

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration**

[Docket No. FRA-2018-0008-N-5]

**Proposed Agency Information Collection Activities; Comment Request**

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

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** Under the Paperwork Reduction Act of 1995 (PRA), this notice announces that FRA is forwarding the renewal Information Collection Request (ICR) abstracted below to the Office of Management and Budget (OMB) for review and comment. The ICR describes the information collection and its expected burden. On April 26, 2018, FRA published a notice providing a 60-day period for public comment on the ICR.

**DATES:** Interested persons are invited to submit comments on or before September 10, 2018.

**ADDRESSES:** Submit written comments on the ICR to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention: FRA Desk Officer. Comments may also be sent via email to OMB at the following address: [oir\\_submissions@omb.eop.gov](mailto:oir_submissions@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W33-497, Washington, DC 20590 (Telephone: (202) 493-6292); or Ms. Kim Toone, Information Collection Clearance Officer, Office of Administration, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W34-212, Washington, DC 20590 (Telephone: (202) 493-6132).

**SUPPLEMENTARY INFORMATION:** The PRA, 44 U.S.C. 3501-3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), and 1320.12. On April 26, 2018, FRA published a 60-day notice in the **Federal Register** soliciting comment on the ICR for which it is now seeking OMB approval. See 83 FR 18391. FRA

received no comments in response to this notice.

Before OMB decides whether to approve this proposed collection of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507(b)-(c); 5 CFR 1320.12(d); see also 60 FR 44978, 44983, Aug. 29, 1995. OMB believes the 30-day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect.

*Comments are invited on the following ICR regarding:* (1) Whether the information collection activities are necessary for FRA to properly execute its functions, including whether the information will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology.

The summary below describes the ICR that FRA will submit for OMB clearance as the PRA requires.

*Title:* Steam Locomotive Inspection and Maintenance Standards (Formerly Steam Locomotive Inspection).

*OMB Control Number:* 2130-0505.  
*Abstract:* The Locomotive Boiler Inspection Act (LBIA) of 1911 required each railroad subject to the Act to file copies of its rules and instructions for the inspection of locomotives. The original LBIA was expanded to cover all steam locomotives and tenders, and all their parts and appurtenances. As amended, this Act requires railroads to inspect and repair steam locomotives to ensure they operate safely. Per the LBIA, the Steam Locomotive Inspection and Maintenance Standards (49 CFR part 230) were established to provide more specific standards that ensure steam locomotive safety. Currently, as amended in 1999, the collection of information for part 230 is used primarily by tourist or historic railroads and by locomotive owners/operators to track steam locomotive service days and

show that required inspections and maintenance are complete. The collection of information is also used by FRA and State rail safety inspectors to verify compliance with required inspection and maintenance standards, helping ensure steam locomotives are "safe and suitable" for service.

*Type of Request:* Extension without change of a current information collection.

*Affected Public:* Steam Locomotive Owners/Operators.

*Form(s):* FRA-1; FRA-2; FRA-3; FRA-4; FRA-5.

*Total Estimated Annual Responses:* 4,868.

*Total Estimated Annual Burden:* 18,865 hours.

Under 44 U.S.C. 3507(a) and 5 CFR 1320.5(b) and 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor and a respondent is not required to respond to a collection of information unless it displays a currently valid OMB control number.

**Authority:** 44 U.S.C. 3501-3520.

**Juan D. Reyes III,**

*Chief Counsel.*

[FR Doc. 2018-17076 Filed 8-8-18; 8:45 am]

**BILLING CODE 4910-06-P**

**DEPARTMENT OF TRANSPORTATION****Federal Transit Administration****Program Guidance for Metropolitan Planning Program and State Planning and Research Program Grants; Availability of Final Circular**

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

**ACTION:** Notice of availability of final circular.

**SUMMARY:** The FTA has placed on its website final guidance in the form of FTA Circular 8100.1D, "Program Guidance For Metropolitan Planning and State Planning and Research Program Grants." The final circular updates the Circular 8100.1C, "Program Guidance For Metropolitan Planning and State Planning and Research Program Grants," to reflect various changes in law and to incorporate provisions of the U.S. Department of Transportation (DOT) regulations, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

**DATES:** September 10, 2018.

**FOR FURTHER INFORMATION CONTACT:** Victor Austin, Office of Planning and

Environment (TPE), Federal Transit Administration, U.S. Department of Transportation, phone: 202-366-2996, or email [victor.austin@dot.gov](mailto:victor.austin@dot.gov). Legal questions may be addressed to Helen Serassio, Office of Chief Counsel (TCC), Federal Transit Administration, U.S. Department of Transportation, phone: 202-366-1974, or email [helen.serassio@dot.gov](mailto:helen.serassio@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### Availability of Final Circular

You may download an electronic copy of the circular from FTA's website at <http://www.transit.dot.gov>. Paper copies of the circular may be obtained by calling FTA's Administrative Services Help Desk at 202-366-4865.

