

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****[FHWA Docket No. FHWA–2013–0042]****Major Project Financial Plan Guidance****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice; Request for comments.

**SUMMARY:** This notice requests comments on draft Major Project Financial Plan Guidance outlining the procedures the FHWA will follow when reviewing and approving Financial Plans. The proposed Major Project Financial Plan Guidance incorporates changes required by the Moving Ahead for Progress in the 21st Century Act (MAP–21) and adopts a recommendation from a 2009 Government Accountability Office (GAO) report titled “Federal-Aid Highways: FHWA Has Improved Its Risk Management Approach, but Needs to Improve Its Oversight of Project Costs.”

**DATES:** Comments must be received on or before October 7, 2013.**ADDRESSES:** To ensure that you do not duplicate your docket submissions, please submit all comments by only one of the following means:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE., W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Ave. SE., between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 366–9329.
- *Instructions:* You must include the agency name and docket number at the beginning of your comments. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** For questions about this notice contact Mr. James Sinnette, Project Delivery Team Leader, FHWA Office of Innovative Program Delivery, (202) 366–1561, Federal Highway Administration, 1200 New Jersey Ave. SE., Washington, DC 20590–0001, or via email at [james.sinnette@dot.gov](mailto:james.sinnette@dot.gov). For legal questions, please contact Mr. Michael Harkins, Senior Attorney Advisor, FHWA Office of the Chief Counsel, (202) 366–4928, Federal Highway Administration, 1200 New Jersey Ave.

SE., Washington, DC 20590–0001, or via email at [michael.harkins@dot.gov](mailto:michael.harkins@dot.gov). Business hours for the FHWA are from 8:00 a.m. to 4:30 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:****Electronic Access and Filing**

A copy of the proposed Major Project Financial Plan Guidance is available for download and public inspection under the docket number noted above at the Federal eRulemaking portal at: <http://www.regulations.gov>. You may submit or retrieve comments online through the Federal eRulemaking portal at: <http://www.regulations.gov>. The Web site is available 24 hours each day, 365 days each year. Electronic submission and retrieval help and guidelines are available under the help section of the Web site.

An electronic copy of this document may also be downloaded from Office of the Federal Register’s home page at: [http://www.archives.gov/federal\\_register](http://www.archives.gov/federal_register) and the Government Printing Office’s Web page at: <http://www.fdsys.gov>. Late comments will be considered to the extent practicable.

**Background**

Major projects are defined in section 106(h) of title 23, United States Code (U.S.C.), as projects receiving Federal financial assistance with an estimated total cost of \$500,000,000, or other projects as may be identified by the Secretary. Major projects are typically large, complex projects designed to address major highway needs and require the investment of significant financial resources. The preparation of the annual financial plan, as required by 23 U.S.C. 106(h)(3), ensures that the necessary financial resources are identified, available, and monitored throughout the life of the project.

The proposed Major Project Financial Plan Guidance replaces the existing January 2007 Major Project Financial Plan Guidance. Section 106 of title 23 U.S.C., as amended by section 1503 of MAP–21, allows Financial Plans to include a phasing plan when there are insufficient financial resources to complete the entire project. In addition, 23 U.S.C. 106 now requires recipients of Federal financial assistance to assess the appropriateness of a public-private partnership to deliver the project. In addition to these MAP–21 changes, the proposed Major Project Financial Plan Guidance also incorporates a recommendation included in a 2009 GAO report titled, “Federal-Aid Highway: FHWA Has Improved Its Risk Management Approach, but Needs to Improve Its Oversight of Project Costs”

(GA–090–751). That report recommended that Financial Plans include the cost of financing the project.

