procedures for determining the medical fitness for duty of personnel engaged in safety-critical functions. A working group has been established and will report any planned activity to the full Committee at each scheduled full RSAC meeting, including milestones for completion of projects and progress toward completion. The first working group meeting was held December 12–13, 2006. The working group met on February 20–21, 2007; July 24–25, 2007; August 29–30, 2007; October 31–November 1, 2007; December 4–5, 2007; February 13–14, 2008; March 26–27, 2008; and April 22–23, 2008. A task force of physicians was established in May 2007 to work on specific medical exam-related issues. The task force of physicians has had meetings or conference calls on July 24, 2007; August 20, 2007; October 15, 2007; and October 31, 2007, and is scheduled to meet again on June 23–24, 2008. Contact: Alan Misiaszek, (202) 493–6002.

Task 07–01—Track Safety Standards. This task was accepted on February 22, 2007, to consider specific improvements to the Track Safety Standards (TSS) or other responsive actions, supplementing work already underway on CWR specifically: review controls applied to reuse of rail in CWR ''plug rail,'' review the issue of cracks emanating from bond wire attachments, consider improvements in the TSS related to fastening of rail to concrete ties, and ensure a common understanding within the regulated community concerning requirements for internal rail flaw inspections. These tasks were assigned to the Track Safety Standards Working Group. The working group will report any planned activity to the full Committee at each scheduled full RSAC meeting, including milestones for completion of projects and progress toward completion. The first working group meeting was held on June 27–28, 2007, and the group met again on August 15–16, 2007, and October 23–24, 2007. Two task forces were created under the working group; the Concrete Ties Task Force and the Rail Integrity Task Force. The Concrete Ties Task Force met on November 26–27, 2007; February 13–14, 2008; and April 16–17, 2008, and the next meeting is scheduled for July 9–10, 2008. The Rail Integrity Task Force met on November 28–29, 2007; February 12–13, 2008; and April 15–16, 2008, and the next meeting is scheduled for July 8–9, 2008. Contact: Ken Rusk, (202) 493–6236.

Task 08–01—Report on the Nation's Railroad Bridges. This task was accepted on February 20, 2008, to report to the Federal Railroad Administrator on the current state of railroad bridge safety management, update the findings and conclusions of the 1993 Summary Report of the FRA Railroad Bridge Safety Survey, and include recommendations for further action with a target date of November 3, 2008. The working group first met on April 24–25, 2008 and the next meeting is scheduled for June 12–13, 2008.

Completed Tasks

Task 96–1—(Completed) Revising the Freight Power Brake Regulations.

Task 96–2—(Completed) Reviewing and recommending revisions to the TSS (49 CFR part 213).

Task 96–3—(Completed) Reviewing and recommending revisions to the Radio Standards and Procedures (found under 49 CFR part 220).

Task 96–5—(Completed) Reviewing and recommending revisions to Steam Locomotive Inspection Standards (49 CFR part 230).

Task 96–6—(Completed) Reviewing and recommending revisions to miscellaneous aspects of the regulations addressing Locomotive Engineer Certification (49 CFR part 240).

Task 96–7—(Completed) Developing Roadway Maintenance Machines (On-Track Equipment) Safety Standards.

Task 96–8—(Completed) This planning task evaluated the need for action responsive to recommendations contained in a report to Congress, titled, ''Locomotive Crashworthiness & Working Conditions.''

Task 97–1—(Completed) Developing crashworthiness specifications (49 CFR part 229) to promote the integrity of the locomotive cab in accidents resulting from collisions.

Task 97–2—(Completed) Evaluating the extent to which environmental, sanitary, and other working conditions in locomotive cabs affect the crew's health and the safe operation of locomotives, proposing standards where appropriate.

Task 97–3—(Completed) Developing event recorder data survivability standards.

Task 97–4 and *Task 97–5*—(Completed) Defining positive train control functionalities, describing available technologies, evaluating costs and benefits of potential systems, and considering implementation opportunities and challenges, including demonstration and deployment.

Task 97–6—(Completed) Revising various regulations to address the safety implications of processor-based signal and train control technologies, including communications-based operating systems.

