

Americans with Disabilities Act; safety requirements; NEPA; environmental justice and the Buy American Act, 41 U.S.C. 8301–8305. Unless otherwise stated in statutory or legislative authority, or appropriations language, all financial assistance awards follow the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards at 2 CFR part 200 and 2 CFR part 1201.

Grantees must comply with applicable appropriations act requirements and all relevant requirements of 2 CFR part 200. Rights to intangible property under grants awarded under this NOFO are governed in accordance with 2 CFR 200.315. Unless otherwise stated in the Federal award, FRA will not consider non-federal entities as that term is used in 2 CFR part 200 to include for-profit entities. See an example of standard terms and conditions for FRA grant awards at <https://www.fra.dot.gov/eLib/details/L05285>. This template is subject to revision.

### 3. Reporting

#### a. Progress Reporting on Grant Activity

Each applicant selected for a grant will be required to comply with all standard FRA reporting requirements, including quarterly progress reports, quarterly Federal financial reports, and interim and final performance reports, as well as all applicable auditing, monitoring and close out requirements. Reports may be submitted electronically.

#### b. Additional Reporting

Applicants selected for funding are required to comply with all reporting requirements in the standard terms and conditions for FRA grant awards including 2 CFR 180.335 and 2 CFR 180.350. See an example of standard terms and conditions for FRA grant awards at: <https://www.fra.dot.gov/eLib/details/L05285>. This template is subject to revision.

#### c. Performance Reporting

Each applicant selected for funding must report on the project's performance using measures mutually agreed upon by FRA and the grantee to assess progress in achieving strategic goals and objectives. The information should include indicators of success (e.g., anticipated reach of messaging efforts or contacts made by personnel with individuals at risk or reduced suicide incidents.) The FRA maintains the rights to re-publish and use information under this grant for the advancement of safety.

### G. Federal Awarding Agency Contacts

For further information regarding this notice and the Railroad Trespassing Suicide Prevention Grant Program, please contact Michail Grizkewitsch, Office of Railroad Safety, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W33–446, Washington, DC 20590; email: [Michail.grizkewitsch@dot.gov](mailto:Michail.grizkewitsch@dot.gov); phone: (202) 493–1370. Grant application submission and processing questions should be addressed to Matthew Lorah, Office of the Chief Financial Officer, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W36–103, Washington, DC 20590; email: [matthew.lorah@dot.gov](mailto:matthew.lorah@dot.gov); phone: 202–493–6186.

### H. Other Information

All information submitted as part of or in support of any application shall use publicly available data or data that can be made public and methodologies that are accepted by industry practice and standards, to the extent possible. If the application includes information the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: (1) Note on the front cover that the submission “Contains Confidential Business Information (CBI)”; (2) mark each affected page “CBI”; and (3) highlight or otherwise denote the CBI portions.

The DOT regulations implementing the FOIA are found at 49 CFR part 7 Subpart C—Availability of Reasonably Described Records under the Freedom of Information Act which sets forth rules for FRA to make requested materials, information and, and records publicly available under FOIA. Unless prohibited by law and to the extent permitted under the FOIA, contents of application and proposals submitted by successful applicants may be released in response to FOIA requests.

Issued in Washington, DC.

**Quintin Kendall,**

*Deputy Administrator.*

[FR Doc. 2020–12443 Filed 6–8–20; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2019–0156; Notice No. 2019–06]

### Hazardous Materials: Request for Information on Safety Devices

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

**ACTION:** Notice; Request for information.

**SUMMARY:** PHMSA is developing a national policy regarding safety devices (UN0503 and UN3268). PHMSA has continued to see advancements in technologies for articles containing hazardous materials that have been submitted to PHMSA requesting an approval or special permit to transport as safety devices (UN0503 and UN3268). PHMSA is requesting information or data from stakeholders regarding the classification, testing, and conditions for transportation of these devices requesting an approval to be classified as safety devices.

**DATES:** Interested persons are invited to submit comments on or before August 10, 2020. Comments received after that date will be considered to the extent practicable.

