

Preservation Act; Clean Air Act; and Federal Clean Water Act.

TVA anticipates seeking required permits or authorizations, from the following governmental entities: The Nuclear Regulatory Commission; Federal Aviation Administration; U.S. Department of Transportation; Tennessee Department of Transportation; U.S. Army Corps of Engineers; U.S. Coast Guard; U.S. Environmental Protection Agency; Tennessee Department of Environment and Conservation; U.S. Fish and Wildlife Service; the City of Oak Ridge; Tennessee State Historic Preservation Officer; Tribal Historic Preservation Officers; and Texas Department of State Health Services, Radiation Control Program, Radiation Safety Licensing Branch. This is not an exhaustive list, other permits or authorizations may be sought as required or appropriate.

Public Participation and Scoping Process

TVA seeks comment and participation from all interested parties for the proposed action, including, but not limited, to assisting TVA in determining the scope of issues for analysis in the PEIS. Information about this project is available at <https://www.tva.com/nepa>, which includes a link to an online public comment page. TVA invites the public to identify other potential alternatives, information, and analysis relevant to the proposed action. Comments must be received or postmarked no later than March 19, 2021. Federal, state, local agencies, and Native American Tribes are also invited to provide comments. Please note that any comments received, including names and addresses, will become part of the project administrative record and will be available for public inspection.

To accommodate social distancing guidelines and public health recommendations related to the COVID-19 pandemic, TVA will host a virtual open house during the scoping period. The virtual open house will be held on March 1, 2021, from 6:00–8:00 p.m. EST. Visit <https://www.tva.com/nepa> to obtain more information about the virtual open house. Additional open house details will be available on the project site by February 17, 2021.

PEIS Preparation and Schedule

TVA will consider comments received during the scoping period and develop a scoping report, which will be published at <https://www.tva.com/nepa>. The scoping report will summarize public and agency comments that were received and identify the projected schedule for completing the PEIS

process. Following completion of the CRN Site environmental analysis, TVA will post a Draft PEIS for public review and comment on the project web page. TVA anticipates holding a public open house, which may be virtual, after releasing the Draft PEIS. Open house details will be posted on TVA's website in conjunction with the Draft PEIS. TVA expects to release the Draft PEIS in the Fall of 2021.

TVA will consider the substantive comments received on the Draft PEIS, financial assessments, engineering evaluations, risk evaluations, and other applicable evaluations in the Final PEIS before selecting one or more alternatives. TVA projects completing a Final PEIS in Spring 2022. Subsequently, a final determination on proceeding with the CRN Site will be documented in a Record of Decision.

Authority: 40 CFR 1501.9.

Rebecca Tolene,

Vice President, Environment.

[FR Doc. 2021-02144 Filed 2-4-21; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California

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

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans).

SUMMARY: The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final. The actions relate to a proposed highway project, I-10 Blythe Pavement Rehabilitation Project in the County of Riverside, State of California. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(J)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before July 6, 2021. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For Caltrans: Antonia Toledo, Senior Environmental Planner, California

Department of Transportation-District 8, 464 W 4th Street, MS-820, San Bernardino, CA 92401. Office Hours: 8:00 a.m.—5:00 p.m., Pacific Standard Time, telephone, (909) 501-5741 or email Antonia.Toledo@dot.ca.gov. For FHWA, contact David Tedrick at (916) 498-5024 or email david.tedrick@dot.gov.

SUPPLEMENTARY INFORMATION: Effective July 1, 2007, the FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that Caltrans has taken final agency actions subject to 23 U.S.C. 139(J)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: rehabilitation of the existing asphalt concrete (AC) pavement on Interstate 10 from Post Mile (PM) R134.0 to PM R156.5 in the County of Riverside. Rehabilitation Activities include removal and replacement of existing inside and outside shoulders, guardrails, rumble strips, drainage inlets, and dikes, and installation of oversized drains. The project will also involve upgrades to ramp facilities for ADA compliance, installation of two temporary detour lanes in the existing median, extension of existing rock slope protection at bridge locations, and hydroseeding the median for erosion control and vegetation restoration. The primary purpose of this project is to restore and extend the life of existing pavement for a minimum of forty years, enhance trip reliability, and consequently minimize expenditures associated with future maintenance. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (FEA)/ Finding of No Significant Impact (FONSI) for the project, approved on July 27, 2020, and in other documents in Caltrans' project records. The FEA, FONSI and other project records are available by contacting Caltrans at the addresses provided above.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. Council on Environmental Quality (CEQ) regulations
2. National Environmental Policy Act of 1969, as amended, 42 U.S.C 4331(b)(2)
3. Federal Highway Act of 1970, U.S.C 772
4. Federal Clean Air Act of 1977 and 1987
5. Clean Water Act of 1977 and 1987
6. Federal Water Pollution Control Act of 1972
7. Safe Drinking Water Act of 1944, as amended
8. Executive Order 11988, Floodplain

- Management
 9. Historic Sites Act of 1935
 10. Endangered Species Act of 1973
 11. Executive Order 11990, Protection of Wetlands
 12. Executive Order 13112, Invasive Species
 13. Fish and Wildlife Coordination Act of 1934, as amended
 14. Migratory Bird Treaty Act of 1918, as amended
 15. Title VI of the Civil Rights Act of 1964, as amended
 16. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
 17. National Historic Preservation Act of 1966, as amended
 18. Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act)
 19. Farmland Protection Policy Act of 1994
 20. Americans with Disabilities Act (ADA), 1990
 21. Rehabilitation Act, Section 504
 22. Comprehensive Environmental Response, Compensation and Liability Act of 1980
 23. Resource Conservation and Recovery Act of 1976
 24. Occupational Safety and Health Act of 1970
 25. Toxic Substances Control Act of 1976
 26. Executive Order 12088, Federal Compliance with Pollution Control Standards

(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.)

