

property boundary line. The property is currently undeveloped land and was acquired by the City of Willoughby under Federal grant 8-1-3-39-0090-0185. The proposed non-aeronautical use of the land will be for a 120,000 square foot manufacturing facility and office space. The property is not needed for aeronautical purposes. The release of the property and use of the property will be in conformity with local and state laws. The property has a proposed developer identified and it has been appraised. The airport will receive Fair Market Value for the land to be sold.

The disposition of proceeds from the sale 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 Willoughby Lost Nation Municipal Airport, City of Willoughby, Ohio from federal land covenants, subject to a reservation for continuing right of flight as well as restrictions on the released property as required in FAA Order 5190.6B section 22.16. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA.

Legal Description 10.667 Acres

Situated in the City of Willoughby, County of Lake, and State of Ohio and known as being part of Original Lot No. 6, Douglas Tract, and is further bounded and described as follows:

Beginning at an iron pin found at the southeasterly corner of land conveyed to Halabar Enterprises, LLC by deed recorded in Document No. 970032610 of Lake County Records in the northerly sideline of Jet Center Place, where it is 70.00 feet wide, at a point located South 88°15'30" East 14.98 feet from an angle point in said sideline, said point being further located 4 + 19.98, 35.00 feet left as appears by plat recorded in Vol. 16, Page 34 of Lake County Plat Records,

Thence North 1°44'30" East, along the easterly line of said land of Halabar Enterprises, 753.23 feet to an iron pin found at the northeasterly corner of said land;

Thence South 88°43'30" West, along the northerly line of said land, 60.56 feet to an iron pin found at the southeasterly corner of land conveyed to Authur P. Armington by deed recorded in Vol. 704, Page 163 of Lake County Official Records;

Thence, North 1°44'30" East along the easterly line of Armington, 240.00 feet to an iron pin found at the southerly line of land conveyed to Frank R. Farroni by deed recorded in Volume 759, Page 634 of Lake County Records.

Thence North 88°43'30" East along the southerly said land of Farroni, 3.00 feet to an iron pin found at the southeasterly corner of said land,

Thence North 01°44'30" East, along the easterly line of said land of Farroni 28.00 feet to an iron pin found at the southwesterly corner of land conveyed to Lost Nation Parkway, I Ltd by Document No. 980042081 of Lake County Records.

Thence South 88°15'30" East along the southerly line of said land of Lost Nation Parkway 1, Ltd., 499.92 feet to an iron pin set;

Thence South 1°44'30" West, 903.33 feet to an iron pin found at the northwesterly corner of land conveyed to the City of Willoughby by deed recorded in Vol. 680 Page 252 of Lake County Official Records;

Thence South 0°14'52" West, along the westerly line of said land of the City, 82.96 feet to an iron pin found at the curved northerly, sideline of Jet Center Place;

Thence westerly along said sideline on an arc deflecting to the left, said arc having a radius of 68.50 feet and a chord of 59.34 feet which bears South 78°13'00" West, a distance of 61.38 feet to a point of reverse curve;

Thence westerly continuing along said sideline on an arc deflecting to the right said arc having a radius of 81.50 feet and a chord of 54.47 feet which bears South 72°3'11" West a distance of 55.54 feet to a point.

North 88°15'30" West along said sideline of Jet Center Place 335.53 feet to the place of beginning and containing 10.667 acres of land according to a survey made in August 1999 by Richard J. Bislki, registered surveyor No. 5244 of CT Consultants, Inc., Registered Engineers and Surveyors, be the same more or less, but subject to all legal highways.

The bearings stated herein are based upon the recorded bearings as shown on the dedication plat of Jet Center Place, Vol. 16 Page 34 and are for the sole purpose of indicating relative angular values between lines.

Issued in Romulus, Michigan on April 16, 2018.

John L. Mayfield, Jr.,

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

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2018-0140]

Hours of Service of Drivers: Application for Exemption; American Pyrotechnics Association

ACTION: Notice of application for exemption; request for comments.