**ADDRESSES:** You may submit comments identified by the Docket Number PHMSA–2019–0156 by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 1–202–493–2251.

- *Mail:* Docket Management System; U.S. Department of Transportation, West Building, Ground Floor, Room W12–140, Routing Symbol M–30, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Docket Management System; Room W12–140 on the ground 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 include the agency name and Docket Number (PHMSA–2019–0156) for this notice. To avoid duplication, please use only one of these four methods. All comments received will be posted without change to the Federal Docket Management System (FDMS) and will include any personal information you provide.

**Docket:** For access to the dockets to read background documents or

comments received, go to <http://www.regulations.gov> or DOT's Docket Operations Office (see **ADDRESSES**).

**Privacy Act:** In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public. DOT posts these comments, without edit, including any personal information the commenter provides, to <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

**Confidential Business Information (CBI):** CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." PHMSA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this notice. Submissions containing CBI should be sent to Candace Casey, Standards and Rulemaking Division, (202) 366-8553, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590-0001. Any commentary that PHMSA receives which is not specifically designated as CBI will be placed in the public docket for this notice.

**FOR FURTHER INFORMATION CONTACT:** Candace Casey, Standards and Rulemaking Division, (202) 366-8553, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Executive Summary**

On January 8, 2015, PHMSA published a final rule titled, "Hazardous Materials: Harmonization with International Standards (RRR)" [80 FR 1075; HM-215M] which introduced, defined, and outlined broad criteria for transportation of safety devices in the HMR. Prior to publication of HM-215M, the safety device transport provisions were limited to air bag inflators, air bag modules, or seat-belt pretensioners, which were classed and described as

either Division 1.4G (explosive) or Class 9 (miscellaneous) under UN0503 or UN3268, respectively.

Due to advancements in technologies for safety devices and their associated use and questions concerning the appropriate application of the safety devices proper shipping name and its associated classification, PHMSA is developing a national policy to ensure consistent decisions regarding what devices and uses are eligible for these classifications and potentially the provisions and conditions for their transportation.

##### **II. Background**

The Hazardous Materials Regulations (HMR; 49 CFR parts 171-180) prescribe requirements for the transportation in commerce of safety devices,<sup>1</sup> including classification, packaging, and hazard communication provisions. On January 8, 2015, PHMSA adopted provisions for safety devices into the HMR in a final rule titled, "Hazardous Materials: Harmonization with International Standards (RRR)" [80 FR 1075; HM-215M].<sup>2</sup> Safety devices are described in the HMR as "articles which contain pyrotechnic substances or hazardous materials of other classes and are used in vehicles, vessels, or aircraft to enhance safety to persons." 49 CFR 173.166. Prior to publication of HM-215M, the use of the § 173.166 provisions was limited to air bag inflators, air bag modules, or seat-belt pretensioners for transportation and described as either "UN0503, Air bag inflators, or Air bag modules, or Seat-belt pretensioners, 1.4G" or "UN3268, Air bag inflators, or Air bag modules, or Seat-belt pretensioners, 9."

As discussed in the preamble:

The development of safety products has seen significant progress since the introduction of UN3268 and the range of current products extends beyond what can presently be assigned to UN3268. Some of the newer safety products include elements that are actuated by the electrical signal of the crash sensor (e.g., pyromechanical devices). Examples include: Devices that interrupt the electrical connection in case of emergency by disconnecting the main power cable in the vehicle from the battery to prevent short circuit and consequentially minimize the risk of fire in the vehicle; and actuators which are used for active headrests or for pedestrian protection to release special hinges of the engine hood.

<sup>1</sup> This is separate from HMR provisions for life-saving devices. Life-saving devices are items, such as inflatable vests or rafts, used to assist with life-saving measures and do not require approval for classification and transport and are not used as part of vehicles (e.g., an air bag).

<sup>2</sup> <https://www.govinfo.gov/content/pkg/FR-2015-01-08/pdf/2014-30462.pdf>.

