

Investment Reform Act for the 21st Century (AIR 21).

DATES: Comments must be received on or before November 10, 2014.

ADDRESSES: Comments on this application may be mailed or delivered to the FAA at the following address: Mr. Ed Agnew, Manager, Federal Aviation Administration, Southwest Region, Airports Division, Texas Airports Development Office, ASW-650, Fort Worth, Texas 76137.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to the Mr. Bill Welstead, Aviation Director, at the following address: 4201 N. Main St., Suite 200, Fort Worth, TX 76106.

FOR FURTHER INFORMATION CONTACT: Mr. Anthony Mekhail, Program Manager, Federal Aviation Administration, Texas Airports Development Office, ASW-650, 2601 Meacham Boulevard, Fort Worth, Texas 76137, Telephone: (817) 222-5663, email: Anthony.Mekhail@faa.gov, fax: (817) 222-5989.

The request to release property may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to release property at the Fort Worth Spinks Airport under the provisions of the AIR 21.

The following is a brief overview of the request:

The City of Fort Worth requests the release of 0.64 acres of property within the Fort Worth Spinks Airport. The land was acquired using City and FAA funds from 1983 to 1987. The property to be released will be sold to the City of Burleson and revenues shall be used for the operation and maintenance at the airport.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents relevant to the application in person at the Fort Worth Spinks Airport, telephone number (817) 392-5434.

Issued in Fort Worth, Texas, on October 1, 2014.

Edward N. Agnew,

Acting Manager, Airports Division.

[FR Doc. 2014-24145 Filed 10-8-14; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Notice for Waiver of Non-Aeronautical Land-Use Assurance Related to the Proposed Release and Exchange of Airport Property at Acadiana Regional Airport, New Iberia, Louisiana

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of intent of waiver with respect to land and concurrence of land swap.

SUMMARY: The Federal Aviation Administration (FAA) is considering a proposal to authorize the release and exchange of approximately 7.231 acres of the airport property at the Acadiana Regional Airport, New Iberia LA, owned by the New Iberia Parish. The Parish is proposing a land swap to exchange this 7.231 acre parcel for another parcel of approximately 10.548 acres.

The acreage being released is not needed for aeronautical use as currently identified on the Airport Layout Plan. The new proposed parcel will be used for the Acadiana Regional Airport, New Iberia LA, Access Road project from Louisiana Highway 675 (Jefferson Island Road) to Louisiana Highway 3212 (Northwest Bypass).

The acreage being released comprising this parcel was originally acquired in 1970 when the Parish governing body petitioned the U.S. government for release of 2,100 acres of previously the Naval Air Station New Iberia property for civil aviation use through the General Services Administration excess land disposal process. In exchange for the 7.231 acres the airport will receive a new parcel of land described above for the Acadiana Regional Airport, New Iberia LA, Access Road project. The 7.231 acre parcel (Tract 14) is Zoned "I-1: Industrial" and has access to LA Highway 3212 (Prairie Road) and is being proposed to be swapped for approximately 10.548 acres (Tract 13) Zoned "A-1: Agricultural". The appraised fair market value of the proposed 7.231 acres parcel is \$64,000, the fair market value of the proposed acquired parcel is \$58,000. The difference of \$6,000 in fair market value between Tract 14 and Tract 13 will be compensated by the Iberia Parish Council to the Iberia Airport Authority to accommodate FAA auditing standards and requirements to prevent the potential for "diversion of funds (assets)". A Phase I, Environmental Site Assessment was conducted and published on April 14, 2014 resulting in

the assessment that did not reveal any evidence of Recognized Environmental Conditions (RECs) in connection with the new acquired property. This action and the affected properties have been evaluated by the Department of the Army, New Orleans District, Corps of Engineers, the State Office of Historic Preservation, Department of Culture, Recreation and Tourism, and the Louisiana Ecological Services Office with a determination of an activity that would not negatively affect any wetland subject to Corps' jurisdiction, historical properties or threatened or endangered species respectively. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the subject property nor a determination of eligibility for grant-in-aid funding from the FAA. The disposition of proceeds (or compensation) from the disposal 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.

In accordance with section 47107(c)(2)(B) 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 and concurring with the proposed land swap.

DATES: Comments must be received on or before November 10, 2014.

ADDRESSES: Comments on this Application may be mailed or delivered to the FAA at the following address: Lacey D. Spriggs, Manager, Federal Aviation Administration, Southwest Region, Airports District Office, ASW-640J, 2601 Meacham Boulevard, Suite 684, Fort Worth, Texas 76137.

Documents reflecting this FAA action may be reviewed at this same location or at the Louisiana Department of Transportation, Division of Aviation, P.O. Box 94245, Baton Rouge, LA 70804-9245.

FOR FURTHER INFORMATION CONTACT: Mr. John V. Dawson, Program Manager, Federal Aviation Administration, Airports District Office, 2601 Meacham Boulevard, Suite 684, Fort Worth, Texas 76137.

Documents reflecting this FAA action may be reviewed at this same location or at the Louisiana Department of Transportation, Division of Aviation, and P.O. Box 94245, Baton Rouge, LA 70804-9245.

SUPPLEMENTARY INFORMATION: Following is a description of the subject airport property to be released at the Acadiana

Regional Airport in New Iberia, LA and described as follows:

A parcel of land located in Section 32, Township 11 South, Range 6 East. Said parcel subject to all easements, restrictions, and reservations of record.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION**

CONTACT.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Louisiana Department of Transportation, Division of Aviation, Baton Rouge LA 70804-9245.

