

under the rule. This would require TVA to cease sending CCRs to an impoundment by October 19, 2015, remove the water, and close it by April 17, 2018. TVA has identified 11 CCR impoundments at six of its plants that it could cease using and close within the required timeframe. These are facilities at its Allen, Bull Run, Kingston and John Sevier plants in Tennessee and at its Widows Creek and Colbert plants in Alabama. The EIS would assess the site specific impacts of such closures.

EIS Scope

Scoping is a process that allows the public to comment on an agency's plans for an EIS. This includes identifying issues that should be studied and those that have little significance. The public's views on the alternatives that should be addressed also can be helpful in preparing an EIS.

Programmatically, TVA proposes to examine two closure alternatives, Closure-in-Place and Closure-by-Removal. The EIS will address different methods of implementing the two closure approaches, including partial removal of CCRs. Various kinds of caps or surface liners could be used for Closure-in-Place and the merits of those approaches, sub-alternatives, will be addressed. Closure-by-Removal could involve moving CCRs off-site by truck, rail, or barge transportation and the potential impacts of these alternative transportation methods would be addressed. At the site-specific level, TVA will examine in more specific detail the implications of closing these eleven impoundments. TVA encourages the public to comment on this.

At either the programmatic or site-specific level, the typical range of resource impacts addressed in EISs would be assessed. This would include surface and groundwater impacts that were a focus of EPA's technical assessments. It also is likely that Closure-in-Place or Closure-by-Removal would involve movements to and from borrow areas to obtain cover material (soil, clay). For Closure-by-Removal, it would be necessary to fill in the depression or hole that is left when CCRs are removed unless it is possible to place the removed CCRs back into the hole after lining the bottom. It also may be possible to beneficially use some of the ash as cover material (structural fill) in lieu of using borrow material to close a dewatered CCR impoundment.

Public Participation

The public is invited to submit comments on the scope of this EIS no later than the date identified in the **DATES** section of this notice. After TVA

prepares a draft of the EIS, TVA will release it for public comment. TVA anticipates holding public meetings near the plants where site-specific early closure actions are proposed after release of the draft EIS. Meeting details will be posted on TVA's Web site. The schedule for releasing the Draft EIS is December 2015 or January 2016.

Dated: August 19, 2015.

Wilbourne (Skip) C. Markham,
Director, Environmental Compliance.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Third Meeting: RTCA Special Committee 233 (SC 233) Addressing Human Factors/Pilot Interface Issues for Avionics

AGENCY: Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

ACTION: Third Meeting Notice of RTCA Special Committee 233.

SUMMARY: The FAA is issuing this notice to advise the public of the third meeting of the RTCA Special Committee 233.

DATES: The meeting will be held September 15th–17th from 8:00 a.m.–4:30 p.m.

ADDRESSES: The meeting will be held at RTCA Headquarters, 1150 18th Street NW., Suite 910, Washington, DC 20036, Tel: (202) 330-0662.

FOR FURTHER INFORMATION CONTACT: The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC, 20036, or by telephone at (202) 833-9339, fax at (202) 833-9434, or Web site at <http://www.rtca.org> or Jennifer Iversen, Program Director, RTCA, Inc., jiversen@rtca.org, (202) 330-0662.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., App.), notice is hereby given for a meeting of the RTCA Special Committee 233. The agenda will include the following:

Tuesday, September 15, 2015 (8:00 a.m.–4:30 p.m.)

1. Introduction, Upcoming PMC Dates, Minutes from Last Meeting
2. Rotorcraft Directorate Test Pilot Evaluations
3. Outline Discussion
4. Subcommittee Out-brief
5. Subcommittee Initial Breakout Session
6. Planning for Next Meeting

Wednesday, September 16, 2015 (8:00 a.m.–4:30 p.m.)

1. Subcommittee Breakout Sessions
2. Subcommittee Breakout Sessions
3. Subcommittee Out-brief

Thursday, September 17, 2015 (8:00 a.m.–2:00 p.m.)

1. Leadership Team Wrap-up/ Discussion on Outline Content
2. Subcommittee Assignments
3. Meeting Recap, Action Items, Key Dates

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on August 19, 2015.

Latasha Robinson,
Management & Program Analyst, Next Generation, Enterprise Support Services Division, Federal Aviation Administration.