When offering safety devices for transportation, the articles may be classified as either a Division 1.4G (explosive) material or a Class 9 (miscellaneous) hazardous material and transported with the applicable basic description of "UN0503, Safety devices, pyrotechnic, 1.4G" or "UN3268, Safety devices, *electrically initiated*, 9."<sup>3</sup> The appropriate classification may depend on the method of initiation, type of safety device, testing results, and other parameters. With the exception of air bag inflators, air bag modules, and seat-belt pretensioners, all safety device designs are required to be submitted to the Associate Administrator for an approval and assignment of an EX number.<sup>4</sup> The exception for these three devices stems from PHMSA's experience with the safety in the design and manufacture of these devices and PHMSA's long history of approving them for transportation as Class 9. Manufacturers of safety devices that do not meet the criteria for UN3268 may request an approval for classification as a Division 1.4G and may be issued an EX approval if the design type has been examined and tested in accordance with § 173.56 of the HMR.

In order for a safety device to be classified as "UN3268, Safety devices, *electrically initiated*, 9," the safety device must be tested in accordance with Test series 6(c) of Part I of the United Nations (UN) Manual of Tests and Criteria (incorporated by reference in § 171.7), with no explosion of the device, no fragmentation of device casing or pressure vessel, and no projection hazard or thermal effect that would significantly hinder fire-fighting or other emergency response efforts in the immediate vicinity.<sup>5</sup> Those safety devices must also be packaged and transported in accordance with provisions in § 173.166 and other appropriate general provisions of the HMR.

PHMSA adopted provisions for UN3268 into the HMR based on provisions adopted in the 19th Revised Edition of the UN Model Regulations. The UN Sub-Committee of Experts on the Transport of Dangerous Goods considered multiple proposals during 2012-2016 to develop classification and transport provisions similar to those applied to air bags, air bag inflators, and seat-belt pretensioners. The UN Sub-Committee recognized that these articles (e.g., articles containing micro gas

<sup>3</sup> Words in italics are not a required part of a proper shipping name.

<sup>4</sup> An EX number is a unique identifier for each approved explosive.

<sup>5</sup> See § 172.102 Special Provision 160, assigned to "UN3268, Safety devices, 9."

generators) had a long-standing experience of consistent performance in the classification testing. As such, many competent authorities provided streamlined testing and approval mechanisms commensurate with that experience. However, by providing a general description, the UN Sub-Committee determined that additional conditions should apply. Specifically, the UN Model Regulations Special Provision 280 was developed and assigned to UN3268. SP 280 includes the definition of a Division 1.4S (“no explosion of the device, no fragmentation of device casing or pressure receptacle, and no projection hazard nor thermal effect which would significantly hinder fire-fighting or emergency response efforts in the immediate vicinity”) with the addition of slightly more stringent assessment criteria for the Series 6(c) test. In supporting this amendment at the UN, it was the view of the U.S. delegation that the intent was to require that, in order for an article to be considered a Class 9 safety device, the article would first have to qualify as a Division 1.4S, including the required Division 1.4S testing provisions, with the additional assessment criteria provided in SP 280 for the Series 6(c) test. The result would be a clear safety distinction from Division 1.4G safety devices and those that could be classed as Class 9. Additionally, to address the concerns of some delegates related to the transition from specific descriptive proper shipping names to the generic “Safety devices,” the intent of the previous proper shipping names was added as a further limitation to these articles (*i.e.*, “used in vehicles, vessels, or aircraft to enhance safety to persons”). In the view of the U.S. delegation during the development of this provision at the UN, it is only through this tiered safety approach that Class 9 designation is clearly supported. Note that the UN Sub-Committee continues to work on the classification framework for safety devices. This work includes identifying conditions and testing methods to determine when an article containing a Division 1.4S explosive material is considered to be eligible for reassignment to Class 9 for transport purposes. PHMSA also continues to host UN public meetings for which we solicit comment from the public on UN working documents for changes to the UN Model Regulations and Manual of Tests and Criteria.

### III. Safety Device Classification

PHMSA is developing a national policy regarding safety devices (UN0503 and UN3268). PHMSA continues to see

advancements in technologies for articles containing hazardous materials that have been submitted to PHMSA requesting an approval or special permit to transport as safety devices (UN0503 and UN3268). PHMSA is requesting information or data from stakeholders regarding the classification, testing, and conditions for transportation relevant to the potential classification of these devices as safety devices.

