

Issued in Washington, DC, on November 21, 2014.

**Joe Hebert,**

*Manager, Financial Analysis and Passenger Facility Charge Branch.*

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Buy America Waiver Notification

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice provides information regarding the FHWA's finding that a Buy America waiver is appropriate for the use of non-domestic 20" Trunnion mounted steel ball valve (ASCI 300/API 6D/ASME 318) on Federal-aid project HYS DOT PIN#0756.56 in the State of New York.

**DATES:** The effective date of the waiver is December 3, 2014.

**FOR FURTHER INFORMATION CONTACT:** For questions about this notice, please contact Mr. Gerald Yakowenko, FHWA Office of Program Administration, (202) 366-1562, or via email at [gerald.yakowenko@dot.gov](mailto:gerald.yakowenko@dot.gov). For legal questions, please contact Mr. Jomar Maldonado, FHWA Office of the Chief Counsel, (202) 366-1373, or via email at [Jomar.Maldonado@dot.gov](mailto:Jomar.Maldonado@dot.gov). Office 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

An electronic copy of this document may be downloaded from the **Federal Register's** home page at: <http://www.archives.gov> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

##### Background

The FHWA's Buy America policy in 23 CFR 635.410 requires a domestic manufacturing process for any steel or iron products (including protective coatings) that are permanently incorporated in a Federal-aid construction project. The regulation also provides for a waiver of the Buy America requirements when the application would be inconsistent with the public interest or when satisfactory quality domestic steel and iron products are not sufficiently available. This notice provides information regarding the FHWA's finding that a Buy America waiver is appropriate to use non-

domestic 20" Trunnion mounted steel ball valve (ASCI 300/API 6D/ASME 318) in the State of New York.

In accordance with Division A, section 122 of the "Consolidated and Further Continuing Appropriations Act, 2012" (Pub. L. 112-55), the FHWA published a notice of intent to issue a waiver on its Web site for non-domestic 20" Trunnion mounted steel ball valve (ASCI 300/API 6D/ASME 318) (<http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=99>) on September 23rd. The FHWA received no comments in response to the publication. During the 15-day comment period, the FHWA conducted additional nationwide review to locate potential domestic manufacturers of the 20" Trunnion mounted steel ball valve (ASCI 300/API 6D/ASME 318). Based on all the information available to the Agency, the FHWA concludes that there are no domestic manufacturers of the 20" Trunnion mounted steel ball valve (ASCI 300/API 6D/ASME 318).

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 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 the New York waiver page noted above.

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

Issued on: November 21, 2104.

**Gregory G. Nadeau,**

*Acting Administrator, Federal Highway Administration.*

[FR Doc. 2014-28349 Filed 12-1-14; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice To Rescind a Notice of Intent and Draft Environmental Impact Statement: US 60 Superior to Globe Corridor Improvement/Realignment Study; Pinal and Gila Counties, Arizona.

**AGENCY:** Federal Highway Administration (FHWA), Department of Transportation.

**ACTION:** Notice to rescind a Notice of Intent and Draft Environmental Impact Statement.

**SUMMARY:** The FHWA is issuing this notice to advise the public that FHWA

and the Arizona Department of Transportation (ADOT) will not prepare an Environmental Impact Statement (EIS) for the proposed improvements or rerouting of US Highway (US) 60 in Pinal and Gila counties, Arizona. A Notice of Intent to prepare an EIS was published in the **Federal Register** on April 30, 2009.

**FOR FURTHER INFORMATION CONTACT:** Thomas Deitering, Project Delivery Team Leader, Federal Highway Administration, Arizona Division Office, 4000 North Central Avenue, Suite 1500, Phoenix, Arizona 85012, Telephone: (602) 382-8971, FAX: (602) 382-8998, Email: [Thomas.Deitering@dot.gov](mailto:Thomas.Deitering@dot.gov); or Rebecca Yedlin, Environmental Coordinator, Federal Highway Administration, Arizona Division Office, 4000 North Central Avenue, Suite 1500, Phoenix, Arizona 85012, Telephone: (602) 382-8979, FAX: (602) 382-8998, Email: [Rebecca.Yedlin@dot.gov](mailto:Rebecca.Yedlin@dot.gov).

The FHWA Arizona Division Office's normal business hours are 8:00 a.m. to 5:00 p.m. (Mountain Standard Time).

**SUPPLEMENTARY INFORMATION:** On April 30, 2009, the FHWA, in cooperation with ADOT, issued a Notice of Intent (NOI) titled: "Environmental Impact Statement: Final (Pinal) and Gila Counties, AZ." The intent of the project was to improve and/or realign US 60 in Pinal and Gila counties, Arizona from west of Superior at approximately milepost (MP) 222.6 to east of Globe at approximately MP 258.0. The US 60 Corridor bisects the towns of Superior and Miami as well as the city of Globe. The project was issued a Federal Aid Number STP-060-D(214)A and an ADOT project number 060 GI 222 H7162 01L.

A No-Build Alternative and several Build Alternatives were being considered in the EIS for the Design Year 2040. The No-Build Alternative served as the baseline for the analysis conducted under the National Environmental Policy Act (NEPA).