[FR Doc. 2015-21184 Filed 8-26-15; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket No. FTA-2014-0025]

Notice of Buy America Waiver for Track Turnout Component

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of Buy America Waiver.

SUMMARY: In response to a Buy America waiver request from the Long Island Rail Road (LIRR), a subsidiary of the New York Metropolitan Transportation Authority (MTA), the Federal Transit Administration (FTA) hereby waives its Buy America requirements for the movable point frog component of one track turnout that LIRR needs for Stage 1.1 of its Jamaica Station Capacity Improvements Project, Phase I (JCI-Phase 1 Project). The turnout itself, however, is subject to FTA's Buy America requirements and, accordingly, the turnout must be manufactured in the United States.

This Buy America waiver does not apply to track turnout components for Stages 2.0.1, 2.0.2, 2.0.3, and any other stages of LIRR's JCI-Phase I Project, or for LIRR's State of Good Repair Program, as LIRR has withdrawn such waiver

requests through correspondence dated February 9, 2015, February 13, 2015, and June 25, 2015. Moreover, this Buy America waiver does not apply to track turnout components needed for the Northeast Corridor Congestion Relief Project at Harold Interlocking, for which the Federal Railroad Administration (FRA) granted a Buy America waiver on May 15, 2015, as FRA funds are being used for that 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 is granting a non-availability Buy America waiver for the movable point frog component (also known and referred to as a “vee point”) on one track turnout that LIRR needs for Stage 1.1 of LIRR’s JCI-Phase I Project.

FTA is providing LIRR with Federal funds to support its JCI-Phase I Project, the total cost of which is approximately \$301,653,240. With certain exceptions, FTA’s Buy America requirements prevent FTA from obligating Federal funds 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) (2012). All “manufactured end products” must be produced in the United States, and FTA considers a manufactured product to be 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. 49 CFR 661.5(d) (2014). FTA considers a component to be of U.S. origin if it is manufactured in the United States, regardless of the origin of its subcomponents. 49 CFR 661.5(d)(2). 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 of these requirements. 49 U.S.C. 5323(j)(2)(B); 49 CFR 661.7(c).

Through the JCI-Phase I Project, LIRR will reconfigure its tracks in Jamaica Station, construct a new passenger platform to facilitate LIRR service to Atlantic Terminal, and increase capacity for LIRR train service into the new Grand Central Terminal following completion of the East Side Access Project. Currently, Jamaica Station is one of the busiest stations in LIRR’s system, with over 250,000 customers

and 500 trains passing through the station each weekday. Phase 1 of the project is divided into Stages 1 and 2.

The scope of work for the project involves the installation of new track turnouts. In June 2013, LIRR issued a solicitation for two turnouts containing rail bound magnesium frogs in connection with Stage 1 of the JCI-Phase I Project. On May 16, 2014, LIRR awarded Contract Number 6121 to Picone Schiavone II, which certified its compliance with FTA’s Buy America requirements for the track turnouts. Following the award, LIRR determined that these turnouts would be insufficient to meet LIRR’s operational needs. Accordingly, LIRR revised its specifications for the project to include two turnouts with movable point frogs, which is the component type that is the subject of this waiver.

The movable point frogs are essential components of track turnouts, and LIRR indicated that it needs them for the following operational reasons: (1) They are necessary to withstand the frequent and heavy use by passenger and freight trains traveling along LIRR’s right of way; (2) they allow trains to travel through the turnouts at higher speeds, ultimately providing more throughput during rush hour; (3) they reduce impact loading to the turnouts; and (4) they provide for less wear and tear, thereby requiring less overall maintenance, extending the useful lives of the turnouts, and resulting in fewer outages and negative impacts on LIRR’s operations. Picone Schiavone II advised LIRR that it was unable to certify compliance with FTA’s Buy America requirements based upon LIRR’s new specifications requiring movable point frogs as components of the track turnouts.

By letter dated September 19, 2014, LIRR requested a non-availability Buy America waiver for four components that LIRR needs for ten track turnouts on Stages 1.1, 2.0.1, 2.0.2, and 2.0.3 of its JCI-Phase I Project. Those four components are the Schwihaag roller assemblies, Schwihaag plates, ZU1–60 steel switch point rail sections, and the movable point frogs. At the time that LIRR submitted its waiver request, none of these turnout components were manufactured in the United States. The roller assemblies and plates were manufactured in Switzerland, the ZU1–60 steel switch point rail sections were manufactured in Austria, and the movable point frogs were manufactured in Germany.