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#### I. Overview

FTA is updating its Program Guidance for Metropolitan Planning and State Planning and Research Program Grants Circular (Circular) to incorporate changes to FTA's programs resulting from enactment of FTA's most recent authorizing legislation, the Fixing America's Surface Transportation (FAST) Act (Pub. L. 114-94, Dec. 4, 2015), as well as the Moving Ahead for Progress in the 21st Century Act (MAP-21) (Pub. L. 112-141, July 6, 2012); promulgation of Department of Transportation (DOT) regulations, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," at 2 CFR part 1201, as well as "Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning," at 23 CFR part 450; and changes in terms as used in FTA's new electronic award and application system, the Transit Award and Management System (TrAMS).

On December 26, 2014, DOT adopted the Office of Management and Budget (OMB) regulatory guidance, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Uniform Guidance), 2 CFR part 200, now incorporated by reference in DOT regulations, 2 CFR part 1201. The Uniform Guidance

streamlines and adds to the guidance formerly found in eight OMB circulars, which have been superseded by 2 CFR part 200. While 2 CFR part 1201 adopts most of the Uniform Guidance, part 1201 does contain several DOT-specific provisions.

DOT regulations, 2 CFR part 1201, apply to any FTA award and any amendments thereto signed by an authorized FTA official on or after December 26, 2014. These regulations supersede 49 CFR part 18, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," and 49 CFR part 19, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations," except that grants and cooperative agreements executed before December 26, 2014, continue to be subject to 49 CFR parts 18 and 19 as in effect on the date of such grants or agreements.

MAP-21 established a performance-based management approach to the statewide and metropolitan transportation planning process to ensure the most efficient investment of Federal transportation funds. Although MAP-21 made several changes to the planning process, the legislation did not make substantive changes to the eligibilities for the Metropolitan Planning Program (MPP). MAP-21 did change the eligibilities of the State Planning and Research Program (SPRP) to include only funds for grants and contracts to carry out 49 U.S.C. 5304, 5305, and 5306.

Sections 5303 and 5304, as amended by the FAST Act, require metropolitan planning organizations (MPOs) and States to develop transportation plans and transportation improvement programs through a performance-driven, outcome-based approach to planning. Under the FAST Act, MPOs continue to develop Unified Planning Work Programs, Metropolitan Transportation Plans, Transportation Improvement Programs, and Public Participation Plans.

On May 27, 2016, FTA and FHWA published in the **Federal Register** the Final Rule on Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning (81 FR 34049), 23 CFR part 450, to implement the changes to the planning process established by MAP-21 and the FAST Act. This Circular uses the joint regulations at 23 CFR part 450 as the foundation for its program guidance.

In addition to addressing changes to Federal law, the final Circular reflects

terminology changes for consistency with FTA's new electronic award and management system, TrAMS.

This notice provides a summary of changes to FTA Circular 8100.1, "Program Guidance for Metropolitan Planning and State Planning and Research Program Grants." Given that this update reflects existing statute and regulations developed with notice and comment, contains no additional interpretation of statute or regulations, and imposes no new requirements on grantees, FTA is not soliciting public comments. The final Circular 8100.1D becomes effective on September 10, 2018 and supersedes Circular 8100.1C.

#### II. Updates to Circular 8100.1

##### A. Chapter I—Introduction and Background

Chapter I covers general information regarding FTA, FTA's authorizing legislation, *Grants.gov*, and how to contact FTA; this chapter also includes definitions and acronyms used in the Circular. In Section 5, FTA added and amended numerous definitions and acronyms to be consistent with other FTA circulars, 49 U.S.C. chapter 53 as amended by the FAST Act and MAP-21, the Uniform Guidance, and TrAMS. For example, TEAM references are replaced by TrAMS references throughout the document. In Section 6, FTA added programmatic changes triggered by MAP-21 and the FAST Act, discussing the performance-based management approach to the statewide and metropolitan transportation planning process.

##### B. Chapter II—Metropolitan Planning Program

Chapter II provides an overview of the entire MPP with regard to its statutory authority and program goals. It defines the role of the individual States, MPOs, and FTA, and explains the program's relationship to other FTA funded programs. The chapter also provides information on eligible planning activities, steps required in developing a Unified Planning Work Program (UPWP), the MPP assistance formula and notification, the grant agreement, and the administration of MPP grants. In Section 1, FTA added a suggestion that to the extent possible, a single agreement among all responsible parties should be developed. In Section 2, eligible grant activities under the MPP, FTA added "studies relating to . . . performance-based planning, safety, and transit asset management," "developing and updating the metropolitan planning agreements between the MPO, the State(s), and the providers of public

transportation serving the metropolitan planning area,” and “peer reviews and exchanges of . . . performance-based planning.” FTA removed “arts and artistic design” from the list of eligible grant activities to comply with 49 U.S.C. 5323, as amended by the FAST Act. In Section 4, FTA reordered subsections identifying the components of a UPWP. In Section 9, FTA added programs created by MAP-21 and the FAST Act, and removed references to programs repealed by MAP-21 and the FAST Act.

