

**Correction**

In the **Federal Register** of April 3, 2015, in FR Doc. 2015-07656, on page 18292, in the second column, correct the paragraph to read:

In addition, FRA is extending the comment period for this waiver petition to June 21, 2015, to allow adequate time for any additional comments to be submitted following the public hearing on May 21, 2015.

Issued in Washington, DC, on April 11, 2015.

**Ron Hynes,**

*Director, Office of Technical Oversight.*

[FR Doc. 2015-08938 Filed 4-16-15; 8:45 am]

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

[Docket No. FRA-2012-0033]

**Notice of Intent To Grant a Buy America Waiver to the New York Metropolitan Transportation Authority for the Use of Transponders and Temporary Speed Restriction Safety Servers**

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

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

**SUMMARY:** FRA is issuing this notice to advise the public that it intends to grant the New York Metropolitan Transportation Authority (MTA) on behalf of its commuter railroad subsidiaries, Long Island Rail Road (LIRR) and Metro-North Commuter Railroad Company (Metro-North), a waiver from FRA's Buy America requirement for the use of (a) transponders and (b) Temporary Speed Restriction (TSR) safety servers, which are made in Sweden. Transponders and TSR safety servers are two components of LIRR's and Metro-North's Positive Train Control system (PTC). The two non-domestic components represent approximately 1% of the \$428 million total value of the contracts Metro-North and LIRR entered into with a system integrator to design and furnish PTC (PTC Contracts). The TSR safety servers cost less than \$1 million and the transponders approximately \$4 million. FRA anticipates funding the PTC Contracts, and other PTC-related projects, under a \$967.1 million FRA Railroad Rehabilitation & Improvement Financing loan.

**DATES:** Written comments on FRA's determination to grant MTA's Buy

America waiver request should be provided to the FRA on or before April 22, 2015.

**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:**

The letter granting MTA's request is quoted below:

Mr. Richard L. Gans  
Vice President—General Counsel & Secretary  
Long Island Rail Road  
Jamaica Station  
Jamaica, NY 11435-4380

Re: Request for Waiver of Buy America Requirement

Dear Mr. Gans:

As you are aware, on February 19, 2015, the New York Metropolitan Transportation Authority (MTA) on behalf of its commuter railroad subsidiaries, Long Island Rail Road (LIRR) and Metro-North Commuter Railroad Company (Metro-North), requested a waiver from the Federal Railroad Administration's (FRA) Buy America requirement to purchase (a) transponders and (b) Temporary Speed Restriction (TSR) safety servers for use in LIRR's and Metro-North's Positive Train Control system (PTC). The Rail Safety Improvement Act of 2008 requires certain railroads, including LIRR and Metro-North, to implement a PTC system on all nonexempt commuter main-line tracks by December 31, 2015. Facilitating PTC implementation is one of FRA's top priorities.

MTA requested the waiver, stating that the components were not produced in the U.S. in sufficient and reasonably available amounts or are not of a satisfactory quality. The transponders and TSR safety servers are manufactured in Sweden. The two non-domestic components represent approximately 1% of the total value of the PTC system integrator contracts (PTC Contracts). MTA values the TSR safety servers at less than \$1 million and the transponders at approximately \$4 million. Total contract costs are approximately \$428 million. For the reasons set forth below, FRA is granting a waiver for the purchase of the transponders and TSR safety servers.

A waiver is appropriate because domestically-produced transponders and TSR safety servers meeting MTA's technical and schedule requirements are not currently "produced in sufficient and reasonably available amount or are not of a satisfactory quality." Coordinating with FRA, MTA engaged the U.S. Department of Commerce's National Institute of Standards and Technology's Hollings Manufacturing Extension Partnership (NIST-MEP) to conduct market research for the transponders and TSR safety servers. In conducting that research, MTA contacted several potential manufacturers identified by NIST-MEP. None produced the transponders or TSR safety servers.

