

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Notice of Release of an Easement Restriction at Phoenix-Mesa Gateway Airport, Mesa, AZ**

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of Request to Release Airport Land.

SUMMARY: The Federal Aviation Administration (FAA) proposes to rule and invites public comment on the application for a release of a U.S. Air Force easement restriction covering 52.6 acres of property abutting Phoenix-Mesa Gateway, Mesa, Arizona, from all conditions contained in a grant of an easement, since the easement is not needed for civilian airport purposes. In exchange for the easement, the airport will receive 19 acres of land and a new aviation easement. Reuse of the land under the easement will remain compatible and not interfere with the airport or its operation. The interest of civil aviation is properly served by the release.

DATES: Comments must be received on or before September 19, 2011.

FOR FURTHER INFORMATION CONTACT:

Comments on the request may be mailed or delivered to the FAA at the following address: Tony Garcia, Airports Compliance Program Manager, Federal Aviation Administration, Airports Division, **Federal Register** Comment, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, one copy of the comment submitted to the FAA must be mailed or delivered to Mr. Walter Fix, Phoenix-Gateway Airport Authority, 5835 S. Sossaman Road, Mesa, Arizona 85212, Telephone: (480) 988-7709.

SUPPLEMENTARY INFORMATION: In accordance with the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR 21), Public Law 10-181 (Apr. 5, 2000; 114 Stat. 61), this notice must be published in the **Federal Register** 30 days before the Secretary may waive any condition imposed on a federally obligated airport by surplus property conveyance deeds or grant agreements.

The following is a brief overview of the request:

Phoenix-Mesa Gateway Airport Authority, Mesa, Arizona requested a release of an easement that was obtained from the U.S. Air Force via an Assignment of Easement on April 14, 1998. The easement covers approximately 52.6 acres of private property. It extends eastward from the airport boundary and is located east of

Ellsworth Road and north of Pecos Road. Use of the private property east of the airport is restricted by the easement. Relinquishment of the easement will not harm the airport because it is being replaced with a standard aviation easement. The new easement will provide the airport with a continued right for aircraft to fly in the airspace above the private property. It will also prevent interference with airport operations and the erection of obstructions that pose a hazard to aircraft. As compensation, the private land owner will convey 17.53 acres of land at no cost to the Airport Authority that will serve an airport purpose. The land will allow the airport to have a complete runway protection zone for runway end 30R on airport property. Presently, a portion of the RPZ extends beyond the airport boundary to the private property located east of Ellsworth Road. The Airport Authority has agreed to the exchange because the restrictive easement is not needed and will be replaced with an aviation easement. The airport will be additionally compensated with a donation of land that has an immediate airport purpose. The use of the property under the new easement will continue to be used compatibly with the airport and not cause interference with airport operations. The exchange is equitable and the donation of land to the airport clearly serves the interests of civil aviation.

Issued in Hawthorne, California, on August 10, 2011.

Brian Armstrong,

Manager, Safety and Standards, Airports Division, Western-Pacific Region.

[FR Doc. 2011-21082 Filed 8-17-11; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Notice of Final Federal Agency Actions on Proposed Highway in Utah**

AGENCY: Federal Highway Administration (FHWA), USDOT.

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by FHWA.

SUMMARY: This notice announces actions taken by the FHWA that are final within the meaning of 23 U.S.C. 39(l)(1). The actions relate to a proposed highway project, Tooele Midvalley Highway, from I-80 to State Route 36 Tooele County, State of Utah. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions that are covered by this notice will be barred unless the claim is filed on or before February 14, 2012. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For FHWA: Mr. Edward Woolford, Environmental Manager, Federal Highway Administration, 2520 West 4700 South, Suite 9A, Salt Lake City, Utah 84118-1880; Telephone: (801) 955-3524; e-mail:

Edward.Woolford@dot.gov. The FHWA Utah Division Office's normal business hours are 7:30 a.m. to 4:30 p.m. (Mountain Time). For the Utah Department of Transportation (UDOT): Mr. Matt Zundel, 2010 South 2760 West, Salt Lake City, UT 84104; Telephone: (801) 887-3421; e-mail: *mzundel@utah.gov.* The UDOT's normal business hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. (M. Time).

