

impacts to businesses, the FHWA directs commenters' attention to the ROD and other supporting documents and analyses, including the November 21, 2008, final environmental impact statement (FEIS). Because these impacts have already been considered in the environmental process, the FHWA declines to conduct a redundant analysis to reevaluate the merits of other alternatives. As such, the FHWA does not deem these factors to be relevant to consideration of the appropriateness of a Buy America waiver.

DIBC comments that this waiver is not in the public interest because the construction of the NITC is not authorized under Michigan State law. However, the FHWA declines to take a position on the application of Michigan State law.

The DIBC also comments that the proposed waiver is not in the public interest for the reasons specified in the DIBC's comments to the Secretary of State regarding the Governor's application for a Presidential permit. These comments, while voluminous, do not directly address the FHWA's consideration of the proposed waiver.

Some commenters suggested that specific percentages be established regarding the ratios of Canadian and American steel and iron that will be used in the construction of the NITC. While the specification of such percentages may appear reasonable, the FHWA does not believe that the specification of such percentages in advance of a decision on the proposed waiver is in the public interest. It will be difficult to determine exactly how such percentages would be established absent specific contractor bids or proposals from potential public private partnership entities.

Another comment asked that, in light of Michigan's plan to leverage the Canadian financial contribution to the NITC as the State's matching share for other Federal-aid highway projects, the FHWA should clarify whether the proposed waiver is specific to the NITC or whether it will apply more broadly to Michigan's highway program in general. In response to this concern, the FHWA clarifies that the waiver proposed here is specific only to the NITC and will not apply to any other Federal-aid highway projects.

After considering and weighing all of the comments that have been submitted in response to the proposed waiver, including those specifically mentioned and discussed above, it is the FHWA's decision that the Governor's request to partially waive the application of Buy America to the NITC project to allow the use of both American and Canadian

steel and iron is granted. The proposed waiver here presents a unique circumstance, as mentioned by the commenters highlighted above, under which Canada is assuming all financial liability and risk for the construction of this project. In light of the Canadian financial contribution, the FHWA believes that the basic notion of fairness weighs in favor of allowing Canadian iron and steel to be used so long as American iron and steel is allowed to compete on an equal basis. Moreover, the Canadian financial contribution to the project will make possible the creation of thousands of direct and indirect construction jobs, as well as numerous other jobs in the American economy, as a result of increased trade and productivity between the US and Canada.

In accordance with the provisions of section 117 of the SAFETEA-LU Technical Corrections Act of 2008 (Pub. L. 110-244, 122 Stat. 1572), the FHWA is providing this notice as its finding that a waiver of Buy America requirements for the NITC project is appropriate. The FHWA invites public comment on this finding for an additional 15 days following the effective date of the finding. Comments may be submitted to the FHWA's Web site via the link provided to NITC waiver page noted above.

**Authority:** 23 U.S.C. 313; Pub. L. 110-161, 23 CFR 635.410.

Issued on: December 5, 2012.

**Victor M. Mendez,**  
*Administrator.*

[FR Doc. 2012-29917 Filed 12-11-12; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[FTA Docket No. FTA-2012-0056]

#### Notice of Request for New Information Collections

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notice of request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Federal Transit Administration (FTA) to request the Office of Management and Budget (OMB) to approve the following new information collections:

49 U.S.C. Section 5337—State of Good Repair Grants Program;  
49 U.S.C. Section 5339—Bus and Bus Facilities Program.

**DATES:** Comments must be submitted before February 11, 2013.

**ADDRESSES:** To ensure that your comments are not entered more than once into the docket, submit comments identified by the docket number by only one of the following methods:

1. *Web site:* [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments on the U.S. Government electronic docket site. (Note: The U.S. Department of Transportation's (DOT's) electronic docket is no longer accepting electronic comments.) All electronic submissions must be made to the U.S. Government electronic docket site at [www.regulations.gov](http://www.regulations.gov). Commenters should follow the directions below for mailed and hand-delivered comments.

2. *Fax:* 202-493-2251.

3. *Mail:* U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.

4. *Hand Delivery:* U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays.

*Instructions:* You must include the agency name and docket number for this notice at the beginning of your comments. Submit two copies of your comments if you submit them by mail. For confirmation that FTA has received your comments, include a self-addressed stamped postcard. Note that all comments received, including any personal information, will be posted and will be available to Internet users, without change, to [www.regulations.gov](http://www.regulations.gov). You may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000, (65 FR 19477), or you may visit [www.regulations.gov](http://www.regulations.gov). Docket: For access to the docket to read background documents and comments received, go to [www.regulations.gov](http://www.regulations.gov) at any time. Background documents and comments received may also be viewed at the U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

#### FOR FURTHER INFORMATION CONTACT:

49 U.S.C. State of Good Repair Grants Program—Mr. Eric Hu, FTA Office of Program Management (202) 366-0870, or email: [Eric.Hu@dot.gov](mailto:Eric.Hu@dot.gov).