### IV. Questions

PHMSA seeks information or data on the following questions related to the classification, testing, and conditions for transportation relevant to the potential classification of these devices as safety devices. Comments or information provided by stakeholders need not be limited to the scope of these specific questions. To the extent possible, we request commenters include specific data with verifiable references to support their statements.

#### Scope

1. What information/data should PHMSA take into consideration in the expansion of the application of safety devices beyond those designed to be used in transport vehicles? If a device can be used both in a transport vehicle and in other non-vehicle applications, should all transport of the devices be allowed to be classified under UN3268? What specific information/data supports your answers?

2. Are there benefits or increased risks to considering the expansion of the applicability of safety devices beyond use in vehicles, vessels, or aircraft to enhance safety to persons?

3. Compared to manned transport vehicles, should automated/unmanned transport vehicles (*e.g.*, drones, etc.) be treated differently with respect to safety devices? If so, in what way?

4. How should end use be considered in practical determination of classification or reclassification of devices or articles that have pyrotechnic substances or other hazardous materials?

5. At what point does an article become a safety device? For example, micro-gas generators are essential parts of a seat-belt pretensioner, but by themselves they would only be a component of a safety device. Should components of safety devices be allowed to be classified as safety devices? Why?

#### Testing

1. Is there a need for guidance on testing to determine appropriate classification as it pertains to safety devices? If so, what areas of the

requirements should this guidance address?

2. The current provisions in § 172.102, Special Provision 160, require Test Series 6(c) of Part I of the UN Manual of Tests and Criteria. This testing reflects the long-standing provisions applicable to air bags, seat-belt pretensioners, and air bag modules based on significant experience with testing of these articles. If the “UN3268, Safety device” classification is applied to other types of articles, should those articles (those other than air bags, seat-belt pretensioners, and air bag modules) require completion of the UN Test series 6 tests (*i.e.*, UN 6(a), UN 6(b), UN 6(c) and UN 6(d)) first as a Division 1.4S or should other testing be conducted? Would doing this allow for a more consistent reclassification to Class 9?

3. The provisions of § 173.166(b)(1)(iv) require articles other than air bags, seat-belt pretensioners, and air bag modules to be approved by the Associate Administrator. During the approval review, PHMSA may request additional testing beyond that specified in Special Provision 160 if considered necessary and appropriate to ensure a proper classification. What testing, outside of that already required by the HMR, would be appropriate for PHMSA to consider requiring under the terms of an approval to ensure the article classification properly reflects a Class 9 material?

#### Conditions for Transportation and Carriage Aboard Aircraft

1. What additional risks might an operator incur when a safety device is classified as Class 9 for transportation by air if additional articles are approved as safety devices?

2. What additional costs may a person incur when offering a safety device for transportation as a Division 1.4G article in contrast to a Class 9 article? What are the additional costs, if any, for storage incidental to transportation?

3. What different best practices/procedures may be conducted by an air operator when loading/handling a Division 1.4S/1.4G article in contrast to a Class 9 article?

4. Are additional costs incurred when offering a safety device for transportation as a Division 1.4S article in contrast to a Class 9 article? Are there additional costs for storage incidental to transportation?

5. Are the exceptions provided in § 173.166(d)(1) for safety devices when installed in motor vehicles, vessel, aircraft, or other conveyances sufficient to cover all types of safety devices, regardless of size or function, or are they more technically appropriate for air bag

inflators, air bag modules, and seat-belt pretensioners?

Signed in Washington, DC, on June 4, 2020, under authority delegated in 49 CFR 1.97.

