The release property is 158-acres more or less is a portion of two combined parcels, Parcel 22 and Parcel 34. Parcel 22 was acquired from the State of Arizona with Airport Improvement Program (AIP) funding via Patent dated February 24, 2002. Parcel 34 was acquired from the State of Arizona with Passenger Facility Charge (PFC) funding via Patent dated June 6, 2002. The 158-acres more or less portion of subject land identified as Parcel G is not currently required for aeronautical purposes. TAA is intending to exchange Parcel G property and cash, with approximately 61.4-acres more or less of USAF property known as Parcel F.

The exchange is based on appraisals estimating fair market value of the affected parcels. TAA will acquire fee simple ownership of 61.4-acres more or less and easements restricting development on 182.6-acres more or less from USAF in exchange for USAF acquiring fee simple ownership of 158.0-acres more or less, use restriction easements on 107-acres more or less, access easement of three acres of TAA land and \$1,640,000 in financial compensation. TAA will also fund the demolition and replacement of several munitions storage bunkers located on USAF property. Such use of the land represents a compatible land use that will not interfere with the airport or its operation, thereby protecting the interests of civil aviation. The resulting actions would allow future airport development for TAA and will support the USAF through providing the required munitions safety separation distances.

In accordance with the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR 21), Public Law 106–181 (Apr. 5, 2000; 114 Stat. 61), this notice must be published in the **Federal Register** 30 days before the DOT Secretary may waive any condition imposed on a federally obligated airport by surplus property conveyance deeds or grant agreements.

Issued in El Segundo, California, on February 15, 2023.

**Brian Q. Armstrong,**  
Manager, Safety and Standards Branch,  
Airports Division, Western-Pacific Region.  
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**BILLING CODE 4910–13–P**

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration**

[Docket No. FMCSA–2022–0172]

**Hours of Service: Exemption Application From Flat Top Transport, LLC**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation.

**ACTION:** Notice of final disposition; denial of application for exemption.

**SUMMARY:** FMCSA announces its decision to deny Flat Top Transport's request for an exemption from the hours-of-service (HOS) regulations. Flat Top Transport requested a four-month exemption for "immediate and emergency delivery of dry and bulk food grade products to locations that supply stores and distribution centers

nationally." FMCSA analyzed the application and public comments and determined that the exemption would not achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption.

**FOR FURTHER INFORMATION CONTACT:** Ms. Bernadette Walker, Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards, FMCSA; (202) 385–2415; or *Bernadette.Walker@dot.gov*. If you have questions on viewing or submitting material to the docket, contact Dockets Operations at (202) 366–9826.

**SUPPLEMENTARY INFORMATION:****I. Public Participation***Viewing Comments and Documents*

To view comments, go to *www.regulations.gov*, insert the docket number "FMCSA–2022–0172" in the keyword box, and click "Search." Next, sort the results by "Posted (Newer-Older)," choose the first notice listed, "View Related Comments."

To view documents mentioned in this notice as being available in the docket, go to *www.regulations.gov*, insert the docket number, "FMCSA–2022–0172" in the keyword box, click "Search," and chose the document to review.

If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

**II. Legal Basis**

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The Agency must publish its decision in