Task 97–7—(Completed) Determining damages qualifying an event as a reportable train accident.

Task 00–1—(Completed-task withdrawn) Determining the need to amend regulations protecting persons who work on, under, or between rolling equipment and persons applying, removing, or inspecting rear-end marking devices (Blue Signal Protection).

Task 01–1—(Completed) Developing conformity of FRA's regulations for accident/incident reporting (49 CFR Part 225) to revised regulations of the Occupational Safety and Health Administration, U.S. Department of Labor, and to make appropriate revisions to the FRA Guide for Preparing Accident/Incident Reports (Reporting Guide).

Please refer to the notice published in the **Federal Register** on March 11, 1996, (61 FR 9740) for more information about the RSAC.

Issued in Washington, DC on May 15, 2008.

Michael J. Logue,

Associate Administrator for Safety Compliance and Program Implementation.

[FR Doc. E8–11532 Filed 5–21–08; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket No. FTA–2008–0024]

Notice of Proposed Buy America Waiver for the National Fuel Cell Bus Technology Development Program

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of proposed Buy America waiver and request for comment.

SUMMARY: The Federal Transit Administration (FTA) proposes to waive its Buy America requirements for projects funded under the National Fuel Cell Bus Technology Development Program (Fuel Cell Bus Program). This Notice sets forth FTA's justification and seeks comment thereon. The purpose of the Fuel Cell Bus Program is to facilitate the development of commercially viable fuel cell bus technology and related infrastructure.

DATES: Comments must be received by May 29, 2008. Late-filed comments will be considered to the extent practicable.

ADDRESSES: Please submit your comments by only one of the following means, identifying your submissions by docket number FTA–2008–0024. All electronic submissions must be made to

the U.S. Government electronic site at *http://www.regulations.gov*. Commenters should follow the instructions below for mailed and hand-delivered comments.

(1) *Web site: http://www.regulations.gov*. Follow the instructions for submitting comments on the U.S. Government electronic docket site;

(2) *Fax:* (202) 493–2251;

(3) *Mail:* U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Docket Operations, M–30, Room W12–140, Washington, DC 20590–0001.

(4) *Hand Delivery:* Room W12–140 on the first floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Instructions: All submissions must make reference to the ''Federal Transit Administration'' and include docket number FTA–2008–0024. Due to security procedures in effect since October 2001, mail received through the U.S. Postal Service may be subject to delays. Parties making submissions responsive to this notice should consider using an express mail firm to ensure the prompt filing of any submissions not filed electronically or by hand. Note that all submissions received, including any personal information therein, will be posted without change or alteration to *http://www.regulations.gov*. For more information, you may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477), or visit *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: For program questions please contact Christina Gikakis at (202) 366–2637 or *christina.gikakis@dot.gov*. For legal questions please contact Jayme L. Blakesley at (202) 366–0304 or *jayme.blakesley@dot.gov*.

SUPPLEMENTARY INFORMATION: This Notice sets forth the Federal Transit Administration's (FTA) justification for proposing to waive its Buy America requirements for projects funded under the National Fuel Cell Bus Technology Development Program (Fuel Cell Bus Program) and seeks comment thereon.

The National Fuel Cell Bus Technology Development Program

Section 3046 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), Public Law 109–59, instructed FTA ''to establish a national fuel cell bus technology program [Fuel Cell Bus Program] to facilitate the development of commercially viable fuel cell bus technology and related infrastructure.''

By notice dated April 14, 2006, FTA solicited applications to the Fuel Cell Bus Program and restated the statutory criteria for evaluating applications. These criteria included the ability of the project ''to contribute significantly to furthering fuel cell technology as it relates to transit bus operations, including hydrogen production, energy storage, fuel cell technologies, vehicle systems integration, and power electronics technology,'' and to advance ''different fuel cell technologies, including hydrogen-fueled and methanol-powered liquid-fueled fuel cell technologies, that may be viable for public transportation systems.'' 71 FR 19612 (April 14, 2006).

FTA selected three consortiums to participate in the Fuel Cell Bus Program: The Center for Transportation and the Environment in Atlanta, the Northeast Advanced Vehicle Consortium in Boston, and Westart/CALSTART in Pasadena. These consortia will develop fourteen projects. Of these, eight are development and demonstration projects, two are component technology development, and four support analysis, outreach and coordination.