**William S. Schoonover,**

*Associate Administrator of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.*

[FR Doc. 2020–12452 Filed 6–8–20; 8:45 am]

**BILLING CODE 4910–60–P**

## DEPARTMENT OF VETERANS

### Veterans' Advisory Committee on Education, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, that the Veterans' Advisory Committee on Education (VACOE) will meet via conference call June 23–26, 2020 from 1:00 p.m. to 4:00 p.m., EST. The meeting is open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs on the administration of education and training programs for Veterans, Servicepersons, Reservists, and Dependents of Veterans including programs under Chapters 30, 32, 33, 35, and 36 of title 38, and Chapter 1606 of title 10, United States Code.

The purpose of the meeting is to introduce the new Committee members, Veterans Benefits Administration Leadership, and Education Service Leadership Staff; provide an overview of Education Service Benefit Programs and Services; and discuss recommendation proposals previously presented to the Secretary regarding GI Bill Education Programs.

Interested persons may attend. The dial-in number to attend the conference call is: 1–800–767–1750. At the prompt, enter access code 00684 then press#. Although no time will be allotted for receiving oral presentations from the public, individuals wishing to share information with the Committee may submit written statements for the Committee's review to Ms. Debra Morgan, Designated Federal Official,

Department of Veterans Affairs, by email at [EDUSTAENG.VBAVACO@va.gov](mailto:EDUSTAENG.VBAVACO@va.gov). Comments will be accepted until close of business on Monday, June 22, 2020. In the communication, the writers must identify themselves and state the organization or association they represent for inclusion in the official record. Any member of the public wishing to participate or seeking additional information should contact Janet Elder at [EDUSTAENG.VBAVACO@va.gov](mailto:EDUSTAENG.VBAVACO@va.gov) or [Janet.Elder@va.gov](mailto:Janet.Elder@va.gov) not later than June 22, 2020.

Dated: June 3, 2020.

**Jelessa M. Burney,**

*Federal Advisory Committee Management Officer.*

[FR Doc. 2020–12409 Filed 6–8–20; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF VETERANS AFFAIRS

### Rehabilitation Research and Development Service Scientific Merit Review Board, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, that a meeting of the Rehabilitation Research and Development Service Scientific Merit Review Board will be held Wednesday, August 26, 2020, by teleconference. The meeting will be held between 1–1:30 p.m. EST. The meeting will be partially closed to the public from 1:10–1:30 p.m. EST for the discussion, examination, and reference to the research applications and scientific review. Discussions will involve reference to staff and consultant critiques of research proposals. Discussions will deal with scientific merit of each proposal and qualifications of personnel conducting the studies, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Additionally, premature disclosure of research information could significantly obstruct implementation of proposed agency action regarding the research

proposals. As provided by Public Law 92–463 subsection 10(d), as amended by Public Law 94–409, closing the committee meeting is in accordance with 5 U.S.C. 552b(c) (6) and (9)(B).

The objective of the Board is to provide for the fair and equitable selection of the most meritorious research projects for support by VA research funds and to offer advice for research program officials on program priorities and policies. The ultimate objective of the Board is to ensure that the VA Rehabilitation Research and Development Program promotes functional independence and improves the quality of life for impaired and disabled Veterans.

Board members advise the Director, Rehabilitation Research and Development Service and the Chief Research and Development Officer on the scientific and technical merit, the mission relevance, and the protection of human and animal subjects of Rehabilitation Research and Development proposals. The Board does not consider grants, contracts, or other forms of extramural research.

Members of the public who wish to attend the open portion of the teleconference session from 1–1:10 p.m. EST may dial 1 (800) 767–1750, participant code 95056#.

Written comments from the public must be sent to Tiffany Asqueri, Designated Federal Officer, Rehabilitation Research and Development Service, Department of Veterans Affairs (10X2R), 810 Vermont Avenue NW, Washington, DC 20420, or to [Tiffany.Asqueri@va.gov](mailto:Tiffany.Asqueri@va.gov) prior to the meeting. Those who plan to attend the open portion of the meeting must contact Mrs. Asqueri at least 5 days before the meeting. For further information, please call Mrs. Asqueri at (202) 443–5757.

Dated: June 4, 2020.

**LaTonya L. Small,**

*Federal Advisory Committee Management Officer.*

[FR Doc. 2020–12485 Filed 6–8–20; 8:45 am]

**BILLING CODE P**