49 U.S.C. Bus and Bus Facilities Program—Mr. Samuel Snead, FTA Office of Program Management (202) 366-1089, or email: [Samuel.Snead@dot.gov](mailto:Samuel.Snead@dot.gov).

**SUPPLEMENTARY INFORMATION:** Interested parties are invited to send comments regarding any aspect of these information collections, including: (1) The necessity and utility of the information collections for the proper performance of the functions of the FTA; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection.

**Title: 49 U.S.C. Section 5337—State of Good Repair Grants Program**

(OMB Number: 2132-NEW)

*Background:* 49 U.S.C. Section 5337, the State of Good Repair Grants Program, is a new program authorized by Moving Ahead for Progress in the 21st Century (MAP-21). The State of Good Repair Grants Program replaces the SAFETEA-LU Fixed Guideway Modernization Program. This program authorizes the Secretary of Transportation to make grants to designated recipients to replace and rehabilitate high intensity fixed guideway systems and high intensity motorbus systems. Eligible recipients include state and local government authorities in urbanized areas with high intensity fixed guideway systems and/or high intensity motorbus systems operating for at least seven years. Projects are funded at 80 percent federal with a 20 percent local match requirement by statute. FTA will apportion funds to designated recipients. The designated recipients will then allocate funds as appropriate to recipients that are public entities in the urbanized areas. FTA can make grants to direct recipients after sub-allocation of funds. Recipients apply for grants electronically, and FTA collects milestone and financial status reports from designated recipients on a quarterly basis. The information submitted ensures FTA's compliance with applicable federal laws.

*Respondents:* State and local government.

*Estimated Annual Burden on Respondents:* 58 hours per submission.  
*Estimated Total Annual Burden:* 9,120 hours.

*Frequency:* Annual.

**Title: 49 U.S.C. Section 5339 Bus and Bus Facilities Program**

(OMB Number 2132-NEW)

*Background:* 49 U.S.C. Section 5339—Bus and Bus Facilities Formula Program, is a new program authorized by Moving Ahead for Progress in the 21st Century (MAP-21). This program authorizes the Secretary of Transportation to make grants to designated recipients and states to replace, rehabilitate, and purchase buses and related equipment as well as construct bus-related facilities. Eligible sub-recipients include public agencies or private nonprofit organizations engaged in public transportation, including those providing services open to a segment of the general public, as defined by age, disability, or low income. Projects are funded at 80 percent federal with a 20 percent local match requirement by statute. Recipients apply for grants electronically and FTA collects milestone and financial status reports from designated recipients and states on a quarterly basis. The information submitted ensures FTA's compliance with applicable federal laws.

*Respondents:* Designated recipients and states.

*Estimated Annual Burden on Respondents:* 58 hours per submission.  
*Estimated Total Annual Burden:* 8,910 hours.

*Frequency:* Annual.

Issued: December 6, 2012.

**Ann M. Linnertz,**

*Associate Administrator for Administration.*

[FR Doc. 2012-29937 Filed 12-11-12; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF THE TREASURY**

**Submission for OMB Review; Comment Request**

December 6, 2012.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, on or after the date of publication of this notice.

**DATES:** Comments should be received on or before January 11, 2013 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and

Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at

[OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at [PRA@treasury.gov](mailto:PRA@treasury.gov).

**FOR FURTHER INFORMATION CONTACT:** Copies of the submission(s) may be obtained by calling (202) 927-5331, email at [PRA@treasury.gov](mailto:PRA@treasury.gov), or the entire information collection request maybe found at [www.reginfo.gov](http://www.reginfo.gov).

**Internal Revenue Service (IRS)**

*OMB Number:* 1545-0162.

*Type of Review:* Reinstatement without change of a previously approved collection.

*Title:* Credit for Federal Tax Paid on Fuels.

*Form:* 4136.

*Abstract:* Internal Revenue Code section 34 allows a credit for Federal excise tax for certain fuel uses. This form is used to figure the amount of the income tax credit. The data is used to verify the validity of the claim for the type of nontaxable or exempt use.

*Affected Public:* Private Sector: Businesses or other For-Profit Institutions.

*Estimated Total Burden Hours:* 4,122,067.

*OMB Number:* 1545-2001.

*Type of Review:* Reinstatement without change of a previously approved collection.

*Title:* Rev. Proc. 2006-16, Renewal Community Depreciation Provisions.

*Abstract:* This revenue procedure provides the time and manner for states to make retroactive allocations of commercial revitalization expenditure amounts to certain buildings placed in service in the expanded area of renewal community pursuant to Sec. 1400E(g) of the Internal Revenue Code.

*Affected Public:* Private Sector: Businesses or other For-Profit Institutions.

*Estimated Total Burden Hours:* 150.

*OMB Number:* 1545-1850.

*Type of Review:* Reinstatement without change of a previously approved collection.

*Title:* REG-140930-02 (TD 9178—Final) Testimony or Production of Records in a Court or Other Proceeding (TD 9178).

*Abstract:* This document contains final regulations replacing the existing regulation that establishes the procedures to be followed by IRS officers and employees upon receipt of a request or demand for disclosure of