The Fuel Cell Bus Program seeks to develop commercially-viable fuel cell buses by demonstrating that buses powered by fuel cell technology can achieve several technical targets, including a four to six year (20,000 to 30,000 hour) fuel cell durability, cost of less than five times that of an equivalent diesel, greater than 90% reliability, twice the fuel efficiency of a comparable bus, emissions below the 2010 Environmental Protection Agency standards and vehicle performance comparable to a diesel bus.

Public Interest Waiver

The purpose of this notice is to seek public comment on whether FTA should waive its Buy America requirements for all projects funded under the Fuel Cell Bus Program.

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). One such exception is if applying the Buy America requirements ''would be inconsistent with the public interest.'' 49 U.S.C. 5323(j)(2)(A). After considering all appropriate factors on a case-by-case basis, 49 CFR 661.7(b), if FTA determines that the conditions exist to grant a public interest waiver, FTA will issue a detailed written statement justifying why the waiver is in the public interest, and will publish this justification in the **Federal Register**, providing the public with a reasonable time for notice and comment of not more than seven calendar days. 49 CFR 661.7(b).

Because the U.S. market for fuel cell bus technology and related infrastructure is not fully developed, participants in the Fuel Cell Bus Program have inquired whether FTA could waive its Buy America requirements. According to one participant, ''[a] successful Fuel Cell transit bus must meet and be consistent with the public transit market's ability to incorporate and afford such technology on a mass scale. * * * At this stage of technology development more engineering data is necessary to accurately specify a fuel cell for a competitive bid. [Requiring participants to comply with FTA's Buy America requirements] would significantly delay the development effort, would be extremely expensive, and would result in a huge set back to the overall development of Fuel Cell technology. [Allowing participants to use all available technology, regardless of origin,] is the fastest, soundest method to perfect the technology, assure future competition, and hasten the advent of fuel cell buses in transit.''

In order to develop commercially viable fuel cell buses, FTA's Fuel Cell Bus Program must examine all current technologies. But at this time, because fuel cell technologies for transit are still in the developmental and technical validation phase, it is impossible to determine which configurations are most likely to reach commercialization. As development continues, the industry will require objective demonstrations and evaluations of different bus propulsion systems. Permitting participants to use foreign and domestic suppliers will allow FTA to evaluate which technologies are closest to successful deployment. If certain technologies are omitted from the program because they are of foreign origin, it will severely affect FTA's ability to fully analyze fuel cell bus technology.

FTA believes that a limited waiver of its Buy America requirements for manufactured products and rolling stock procured through its Fuel Cell Bus Program is necessary because of the technical difficulties and increased costs associated with new technology.

There are several benefits to waiving FTA's Buy America requirements on a

program-wide basis. FTA selected projects to include all significant technologies within a centrally-managed program. By granting a waiver for the entire program, FTA can decrease the start-up time for individual projects. Otherwise, each project would have to apply for waivers on a case-by-case basis. This is impractical in a research setting. Research projects often encounter unexpected problems that require changes to the scope of work. The continued development of Fuel Cell technology will result in more choices for FTA grantees and better, more environmentally friendly, buses for the riding public. Successful demonstrations through the Fuel Cell Bus Program will increase awareness of fuel cell technology and foster a domestic industry by identifying and mitigating barriers and uncertainties in the market. A limited waiver to support research and development would increase and improve domestic technical expertise. Moreover, a fully-inclusive public interest waiver will allow Fuel Cell Bus Program participants to collaborate to achieve the program goals in an appropriate timeframe. By reducing risk and expanding expertise, the Fuel Cell Bus Program will improve the availability of capital for a self-sustaining domestic fuel cell industry.

For the foregoing reasons, FTA proposes to waive its Buy America requirements for all projects funded through its Fuel Cell Bus Program. Quick and successful deployment of fuel cell bus technology and infrastructure is in the public interest. Fuel cell technology will benefit the environment by lessening carbon emissions, decreasing the use of petroleum and other fossil fuels. Allowing foreign technologies will allow the project teams to focus on commercial viability instead of having to make fundamental advances independent of existing technology. Ultimately, this will lead to increased domestic demand for fuel cell bus technology and infrastructure, resulting in a sustainable U.S. market.

