

Lease and Operating Agreement (Agreement) pursuant to which VESO will lease and operate the Line as a common carrier.<sup>1</sup>

VESO certifies that its projected annual revenues from this transaction will not result in its becoming a Class I or Class II rail carrier and will not exceed \$5 million. VESO also certifies that the Agreement does not include an interchange commitment.

The earliest this transaction may be consummated is February 6, 2022, the effective date of the exemption (30 days after the verified notice was filed).

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 for stay must be filed no later than January 28, 2022 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36571, 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 VESO's representative, Bradon J. Smith, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606.

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

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

Decided: January 14, 2022.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2022-01152 Filed 1-20-22; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. FD 36572]**

### **Watco Holdings, Inc.—Continuance in Control Exemption—Verdigris Southern Railroad, L.L.C.**

Watco Holdings, Inc. (Watco), a noncarrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Verdigris

Southern Railroad, L.L.C. (VESO), a noncarrier controlled by Watco, upon VESO's becoming a Class III rail carrier.

This transaction is related to a verified notice of exemption filed concurrently in *Verdigris Southern Railroad, L.L.C.—Lease and Operation Exemption—Track in Rogers County, Okla.*, Docket No. FD 36571, in which VESO seeks to lease from the City of Tulsa–Rogers County Port Authority (the Port), and to commence common carrier operations over, approximately 13,883 feet of track owned by the Port in Rogers County, Okla.

The transaction may be consummated on or after February 6, 2022, the effective date of the exemption (30 days after the verified notice was filed).

According to the verified notice of exemption, Watco currently controls indirectly 40 Class III railroads and one Class II railroad, collectively operating in 28 states. For a complete list of these rail carriers and the states in which they operate, see the Appendix to Watco's January 7, 2022 verified notice of exemption, available at [www.stb.gov](http://www.stb.gov).

Watco represents that: (1) The rail line to be operated by VESO does not connect with the rail lines of any of the rail carriers currently controlled by Watco; (2) this transaction is not part of a series of anticipated transactions that would connect VESO with any railroad in the Watco corporate family; and (3) the transaction does not involve a Class I rail carrier. The proposed transaction is therefore exempt from the prior approval requirements of 49 U.S.C. 11323 pursuant to 49 CFR 1180.2(d)(2). Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Because the transaction involves the control of one Class II and one or more Class III rail carriers, the transaction is subject to the labor protection requirements of 49 U.S.C. 11326(b) and *Wisconsin Central Ltd.—Acquisition Exemption—Lines of Union Pacific Railroad*, 2 S.T.B. 218 (1997).

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 for stay must be filed no later than January 28, 2022 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36572, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, one copy of each pleading

must be served on Watco's representative, Bradon J. Smith, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606.

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

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

Decided: January 14, 2022.

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

**Brendetta Jones,**  
Clearance Clerk.

[FR Doc. 2022-01154 Filed 1-20-22; 8:45 am]

**BILLING CODE 4915-01-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **Notice of Request To Release Airport Property for Land Disposal**

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

**ACTION:** Notice of request to rule on release of airport property for land disposal at the Ottumwa Regional Airport (OTM), Ottumwa, Iowa.

**SUMMARY:** The FAA proposes to rule and invites public comment on the release of land at the Ottumwa Regional Airport (OTM), Ottumwa, Iowa.

**DATES:** Comments must be received on or before February 22, 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: Zach Simonson, Community Development Director, City of Ottumwa, 105 East Third Street, Ottumwa, Iowa 52501, (641) 683-0694.

**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, (816) 329-2603, [amy.walter@faa.gov](mailto:amy.walter@faa.gov). The request to release property may be reviewed, by appointment, in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release two tracts of land: Parcel 64 is 4.51 acres and parcel 67 is 2.06 acres

<sup>1</sup> Public and confidential versions of the Agreement were filed with the verified notice. The confidential version was submitted under seal concurrently with a motion for protective order, which is addressed in a separate decision.