Authority: 23 U.S.C. 139(l)(1).

Issued on: February 2, 2021.

Rodney Whitfield,

Director, Financial Services, Federal Highway Administration, California Division.

[FR Doc. 2021-02448 Filed 2-4-21; 8:45 am]

BILLING CODE 4910-RY-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2020-0096]

Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a letter dated December 14, 2020, Brightline West (Brightline) petitioned the Federal Railroad Administration (FRA) for a waiver from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 221, 229, 231, and 238, and an exemption from certain requirements of chapter 203, title 49 of the United States Code (U.S.C.). FRA

assigned the petition Docket Number FRA-2020-0096.

Brightline's requests for relief relate to its planned operation of new high-speed trainsets on a new high-speed rail line between Victorville, California, and Las Vegas, Nevada. Brightline indicates that the fully electric trainsets will be capable of operating up to 186 miles per hour. Further, Brightline indicates that Siemens Mobility will manufacture eight trainsets (referred to as "Valero Trainsets"), and Brightline will have the option of ordering an additional twelve. Manufacturing of the Valero Trainsets is scheduled to start in January 2022 in the Siemens plant in Krefeld, Germany, with a planned delivery of the trains to the United States for testing in April 2023. The projected start of passenger service is March 2024.

According to Brightline, the subject rail corridor will be built within the right-of-way of Interstate Highway 15 and will be electrified, thus ensuring the rail line can operate in an energy efficient and sustainable manner. Because the infrastructure will be built and operated as a dedicated right-of-way, Brightline further indicates that no mixed traffic with Tier I or II passenger trains will occur and the rail corridor will have no public highway-rail nor rail-rail at-grade crossings. FRA also understands that no freight traffic will be moved on the track.

Brightline indicates that the Valero Trainsets will be built to FRA's existing Tier III passenger equipment safety standards, codified under 49 CFR part 238, subpart H, and will meet certain consensus recommendations from the Railroad Safety Advisory Committee (RSAC) to FRA related to high-speed passenger equipment (those consensus recommendations to FRA are attached as Annex A to Brightline's waiver petition). Accordingly, Brightline's waiver request asks FRA to waive the existing applicable regulatory requirements of 49 CFR parts 221, 229, 231, and 238, and instead apply to the Valero Trainsets, the alternative standards outlined in the referenced RSAC recommendations.

Brightline also specifically requests that FRA waive the requirements of 49 CFR 238.112 related to door emergency egress and rescue access systems and approve an alternative solution proposed in its waiver request.

Finally, Brightline requests that FRA exercise its authority under 49 U.S.C. 20306 (Section 20306) to exempt the Valero Trainsets from the requirement of 49 U.S.C. 20302 (Section 20302), which mandates that railroad vehicles be equipped with (1) secure sill steps and an efficient hand brake; (2) secure

grab irons or handholds on the vehicle's ends and sides for greater security to individuals coupling and uncoupling the vehicle; and (3) the standard height of drawbars. *See* 49 U.S.C. 20302(a)(1)(B), (a)(2), and (a)(3).

In support of its request for relief, Brightline asserts that the Valero Trainsets have specific technologically advanced features that justify an exemption from Section 20302. First, Brightline notes that individual units in the trainset cannot be uncoupled except within a maintenance facility, protected by blue signal rules, and under the direction of trained maintenance personnel. This eliminates the need for train crews to perform traditional "switching" operations. Second, for the trainset's ends, which may be coupled to another trainset during regular service in double traction mode or during an emergency rescue operation, Brightline indicates there is a fully automatic coupler with a remote-controlled uncoupling mechanism in the operating cab, providing electric and pneumatic connections, making uncoupling levers unnecessary. Third, as it is not required for a person to step between the vehicle's end to connect jumper cables or air hoses, end handholds are not needed. Finally, because there are operating cabs on both ends of the trainset, "reverse moves" are performed with a conductor or brakeman riding inside the opposite, or non-controlling, cab and not riding the exterior of the trainset.

Section 20306 authorizes FRA to exempt rail equipment from the requirements of 49 U.S.C. chapter 203, including Section 20302, when those requirements "preclude the development or implementation of more efficient railroad transportation equipment or other transportation innovations under existing law." Section 20306 requires FRA to base any such exemption on either (1) findings developed at a hearing; or (2) an agreement between labor and the developer of the equipment.

As Brightline indicates in its Petition, FRA has previously held Section 20306 hearings for equipment substantially similar to the Valero Trainsets.¹ The equipment was also proposed to be operated in substantially similar operating environments to that which Brightline proposes in this docket.² Accordingly, Brightline asserts that no new information on the Valero

¹ *See* FRA Docket Nos. FRA-2019-0066 (Amtrak) and FRA-2019-0068 (Texas Central Railroad (*see also* 85 FR 69700 (Nov. 3, 2020)). Both FRA dockets are available for review on www.regulations.gov.

² *Id.*