FTA seeks comment from all interested parties. Please submit comments by May 29, 2008. Late-filed comments will be considered to the extent practicable.

Issued this 15th day of May, 2008.

Severn E.S. Miller,

Chief Counsel.

[FR Doc. E8–11403 Filed 5–21–08; 8:45 am]

BILLING CODE 4910–57–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Availability of Fiscal Year 2008 Clean Fuels Grant Program Funds: Solicitation of Project Proposals

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice.

SUMMARY: The U.S. Department of Transportation (DOT) Federal Transit Administration (FTA) announces the availability of funds in Fiscal Year (FY) 2008 for the Discretionary Clean Fuels Grant Program, authorized by the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy For Users (SAFETEA–LU). The Clean Fuels Grant Program makes funds available to assist non-attainment or maintenance areas in achieving or maintaining the National Ambient Air Quality Standards for ozone or carbon monoxide (CO). Additionally, the program supports emerging clean fuel and advanced propulsion technologies for transit buses and markets for those technologies. The authorizing legislation allows for the Secretary of Transportation to make awards under this program at her discretion in non-attainment or maintenance areas for ozone or CO.

In FY 2008, $49,000,000 was available for the discretionary Clean Fuels Grant program; $20,247,000 of the available funding was earmarked to specific projects authorized in SAFETEA–LU. The $28,753,000 of Clean Fuels Grant program funding that was unallocated in FY 2008 remains available for discretionary award.

This announcement is available on the Internet on the FTA Web site at: *http://www.fta.dot.gov.* FTA will announce final selections on the Web site and in the **Federal Register**. A synopsis of this announcement will be posted in the FIND module of the government-wide electronic grants Web site at *http://www.grants.gov.* Proposals may be submitted to FTA electronically at *cfnofa@dot.gov* or through the GRANTS.GOV ''APPLY'' function. Those who apply via e-mail at *cfnofa@dot.gov* should receive a confirmation e-mail within 2 business days.

DATES: Complete proposals for the Clean Fuels Grant Program must be submitted by July 21, 2008. The proposals must be submitted electronically through the GRANTS.GOV Web site or via e-mail at *cfnofa@dot.gov.* Anyone intending to apply electronically through GRANTS.GOV should initiate the process of registering on the GRANTS.GOV site immediately to ensure completion of registration before the deadline for submission. FTA will announce grant selections in the **Federal Register** when the selection process is complete.

ADDRESSES: Supplemental information that cannot be submitted electronically may be submitted to the appropriate Regional Office (See Appendix A).

FOR FURTHER INFORMATION CONTACT: Contact the appropriate FTA Regional Office for general program information (Appendix A). For application-specific information and issues, contact Kimberly Sledge, Office of Transit Programs, (202) 366–2053, E-mail: *kimberly.sledge@dot.gov* or Henrika Buchanan-Smith, (202) 366–4020, E-mail: *henrika.buchanan-smith@dot.gov.* A TDD is available at 1–800–877–8339 (TDD/FIRS).

SUPPLEMENTARY INFORMATION

Table of Contents

I. Funding Opportunity Description

A. Authority

The program is authorized under Section 5308(b) of SAFETEA–LU, Pub. L 109–59, August 10, 2005.

''The Secretary shall make grants in accordance with this section to recipients to finance eligible projects.''

B. Background

The program was first established as the Clean Fuels Formula Grant Program in Section 3008 of the Transportation Equity Act for the 21st Century, Pub. L. 105–178, June 9, 1998. The program was developed to assist non-attainment or maintenance areas in achieving or maintaining the National Ambient Air Quality Standards for ozone and CO. Additionally, the program supported emerging clean fuel and advanced propulsion technologies for transit buses and markets for those technologies. Although the program was authorized as a formula grant program, Congress did not allocate funds to the program. SAFETEA–LU changed the Clean Fuels Program from a formula based grant program to a discretionary grant program. However, the program retained its initial purpose.