Issued in Fort Worth, Texas on October 3, 2014.

Lacey D. Spriggs,

Acting Manager, Airports Division.

[FR Doc. 2014-24146 Filed 10-8-14; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket No. FTA-2014-0021]

Notice of Buy America Waiver for a Variable Refrigerant Flow HVAC System

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of Buy America waiver.

SUMMARY: In response to the San Bernardino Associated Governments' (SANBAG) request for a Buy America waiver for a Variable Refrigerant Flow (VRF) HVAC system, the Federal Transit Administration (FTA) hereby waives its Buy America requirements for the VRF HVAC system to be installed at the Omnitrans San Bernardino Transit Center (SBTC). This waiver is limited to a single procurement for the VRF HVAC system for the SBTC, an FTA-funded project.

DATES: This waiver is effective immediately.

FOR FURTHER INFORMATION CONTACT:

Richard L. Wong, FTA Attorney-Advisor, at (202) 366-4011 or richard.wong@dot.gov.

SUPPLEMENTARY INFORMATION: The purpose of this notice is to announce that FTA has granted a Buy America non-availability waiver for SANBAG's procurement of a VRF HVAC system for the SBTC.

With certain exceptions, FTA's Buy America requirements prevent FTA from obligating an amount that may be appropriated to carry out its program for a project unless "the steel, iron, and

manufactured goods used in the project are produced in the United States." 49 U.S.C. 5323(j)(1). A manufactured product is considered produced in the United States if: (1) all of the manufacturing processes for the product take place in the United States; and (2) all of the components of the product are of U.S. origin. A component is considered of U.S. origin if it is manufactured in the United States, regardless of the origin of its subcomponents. 49 CFR 661.5(d). If, however, FTA determines that "the steel, iron, and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality," then FTA may issue a non-availability waiver. 49 U.S.C. 5323(j)(2)(B); 49 CFR 661.7(c).

SANBAG requested a non-availability waiver for a VRF HVAC system that will be installed into the SBTC, a multimodal transfer facility in downtown San Bernardino, California that will serve patrons and operators of Omnitrans' fixed route buses, the newly opened sbX bus rapid transit (BRT) line, the Victor Valley Transit Authority, the Mountain Area Regional Transit Authority, and the Southern California Regional Rail Authority (Metrolink).

FTA selected the SBTC project for award of fiscal year 2011 funding made available pursuant to the Bus and Bus Facilities Program (49 U.S.C. 5309(b)) in support of the U.S. Department of Transportation's (DOT) Livability Initiative and the Partnership for Sustainable Communities between the U.S. DOT, the U.S. Department of Housing and Urban Development, and the U.S. Environmental Protection Agency (Bus Livability Program). FTA selected each project for the Bus Livability Program based on whether it would, among other things, promote a more environmentally sustainable transportation system. 76 FR 37393, 37397 (June 27, 2011); *see also* 76 FR 68813 (Nov. 7, 2011). More specifically, FTA assessed the project's ability to "maintain, protect or enhance the environment, as evidenced by environmentally friendly policies and practices utilized in the project design, construction, and operation that exceed the requirements of the National Environmental Policy Act including items such as whether the project uses a [U.S. Green Building Council] Leadership in Energy and Environmental Design (LEED)-certified design. . . ." 76 FR at 37397.

The SBTC is being built to the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) standards and will incorporate a

number of sustainable and energy efficient elements. One of those elements is a VRF HVAC system that, among other things, is space saving, has inverter technology, efficiency, and a non-ozone depleting refrigerant that domestic manufacturers of HVAC systems do not provide. According to SANBAG, its contractor was directed to evaluate the substitution of a Buy America-compliant Variable Air Volume (VAV) system, but the contractor advised SANBAG that the VAV system would endanger the project's LEED Gold certification because of the difference in efficiency between the VAV and VRF HVAC systems. In addition, the substitution of a VAV system would require significant changes to the project, such as the alteration of already-erected structural elements that were designed to accommodate a VRF system and additional design changes and plan reviews by the City of San Bernardino.

SANBAG points to a recent non-availability waiver FTA issued to St. Louis' MetroLink for a similar VRF system (79 FR 34653, June 17, 2014), as well as to a blanket non-availability waiver issued by the U.S. Department of Energy (DOE) in 2010 for VRF HVAC systems procured with American Reinvestment and Recovery Act funding (75 FR 35447, June 22, 2010). According to SANBAG, the U.S. DOE's determination of non-availability and FTA's recent St. Louis MetroLink waiver, as well as SANBAG's contractor's research, indicate that this product is not manufactured domestically.

On Monday, September 22, 2014, and in accordance with 49 U.S.C. 5323(j)(3)(A), FTA published a notice in the **Federal Register** requesting public comment on, among other topics, the merits of SANBAG's waiver request and potential effects of granting the waiver. The public comment period closed on September 29, 2014. FTA did not receive any comments.

Based on SANBAG's assertions that it is unable to procure a U.S.-manufactured VRF HVAC system, which is critical to obtaining LEED Gold certification, and the fact that FTA did not receive any public comments, FTA hereby waives its Buy America requirement for manufactured products under 49 CFR 661.5(d) for the VRF HVAC system. This waiver is limited to a single procurement for the VRF HVAC system for SANBAG's SBTC project.

Dana Nifosi,

Acting Chief Counsel.

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