The design and construction of separate widening and passing lane projects within the study corridor have commenced since the initiation of this study which have or will improve driving conditions for the traveling public. Additionally, funding to complete the study is not available. As such, the preparation of the EIS for the US 60 Superior to Globe Corridor Improvement/Realignment Study is being terminated. Any future transportation improvements or realignments of US 60 throughout this corridor will be determined and prioritized through ADOT's Long Range

and 5-Year Transportation Plans, and any future actions will progress under a separate environmental review process, in accordance with all applicable laws and regulations.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Dated: November 25, 2014.

**Karla S. Petty,**

*FHWA Arizona Division Administrator,  
Phoenix, AZ.*

[FR Doc. 2014-28366 Filed 12-1-14; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2012-0033]

#### Notice of Intent To Grant Buy America Waivers to National Railroad Passenger Corporation and California High-Speed Rail Authority for the Non-Domestic Final Assembly of Four "Prototype" Tier III High-Speed Rail Trainsets

**AGENCY:** Federal Railroad Administration (FRA), United States Department of Transportation (DOT).

**ACTION:** Notice of intent to grant Buy America waivers.

**SUMMARY:** FRA is issuing this notice to advise the public that it intends to grant the National Railroad Passenger Corporation (Amtrak) and California High-Speed Rail Authority (Authority) waivers from FRA's Buy America requirement for the non-domestic final assembly of up to four (two for Amtrak; two for the Authority) "prototype" Tier III high-speed rail (HSR) trainsets in connection with the procurement of HSR trainsets. These waivers apply only to the final assembly of up to two prototype HSR trainsets each for Amtrak and the Authority. Each waiver is subject to the following condition: Before issuing a "Notice To Proceed" to any selected supplier, Amtrak and the Authority each must certify and provide support to FRA that its selected supplier still has not established domestic manufacturing facilities capable of assembling the prototypes and delivering them within a reasonable time. All components used in the prototypes must still be domestically manufactured or separate waivers for components requested and granted before assembly of the prototypes can commence.

**DATES:** Written comments on FRA's determination to grant Amtrak's and the Authority's Buy America waiver requests should be provided to the FRA on or before December 17, 2014.

**ADDRESSES:** Please submit your comments by one of the following means, identifying your submissions by docket number FRA-2012-0033. 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; or

(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 Railroad Administration" and include docket number FRA-2012-0033. 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:** Mr. John Johnson, Attorney-Advisor, FRA Office of Chief Counsel, 1200 New Jersey Avenue SE., Mail Stop 25, Washington, DC 20590, (202) 493-0078, [John.Johnson@dot.gov](mailto:John.Johnson@dot.gov).

**SUPPLEMENTARY INFORMATION:**

FRA is issuing this notice to advise the public that it intends to grant Amtrak's and the Authority's requests for waivers from FRA's Buy America requirement, 49 U.S.C. 24405(a), for the non-domestic final assembly of up to four (two for Amtrak; two for the

Authority) "prototype" Tier III high-speed rail (HSR) trainsets in connection with the procurement of HSR trainsets. These "prototype" Tier III HSR trainsets will be delivered to Amtrak and the Authority for use in passenger (revenue) service. Please note that the Federal Transit Administration (FTA) would use the term "pilot" to describe these vehicles. Because some time may elapse between granting these waivers and construction of prototype HSR trainsets, each waiver has the following condition: Before issuing a "Notice To Proceed" to any selected supplier, Amtrak and the Authority each must certify and provide support to FRA that its selected supplier still has not established domestic manufacturing facilities capable of assembling the prototypes and delivering them within a reasonable time. In addition, all components used in the prototypes must still be domestically manufactured or separate waivers for components requested and granted before assembly of the prototypes can commence.

The larger projects underlying these waiver requests are Amtrak's and the Authority's plans to advance HSR on the Northeast Corridor and in California, respectively. In near identical waiver requests Amtrak and the Authority asserted that the projects require the purchase and use of high-quality, service-proven FRA Tier III Next Generation Trainsets, including two prototype HSR trainsets for each project.

FRA's Buy America requirement for rolling stock, including HSR trainsets, requires domestic final assembly of the trainsets and that all of the components be manufactured in the United States. More information about FRA's Buy America requirement is available at <http://www.fra.dot.gov/Page/P0185>. Section 24405(a)(2) also permits the Secretary of Transportation (delegated to the FRA Administrator) to waive the Buy America requirements if the Secretary finds that: (A) applying paragraph (1) would be inconsistent with the public interest; (B) the steel, iron, and goods manufactured in the United States are not produced in sufficient and reasonably available amount or are not of a satisfactory quality; (C) rolling stock or power train equipment cannot be bought or delivered to the United States within a reasonable time; or (D) including domestic material will increase the cost of the overall project by more than 25 percent.

FRA believes a waiver is appropriate under 49 U.S.C. 24405(a)(2)(C) because domestically-produced HSR trainsets meeting the specific technical, design, and schedule needs of Amtrak and the