#### C. Chapter III—State Planning and Research Program

Chapter III provides an overview of the SPRP in terms of its statutory authority and program goals, and explains the program’s relationship to and coordination with other FTA-funded programs. The chapter also defines the role of the individual States and FTA, and provides information on eligible grant activities, SPRP assistance formula and notification, and State planning activities. In Section 2, FTA removed “training and educational activities” and “human resource program activities” from the list of eligible grant activities for the SPRP because the statutory basis for their eligibility was removed by MAP-21. In Section 5, FTA added programs created by MAP-21 and the FAST Act, and removed references to programs repealed by MAP-21 and the FAST Act.

#### D. Chapter IV—Consolidated Planning Grants

Chapter IV provides information on the Consolidated Planning Grant (CPG) Program, a program administered by FTA and FHWA. The CPG Program allows FTA and FHWA funding that supports metropolitan and statewide transportation planning to be combined into a single consolidated grant, which fosters a cooperative effort between the Federal agencies and the participating States to streamline the delivery of their planning programs by providing the flexibility to transfer the planning funds to either FTA or FHWA for processing. In Section 1, FTA clarified that FTA funds used for metropolitan planning in a CPG are allowed to have the same match ratio as the FHWA Metropolitan Planning funds.

#### E. Chapter V—Application Instructions

Chapter V details the application process of MPOs and States that apply for and receive funds from MPP and SPRP grants. FTA made no substantive changes to this chapter.

#### F. Appendices

FTA made minor, clarifying edits to the appendices.

Issued in Washington, DC.

**K. Jane Williams,**

*Acting Administrator.*

[FR Doc. 2018–17032 Filed 8–8–18; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2017–0129]

#### Pipeline Safety: Underground Natural Gas Storage Facility User Fee

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of agency action.

**SUMMARY:** On December 8, 2017, PHMSA published a notice and request for comments in the **Federal Register** titled: “Underground Natural Gas Storage Facility User Fee” seeking comments from underground natural gas storage facility (UNGS) operators on a proposal to use UNGS annual report data in the user fee rate structure. PHMSA received two comments in the docket. We are publishing this notice to address the comments received and to announce that PHMSA has used UNGS annual report data about the number of wells in the user fee rate structure for the Pipeline Safety Fund’s Underground Natural Gas Storage Facility Safety Account.

**FOR FURTHER INFORMATION CONTACT:** Crystal Stewart by telephone at 202–366–1524, by fax at 202–366–4566, by email at [Crystal.Stewart@dot.gov](mailto:Crystal.Stewart@dot.gov), or by mail at U.S. Department of Transportation, PHMSA, 1200 New Jersey Avenue SE., PHP–2, Washington, DC 20590–0001.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) (Pub. L. 99–272, sec. 7005), codified in part at section 60301 of title 49, United States Code, authorizes the assessment and collection of user fees to fund the pipeline safety activities conducted under chapter 601 of title 49. On June 22, 2016, President Obama signed into law the “Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016” (Pub. L. 114–183) (PIPES Act of 2016). Section 12 of the PIPES Act of 2016 mandates that PHMSA issue regulations for UNGS facilities,

authorizes user fees on operators of these facilities, and directs PHMSA to prescribe procedures to collect those fees upon appropriation. Section 2 of the PIPES Act of 2016 authorizes \$8 million per year to be appropriated from those fees for each of FY 2017–2019 for the newly established Underground Natural Gas Storage Facility Safety Account in the Pipeline Safety Fund. After Congress appropriates funds to this account for fiscal year (FY) 2018 and beyond, PHMSA will collect user fees from the operators of the facilities.

#### Summary of Comments

The December 8, 2017 notice advised all UNGS facility operators of a proposed PHMSA pipeline user fee assessment and rate structure (82 FR 58045). During the one-month response period, PHMSA received comments from two commenters on the proposed UNGS user fee billing methodology: WBI Energy Transmission Inc., and National Fuel Gas Supply Corporation.

The comments can be found at <http://www.regulations.gov> in Docket Number PHMSA–2017–0129. WBI Energy Transmission Inc., submitted comments supporting the rate structure proposed by PHMSA in the December 8, 2017 notice. The remaining comment is summarized below with PHMSA’s response:

*Comment:* National Fuel Gas Supply Corporation stated that well count alone is not an appropriate measure for determining a user fee since larger wells will require more regulatory oversight than smaller wells.

*Response:* Each well penetrating an underground natural gas storage reservoir represents a risk. Currently, PHMSA intends to apply a consistent level of regulatory oversight to all wells, regardless of size. As PHMSA implements its underground storage inspection program, we may gain insights leading to a user fee methodology more reflective of regulatory oversight effort.

#### Underground Natural Gas Storage Facility User Fee Plan

During the FY 2018 user fee process, PHMSA has used calendar year (CY) 2016 annual report data for gas transmission pipelines, hazardous liquid pipelines, and liquefied natural gas facilities. Using CY 2016 data ensures adequate time to verify annual report data quality and still be able to send user fee assessments promptly after appropriation. PHMSA does not have CY 2016 annual report data for underground natural gas storage facilities. Congress appropriated UNGS funds for FY 2018, and PHMSA has