SUPPLEMENTARY INFORMATION: On Friday, January 14, 2011, the FHWA published the Notice of Availability in the **Federal Register** in Volume 76, No. 10, page 2680, for the following highway project in the State of Utah: Tooele County Midvalley Highway Project, To Address Traffic Congestion on UT-36 and at the I-80 Lake Point interchange through the Year 2030. The proposed action includes capacity improvements to the north-south transportation system in the Tooele Valley that provide additional north-south transportation capacity, reduce anticipated congestion on SR-36, and reduce anticipated congestion at the Lake Point interchange with I-80. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, approved on January 3, 2011, and in the FHWA Record of Decision (ROD) issued on July 27, 2011, and in other documents in the FHWA project files. The FEIS, ROD, and other project records are available by contacting the FHWA or the UDOT at the addresses provided above. The FHWA FEIS and ROD can be viewed and downloaded from the project Web site at <http://www.midvalleyhighway.com> or viewed at public libraries in the project area. This notice applies to all Federal agencies' final actions taken after the issuance date of the FHWA **Federal**

Register notice described above. The laws under which actions were taken include, but are not limited to:

1. *General*: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128].
2. *Air*: Clean Air Act [42 U.S.C. 7401–7671(q)].
3. *Land*: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].
4. *Wildlife*: Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536]; Migratory Bird Treaty Act [16 U.S.C. 703–712].
5. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*].
6. *Social and Economic*: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].
7. *Executive Orders*: E.O. 11990, Protection of Wetlands; E.O. 11988, Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 13175, Consultation and Coordination With Indian Tribal Governments; E.O. 13112, Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139(l)(1).

Issued on: August 10, 2011.

James Christian,

Division Administrator, Salt Lake City.

[FR Doc. 2011–21018 Filed 8–17–11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2011–0067]

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated June 29, 2011, Penn Valley Railroad LLC has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Section 223.15. FRA assigned the petition Docket Number FRA–2011–0067.

Penn Valley Railroad LLC is requesting consideration of a waiver from 49 CFR § 223.15, Safety Glazing Standards, in regard to Coach PRR 1776. The coach is equipped with a type of automotive safety glass and is serviced and maintained by Penn Valley Railroad LLC. There have not been any injuries on this coach due to broken glass. Penn Valley Railroad LLC is requesting the glazing waiver because of the extremely high cost to replace the glazing and the low risk to safety of continuing to operate with the current safety glass.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at <http://www.regulations.gov> and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue, SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

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, 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 by any of the following methods:

- **Web site**: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax**: 202–493–2251.
- **Mail**: Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12–140, Washington, DC 20590.
- **Hand Delivery**: 1200 New Jersey Avenue, SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received by October 3, 2011 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to 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 comment, if submitted on behalf of an association, business, labor union, *etc.*). You may review DOT's complete Privacy Act

Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on August 12, 2011.

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

[FR Doc. 2011–21095 Filed 8–17–11; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2010–0034]

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated July 15, 2011, Port Authority Trans-Hudson Corporation (PATH) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 236. FRA has previously assigned all PATH Positive Train Control (PTC)-related documentation Docket Number FRA–2010–0034, and is adding this waiver request to that docket.

PATH seeks a waiver from compliance with PTC system requirements found at 49 CFR Section 236.1006, *Equipping locomotives operating in PTC territory*. Specifically, this petition is made in connection with the implementation of PATH's Automatic Train Control (ATC) project and the plan to use unequipped PA–4 cars as maintenance-of-way (MOW) work equipment. PATH is currently in the process of implementing an ATC system using communications-based train control (CBTC) technology throughout the PATH rail network, as described in the Positive Train Control Implementation and Development Plans previously submitted for FRA approval. As part of that program, PATH will be equipping all A-cars (cab control cars) of the new PA–5 fleet with onboard ATC equipment. By December 31, 2015, PATH's passenger carrying fleet will consist of only multiple-unit train consists made of PA–5 cars, and as such, PATH's operation will be in compliance with the new PTC rule. An important element of the new ATC system implementation at PATH will be the incorporation of a track-circuit-based Secondary Train Detection System (STDS) incorporating wayside signals and automatic train stops (trip stops). The STDS will provide for safe