Based on previous solicitations, LIRR concluded that it was unable to identify a domestic source for these four track turnout components. LIRR also pointed

to market research and manufacturer outreach that it had conducted for a prior Buy America waiver request related to the East Side Access Project.¹ In conducting that research, LIRR utilized the National Railroad Passenger Corporation’s (Amtrak) market research, which Amtrak had conducted at the request of FRA in connection with a separate Buy America waiver request. This research included outreach to manufacturers that were previously identified by the U.S. Department of Commerce’s National Institute of Standards and Technology (NIST) in a December 2012 Supplier Scouting Report. LIRR’s market research indicated that there was no known company presently manufacturing, or able to domestically manufacture, the Schwihaag roller assemblies, Schwihaag plates, ZU1–60 steel switch point rail sections, and movable point frogs. LIRR also contacted seven additional potential manufacturers, none of whom were willing and capable of domestically producing these components.

Given LIRR’s extensive market research, on December 19, 2014 FTA published a **Federal Register** notice requesting comment on LIRR’s waiver request pursuant to 49 CFR 661.7. 79 FR 75857. The docket closed on January 20, 2015, and to date, FTA has received no comments regarding the notice.

After the docket closed, by letter dated February 13, 2015, LIRR indicated to FTA that it had become aware of alternate turnout designs that would be compatible with LIRR’s infrastructure and available from a domestic manufacturer. LIRR indicated its intention to use this alternate turnout design for its programs and projects, including the JCI-Phase I Project. LIRR specified that the alternate turnout design required modification to meet LIRR’s operational requirements and to ensure adequate performance and reliability, considering that over 250,000 customers and 500 trains pass through Jamaica Station each weekday.

Given the alternate design and the potential availability of the turnout components from a domestic manufacturer, LIRR narrowed its waiver request from the ten turnouts needed for Stages 1.1, 2.0.1, 2.0.2, and 2.0.3, to only two turnouts needed for Stage 1.1.

¹ On February 18, 2015, FTA published a **Federal Register** notice waiving its Buy America requirements for the Schwihaag roller assemblies, Schwihaag plates, ZU1–60 steel switch point rail sections, and movable point frogs that LIRR needed in connection with nine turnouts for VHL03 LIRR Stage 3 of the East Side Access Project and one turnout for VHL04 LIRR Stage 4. 80 FR 8753.

LIRR indicated that it needs the waiver for Stage 1.1 because the procurement of the turnouts in that stage is on a critical path. LIRR calculated that, absent a non-availability waiver for the components of these two turnouts, LIRR's JCI-Phase I Project would be delayed by approximately one year, based on the extended lead times for design modifications, fabrication, and delivery of the alternate turnout design. LIRR withdrew its waiver request with respect to the components of eight turnouts needed for Stages 2.0.1, 2.0.2, and 2.0.3 because the procurement of those turnouts is not on a critical path and LIRR believes that it has enough time to design, fabricate, manufacture, deliver, and install the domestic alternates without causing delays to those stages of the project.

Following LIRR's letter dated February 13, 2015, LIRR engaged in additional efforts to utilize domestic manufacturers for the project. By electronic mail dated June 25, 2015, LIRR further narrowed its waiver request to apply to only one turnout needed for Stage 1.1 of its JCI-Phase I Project. LIRR also withdrew its request for a Buy America waiver with respect to the Schwihaag roller assemblies, Schwihaag plates, and the ZU1-60 steel switch point rail sections for that turnout. LIRR determined that, based on the project's redesign, LIRR could use domestically manufactured components as alternatives. LIRR limited its waiver request to just the movable point frog needed for a single turnout in Stage 1.1.

Based upon LIRR's good faith efforts to identify domestic manufacturers for the turnout components and redesign the project, LIRR's informed conclusion that there are presently no U.S. manufacturers that are willing and capable of producing the movable point frog critically needed for the project, and the lack of responses to FTA's **Federal Register** notice, FTA hereby issues a non-availability waiver to LIRR, pursuant to 49 CFR 661.7(c), for the movable point frog component needed for one turnout in Stage 1.1 of the JCI-Phase I Project. This waiver does not apply to the turnout itself, and accordingly, the turnout must be manufactured in the United States pursuant to FTA's Buy America requirements.