of airport property at the Ottumwa Regional Airport (OTM) under the provisions of 49 U.S.C. 47107(h)(2). Representatives of the Sponsor requested a release from the FAA to sell two tracts of land, 4.51 acres and 2.06 acres respectively. Both parcels will be developed for light industrial use. The FAA determined the request to release property at the Ottumwa Regional Airport (OTM) submitted by the Sponsor meets the procedural requirements of the Federal Aviation Administration and the release 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 Ottumwa Regional Airport (OTM) is proposing the release of two airport parcels containing 4.51 acres and 2.06 acres. The 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 sale of the subject property will result in the land at the Ottumwa Regional Airport (OTM) 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 order to dispose of the land. In accordance with 49 U.S.C. 47107(c)(2)(B)(i) and (iii), the airport will receive fair market value for the property, which will be subsequently reinvested in another eligible airport improvement project for general aviation use.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon appointment and request, inspect the application, notice and other documents determined by the FAA to be related to the application in person at the Ottumwa City Hall.

Issued in Kansas City, MO, on January 18, 2022.

**James A. Johnson,**

Director, FAA Central Region, Airports Division.

[FR Doc. 2022-01173 Filed 1-20-22; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2020-0020; Notice 2]

#### Hankook Tire America Corporation, Grant of Petition for Decision of Inconsequential Noncompliance

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Grant of petition.

**SUMMARY:** Hankook Tire America Corporation (Hankook) has determined that certain Hankook Dynapro MT2 tires, do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Radial Tires for Light Vehicles*. Hankook filed a noncompliance report dated February 19, 2020, and subsequently petitioned NHTSA on March 11, 2020, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces the grant of Hankook's petition.

**FOR FURTHER INFORMATION CONTACT:** Jayton Lindley, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), (325) 655-0547, [jayton.lindley@dot.gov](mailto:jayton.lindley@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Overview

Hankook has determined that certain Hankook Dynapro MT2 tires, do not fully comply with paragraph S5.5(f) of FMVSS No. 139, *New pneumatic radial tires for light vehicles* (49 CFR 571.139).

Hankook filed a noncompliance report dated February 19, 2020, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*, and subsequently petitioned NHTSA on March 11, 2020, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

Notice of receipt of Hankook's petition was published with a 30-day public comment period, on August 28, 2020, in the **Federal Register** (85 FR 53436). One comment was received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Then follow the online search instructions to locate docket number "NHTSA-2020-0020."

## II. Tires Involved

Approximately 175 Hankook Dynapro MT2 tires, size LT215/85R16, manufactured between October 20, 2019, and November 30, 2019, are potentially involved.

## III. Noncompliance

Hankook explains that the noncompliance is that the subject tires were marked with the incorrect number of nylon plies in the tread; and, therefore, do not meet the requirements of paragraph S5.5(f) of FMVSS No. 139. Specifically, the tires were marked "TREAD 2 STEEL + 2 POLYESTER + 1 NYLON; SIDEWALL 2 POLYESTER", when they should have been marked "TREAD 2 STEEL + 2 POLYESTER + 2 NYLON; SIDEWALL 2 POLYESTER."

## IV. Rule Requirements

Paragraph S5.5(f) of FMVSS No. 139, includes the requirements relevant to this petition. Each tire must be marked on one sidewall with the actual number of plies in the sidewall and the actual number of plies in the tread area, if different, as specified in paragraph S5.5(f).

## V. Summary of Hankook's Petition

The following views and arguments presented in this section, "V. Summary of Hankook's Petition," are the views and arguments provided by Hankook and do not reflect the views of the Agency. In its petition, Hankook describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, Hankook offers the following reasoning:

1. The incorrect ply labeling information does not affect the operational safety of vehicles on which the tires are mounted.
2. The tires meet or exceed the performance requirements of FMVSS No. 139, and they otherwise comply with the labeling and performance requirements of FMVSS No. 139.
3. Hankook is not aware of any warranty claims, field reports, customer complaints, or any incidents, accidents, or injuries related to the subject condition.

4. Hankook cites the Transportation Recall, Enhancement, Accountability and Documentation (TREAD) Act (Pub. L. 106-414) and several of NHTSA's past grant notices of petitions for decisions of inconsequential noncompliance concerning the mislabeling of ply information and contend those are similar to the subject petition. Hankook states that NHTSA has routinely concluded the number of