On February 20, 2015, FRA provided public notice of this waiver request and a 15-day opportunity for comment on its Web site. FRA also emailed notice to over 6,000 persons who have signed up for Buy America notices through "GovDelivery." See <http://www.fra.dot.gov/Page/P0784>. FRA received one comment, which was not responsive to this waiver request. FRA will publish this letter granting MTA's request in the **Federal Register** and provide notice of such finding and an opportunity for public comment after which this waiver will become effective.

Question about this letter can be directed to, John Johnson, Attorney-Advisor, at [John.Johnson@dot.gov](mailto:John.Johnson@dot.gov) or (202) 493-0078.

Sincerely,

Sarah Feinberg  
Acting Administrator

Issued in Washington, DC, on April 2015.

**Melissa L. Porter,**  
Chief Counsel.

[FR Doc. 2015-08786 Filed 4-16-15; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2004-18895]

#### Petition for Waiver of Compliance

In accordance with part 211 of title 49 of the Code of Federal Regulations (CFR), this provides the public notice that by a document dated November 25, 2014, Wabtec Railway Electronics 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 232.409(d)—*Inspection and testing of end-of-train devices*. FRA assigned the petition Docket Number FRA-2004-18895.

Wabtec Railway Electronics (Wabtec) is submitting a request for a 5-year extension to the waiver previously granted to it in Docket Number FRA-2004-18895. Wabtec initially submitted its request for a waiver of compliance from 49 CFR 232.409(d) in July 2004, and the waiver was granted in May 2005. Subsequently, Wabtec applied for a 5-year extension to the original waiver in October 2009. The extension was granted in May 2010.

In its original request for waiver of compliance from 49 CFR 232.409(d) in July 2004, Wabtec stated that the advanced technology being used in the units includes transceivers with phase locked loop circuitry along with temperature and voltage controlled crystal oscillators to maintain spectral (signal) purity. This automatic calibration algorithm works by optimizing the voltage-controlled oscillators' control parameters to achieve minimum phase noise. It auto calibrates the power amplifier and power amplifier driver bias current every time the transmitter is powered. This automatic calibration feature is the heart of maintaining the radio's performance integrity.

Should the radio experience a component failure, the automated calibration routine will cycle continuously, effectively shut down the radio, and provide the appropriate "No Comm" display in the cab of the locomotive. Failure in the micro/power supply areas will also result in an inoperable radio, and the same "No Comm" message will be received in the locomotive cab. Therefore, there is no

need to annually test and calibrate the new synthesized radio. Essentially, if the radio is transmitting, the signal is within the proper specifications.

In the most recent letter dated November 25, 2014, Wabtec stated that it still offers this radio (Wabtec TrainLink II) in certain new manufactured end-of-train/head-of-train (EOT/HOT) products today, although it has largely been replaced by a more modern radio design. However, there is a large fielded population in service in North America. Wabtec further stated that in order to meet the needs of customers, the company plans to continue to manufacture Wabtec digitally synthesized radios (Wabtec TrainLink series) for replacement use in HOT and EOT equipment, as well as limited use in new production deliveries.

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 (e.g., Waiver Petition Docket Number FRA-2004-18895) 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 June 1, 2015 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.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy). See also <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, on April 11, 2015.

**Ron Hynes,**

Director of Technical Oversight.

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## DEPARTMENT OF VETERANS AFFAIRS

### Advisory Committee on Cemeteries and Memorials, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under Federal Advisory Committee Act, 38 U.S.C. App. 2 that a meeting of the Advisory Committee on Cemeteries and Memorials will be held on May 12-13, 2015, in the National Cemetery Administration's training room 104 at 1100 First Street NE., Washington, DC 20002, from 8:30 a.m. to 4:30 p.m. The meeting is open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs on the administration of national cemeteries, soldiers' lots and plots, the selection of new national cemetery sites, the erection of appropriate memorials, and the adequacy of Federal burial benefits.

On May 12, the Committee will receive mandatory training from the Office of General Counsel in the morning and updates on VA and National Cemetery Administration (NCA) issues by appropriate VA staff. On the morning of May 13, the Committee will receive background information on NCA projects and updates from ex-officio members.

Time will be allocated on both May 12 and May 13 to receive public