SUMMARY: FMCSA announces that the American Pyrotechnics Association (APA) has requested an exemption from the hours-of-service (HOS) regulations that require a motor carrier to install and require each of its drivers use an electronic logging device (ELD) to record the driver's HOS. APA requests the exemption for APA member-companies currently holding an exemption from the HOS 14-hour rule during the Independence Day celebration season. If granted, these member-companies would continue to utilize paper records of duty status (RODS) in lieu of utilizing an ELD during the designated Independence Day periods. APA believes that the exemption, if granted, would not have any adverse impacts on operational safety, as drivers would continue to remain subject to the HOS regulations as well as the requirements to maintain paper RODS. FMCSA requests public comment on APA's application for exemption.

DATES: Comments must be received on or before May 24, 2018.

ADDRESSES: You may submit comments identified by Federal Docket Management System (FDMS) Number FMCSA-2018-0140 by any of the following methods:

- *Federal eRulemaking Portal:* www.regulations.gov. See the *Public Participation and Request for Comments* section below for further information.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.
- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* 1-202-493-2251.

• Each submission must include the Agency name and the docket number for this notice. Note that DOT posts all comments received without change to www.regulations.gov, including any personal information included in a comment. Please see the *Privacy Act* heading below.

Docket: For access to the docket to read background documents or comments, go to www.regulations.gov at any time or visit Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. The on-line FDMS is available 24 hours each day, 365 days each year.

Privacy Act: 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 www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

FOR FURTHER INFORMATION CONTACT: For information concerning this notice, contact Mr. Tom Yager, Chief, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; Telephone: 614-942-6477. Email: MCPSD@dot.gov. If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA-2018-0140), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comments online, go to www.regulations.gov and put the docket number, "FMCSA-2018-0140" in the "Keyword" box, and click "Search." When the new screen appears, click on "Comment Now!" button and type your comment into the text box in the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit. If you submit your comments by mail or hand delivery, submit them in an unbound

format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope. FMCSA will consider all comments and material received during the comment period and may grant or not grant this application based on your comments.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain parts of the 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 also 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 decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

III. Request for Exemption

The APA reports that it is a national safety and trade association of the U.S. fireworks industry, representing manufacturers, importers, distributors, wholesalers, retailers, suppliers and professional display companies. APA has over 250 member companies. Along with their subsidiaries, APA's member-companies are responsible for nearly ninety percent of the fireworks manufactured, imported, distributed and professionally displayed in the United States.

According to its application, APA seeks a limited exemption from the ELD requirements for member-companies currently holding an HOS exemption from the 14-hour rule to continue to maintain paper RODs in lieu of utilizing ELDs. Various APA members have held

2-year exemptions during Independence Day periods from 2005 through 2014. On May 16, 2016, the current exemption for APA members was extended to July 8, 2020, pursuant to section 5206(b)(2)(A) of the Fixing America's Surface Transportation (FAST) Act (81 FR 28115).

APA asserts that granting this exemption is appropriate because there is no basis to believe that continuing to allow paper record keeping for this limited subset of the regulated community, and for a limited period of time, would impact operational safety in any regard. In addition, due to the unique nature of the fireworks industry, requiring the use of ELDs for this limited seasonal delivery period would impose a substantial financial burden on members because it would require them to purchase/lease systems for use for only a short period every year.

APA explained that members rely upon intermittent casual drivers periodically throughout the year and particularly during the busy Independence Day season when industry depends upon short-term rental trucks. The fireworks industry is unique in that it rents or leases approximately 90% of its vehicles throughout the year for less than 30 days at a time. However, most rental companies require a minimum rental period of 14 to 21 days when APA member companies may only use the trucks in commerce for up to 11 days. The mix of vehicles rented includes pick-up trucks, cargo vans, city vans and straight trucks less than 26,000 GVW. The industry relies heavily upon short-term rental trucks to transport and deliver 98% of the 16,000 Independence Day fireworks displays nationwide. If granted, the exemption would run concurrent with APA's HOS exemption and would expire on July 8, 2020. This exemption would only apply when the carriers designated in the APA HOS exemption, including revisions, are operating within the specified Independence Day periods.

A copy of APA's application for exemption is available for review in the docket for this notice.

Issued on: April 17, 2018.

Larry W. Minor,

Associate Administrator for Policy.

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