Comments on the proposed Major Project Financial Plan Guidance are welcome from any interested party, including Federal, State, and local agencies; industry groups; and the general public. A copy of the proposed Major Project Financial Plan Guidance is available for download and public inspection under the docket number noted above at the Federal eRulemaking portal at: <http://www.regulations.gov>. The FHWA requests that commenters cite the page number of the Guidance for which each specific comment to the docket is concerned, to help make the FHWA’s docket comment review process more efficient. The FHWA will consider all comments received during the comment period prior to finalizing the Major Project Financial Plan Guidance.

Issued on: August 20, 2013.

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

[FR Doc. 2013–21738 Filed 9–5–13; 8:45 am]

**BILLING CODE 4910–22–P****DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration****[Docket Number FRA–2013–0075]****Petition for Waiver of Compliance**

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document received on July 8, 2013, the Medina Railroad Museum (MRRM) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Part 223. FRA assigned the petition Docket Number FRA–2013–0075.

MRRM petitioned FRA to grant a waiver of compliance from the safety glazing provisions of 49 CFR 223.15, *Requirements for existing passenger cars*. MRRM seeks relief for a 1954 café lounge car, Number RPCX 761, which was purchased from a private owner, Dr. Harry Phillips. MRRM intends to use RPCX 761 in excursion service on tracks owned by Genesee Valley Transportation’s Falls Road Railroad (FRR). RPCX 761 will be operated at a maximum timetable track speed authorized by MRRM, but not to exceed 30 mph. RPCX 761 has 15 side windows and 4 end windows located in the entry doors (2 panes per door). Each window is two-pane glass with the inner pane

made of automotive-style, laminated Canadian safety glass. None of the windows open; however, the two emergency exit windows on each end of RPCX 761 are clearly marked and will have instructions for use of axes and hammers to break out glazing under emergency conditions.

There have been no accidents or incidents attributed to window glazing failures in this equipment, which has been under the present ownership since 2008. The owner does not have any evidence that there have been any accidents/incidents involving window glazing resulting in personal injury to any occupants of this equipment. There have been no incidents of vandalism while this car has been in the museum's ownership since 2008.

When not in operation, this equipment is stored at 530 West Avenue, Medina, NY, on FRR. This equipment will be moved up to 24 miles over FRR trackage between Mileposts 18 and 42. FRR is a private shortline railroad company consisting of 42 miles of track with just one interchange point at Lockport, NY, where it interchanges with CSX Transportation (CSX). This equipment will only operate with passengers on this private railroad and will not interchange with CSX or Amtrak.

FRR trackage is single track; there is only one overhead bridge, without sidewalks, from which vandals could throw stones or other objects at this equipment. The end windows of RPCX 761 are enclosed in vestibules.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request. All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- Web site: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590.
- Hand Delivery: 1200 New Jersey Avenue SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by October 21, 2013 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as is practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See <http://www.regulations.gov/#!privacyNotice> for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Issued in Washington, DC.

**Robert C. Lauby.**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2013-21694 Filed 9-5-13; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2013-0066]

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated June 10, 2013, the Age of Steam Roundhouse (AOSR) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 230, Steam Locomotive Inspection and Maintenance Standards. AOSR owns and operates No. 1293, a 4-6-2 Pacific class steam locomotive built in 1948 by the Canadian Locomotive Works for the Canadian Pacific Railway. No. 1293 is operated periodically for special trains on the Ohio Central Railroad. FRA assigned the petition Docket Number FRA-2013-0066.

AOSR is requesting an extension not to exceed 92 days in order to perform

the annual inspection required by 49 CFR 230.16, *Annual inspection*. The annual inspection for No. 1293 is typically performed in early September as determined by the 1,472 service-day inspection, completed on September 1, 2000. AOSR requests relief to perform the annual inspection no later than December 31, 2013, which allows the locomotive to operate throughout the fall and winter without removing it from service.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- Web site: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590.
- Hand Delivery: 1200 New Jersey Avenue SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by October 21, 2013 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See <http://www.regulations.gov/#!privacyNotice> for the privacy notice of regulations.gov or interested parties may review DOT's