This Buy America waiver does not apply to track turnout components for Stages 2.0.1, 2.0.2, 2.0.3, and any other stages of LIRR's JCI-Phase I Project, or for LIRR's State of Good Repair Program, as LIRR has withdrawn such waiver requests. Furthermore, this Buy America waiver does not apply to track turnout components needed for the Northeast

Corridor Congestion Relief Project at Harold Interlocking, for which FRA granted a Buy America waiver on May 15, 2015, as FRA funds are being used for that project.

Issued on August 21, 2015.

Dana Nifosi,

Acting Chief Counsel.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

FTA Supplemental Fiscal Year 2015 Apportionments, Allocations, and Program Information

AGENCY: Federal Transit Administration (FTA), U.S. Department of Transportation.

ACTION: Notice.

SUMMARY: The Federal Transit Administration (FTA) annually publishes one or more notices to apportion funds appropriated by law. This notice is the third notice which announces the remaining apportionment for programs funded with fiscal year (FY) 2015 contract authority.

FOR FURTHER INFORMATION CONTACT: For general information about this notice contact Kimberly Sledge, Director, Office of Transit Programs, at (202) 366-2053. Please contact the appropriate FTA regional office for any specific requests for information or technical assistance. A list of FTA regional offices and contact information is available on the FTA Web site at <http://www.fta.dot.gov>.

I. Overview

The FTA's public transportation assistance program authorization, the Moving Ahead for Progress in the 21st Century Act (MAP-21), expired September 30, 2014. Since that time, Congress has enacted short-term extensions allowing FTA to continue its current programs. The most recent extension, the Highway and Transportation Funding Act of 2015, Public Law 114-41, (July 31, 2015), continues MAP-21 through October 29, 2015. This extension allows FTA to make available contract authority for transit assistance programs through September 30, 2015.

The FTA's full-year appropriations, the Consolidated and Further Continuing Appropriations Act, 2015, Public Law 113-235 (Dec. 16, 2014), hereinafter "Appropriations Act, 2015" was enacted in December 2014, giving

FTA appropriated resources for FY 2015 for Administrative Expenses, Capital Investment Grants (CIG), Research and Technical Assistance and Training programs, and Grants to the Washington Metropolitan Area Transportation Authority. The Appropriations Act, 2015 also provides a full fiscal year obligation limitation of \$8,595,000,000 of contract authority for FTA programs funded from the Mass Transit Account of the Highway Trust Fund during this fiscal year.

On July 23, 2015, FTA published an apportionments notice that apportioned approximately 10/12ths of the FY 2015 authorized contract authority among potential program recipients based on contract authority that was available from June 1, 2015 through July 31, 2015 (80 FR 141). That notice also provided relevant information about the FY 2015 funding available and end-of-year grant management and application procedures. A copy of that notice and accompanying tables can be found on the FTA Web site at <http://www.fta.dot.gov/apportionments>.

This document provides notice to stakeholders that FTA is apportioning the full-year FY 2015 authorized contract authority—October 1, 2014 through September 30, 2015—among potential program recipients according to statutory formulas in 49 U.S.C. Chapter 53. This document also allocates most of the remaining CIG funding to projects with existing Full Funding Agreements (FFGA) or projects recommended to receive an FFGA. The FTA has posted tables displaying the funds available to eligible states and urbanized areas on FTA's Web site at <http://www.fta.dot.gov/apportionments>.

The formula apportionment tables that allocate the full year of FY 2015 appropriated funds can be found at <http://www.fta.dot.gov/apportionments>. In addition, the National Transit Database (NTD) and Census Data used in the funding formulas can be found at <http://www.fta.dot.gov/apportionments>.

II. Grant Management and Application Procedures

A. The Transportation Electronic Awards Management (TEAM) system will close on Friday, September 25, 2015. Grants and cooperative agreements must have all applicable assurances and certifications completed so that funds can be awarded by the deadline. Funding that has not been awarded in an application by September 25, 2015 will not be migrated into the new FTA financial system, TrAMS. Instead, these applications will need to be re-created when TrAMS deploys in FY 2016. This applies to new