

10300; 68 FR 37197; 68 FR 48989; 68 FR 52811; 68 FR 61860; 68 FR 69434; 70 FR 41811; 70 FR 48797; 70 FR 57353; 70 FR 61165; 70 FR 61493; 70 FR 71884; 70 FR 72689; 71 FR 646; 71 FR 4632; 72 FR 180; 72 FR 9397; 72 FR 52422; 72 FR 58359; 72 FR 62897; 72 FR 67340; 72 FR 71995; 73 FR 5259; 74 FR 34394; 74 FR 60021; 74 FR 65845; 74 FR 64124; 75 FR 1451). Each of these 19 applicants has requested renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the requirement specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption requirements. These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

Request for Comments

FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31136(e) and 31315. However, FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by February 6, 2012.

FMCSA believes that the requirements for a renewal of an exemption under 49 U.S.C. 31136(e) and 31315 can be satisfied by initially granting the renewal and then requesting and evaluating, if needed, subsequent comments submitted by interested parties. As indicated above, the Agency previously published notices of final disposition announcing its decision to exempt these 19 individuals from the vision requirement in 49 CFR 391.41(b)(10). The final decision to grant an exemption to each of these individuals was made on the merits of each case and made only after

careful consideration of the comments received to its notices of applications. The notices of applications stated in detail the qualifications, experience, and medical condition of each applicant for an exemption from the vision requirements. That information is available by consulting the above cited **Federal Register** publications.

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

Issued on: December 27, 2011.

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-1999-6439, Notice No. 23]

Adjustment of Nationwide Significant Risk Threshold

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

ACTION: Notice of adjustment of nationwide significant risk threshold.

SUMMARY: In accordance with Appendix D to Title 49 Code of Federal Regulations (CFR) Part 222, Use of Locomotive Horns at Highway-Rail Grade Crossings, FRA is updating the Nationwide Significant Risk Threshold (NSRT). This action is needed to ensure that the public has the proper threshold of permissible risk for calculating quiet zones established in relationship to the NSRT. This is the fifth update to the NSRT, which has fallen from 14,007 to 13,722.

DATES: The effective date is January 5, 2012.

FOR FURTHER INFORMATION CONTACT: Mr. Ronald Ries, Office of Railroad Safety, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 493-6299, or Ronald.Ries@dot.gov; or Kathryn Shelton, Office of Chief Counsel, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 493-6038, or Kathryn.Shelton@dot.gov.

SUPPLEMENTARY INFORMATION:

Background

The NSRT is an average of the risk indexes for gated public crossings nationwide where train horns are routinely sounded. FRA developed this risk index to serve as one threshold of permissible risk for quiet zones established under this rule across the nation. Thus, a community that is trying to establish and/or maintain its quiet zone, pursuant to 49 CFR Part 222, can compare the Quiet Zone Risk Index calculated for its specific crossing corridor to the NSRT to determine whether sufficient measures have been taken to compensate for the excess risk that results from prohibiting routine sounding of the locomotive horn. (In the alternative, a community can establish its quiet zone in comparison to the Risk Index With Horns, which is a corridor-specific measure of risk to the motoring public when locomotive horns are routinely sounded at every public highway-rail grade crossing within the quiet zone.)

In 2006, when the final rule titled, "Use of Locomotive Horns at Highway-Rail Grade Crossings," was amended, the NSRT was 17,030 (71 FR 47614, August 17, 2006). In 2007, FRA recalculated the NSRT to be 19,047 (72 FR 14850, March 29, 2007). In 2008, FRA recalculated the NSRT to be 17,610 (73 FR 30661, May 28, 2008). In 2009, FRA recalculated the NSRT to be 18,775 (74 FR 45270, September 1, 2009). In 2010, FRA recalculated the NSRT to be 14,007 (75 FR 82136, December 29, 2010).

New NSRT

Using collision data from 2006 to 2010, FRA has recalculated the NSRT based on formulas identified in Appendix D to 49 CFR part 222. In making this recalculation, FRA noted that the total number of gated, non-whistle-ban crossings was 42,150.

$$\text{Fatality Rate} = \frac{\text{Fatalities}}{\text{Fatal Incidents}} = \frac{318}{251} = 1.2669$$

$$\text{Injury Rate} = \frac{\text{Injuries in Injury-Only Incidents}}{\text{Injury-Only Incidents}} = \frac{1009}{661} = 1.5265$$

Applying the fatality rate and injury rate to the probable number of fatalities and casualties predicted to occur at each of the 42,150 identified crossings and the predicted cost of the associated injuries and fatalities, FRA calculates the NSRT to be 13,722.

Issued in Washington, DC, on December 29, 2011.

Robert C. Lauby,

Acting Associate Administrator for Railroad Safety/Chief Safety Officer.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Fiscal Year 2011 Public Transportation on Indian Reservations Program Project Selections

AGENCY: Federal Transit Administration, DOT.

ACTION: Tribal Transit Program announcement of project selections.

SUMMARY: The U.S. Department of Transportation's (DOT) Federal Transit Administration (FTA) announces the selection of projects funded with Section 5311 (c), Public Transportation on Indian Reservations program funds in support of the Tribal Transit Program. Funding was announced in the Tribal Transit Program (TTP) Notice of Funding Availability on July 25, 2011. The TTP makes funds available to federally recognized Indian Tribes or Alaska Native villages, groups, or communities in support of capital projects, operating costs, and planning

activities for public transportation services on and around Indian reservations.

FOR FURTHER INFORMATION CONTACT:

Successful and unsuccessful applicants should contact the appropriate FTA Regional office (Appendix A) for information regarding applying for the funds or program specific information. In the event the contact information provided by your tribe in the application has changed, please contact your tribal liaison with the current information in order to expedite the grant award process. For general program information, contact Lorna R. Wilson, Office of Transit Programs, at (202) 366-0893, email: Lorna.Wilson@dot.gov. A TDD is available at 1-(800) 877-8339 (TDD/FIRS).

SUPPLEMENTARY INFORMATION: A total of \$15.075 million is available for the FY 2011 Tribal Transit program. A total of 116 applicants requested \$41.587 million, indicating significant demand for funds for new transit services, enhancement or expansion of existing transit services, and planning studies including operational planning. Project proposals were evaluated based on each applicant's responsiveness to the program evaluation criteria outlined in FTA's, July 25, 2011 NOFA. FTA also took into consideration the current status of previously funded applicants. A total of 67 applications have been selected for funding. The projects selected as shown in Table 1 will provide funding for transit planning studies/and or operational planning, startup projects for new transit service,

and for the operational expenses of existing transit services.

Project Implementation: Grantees selected for competitive discretionary funding should work with their FTA regional office to finalize the grant application in FTA's Transportation Electronic Awards Management System (TEAM) for the projects identified in Table I so that funds can be obligated expeditiously. FTA funds may only be used for eligible purposes defined under 49 U.S.C 5311 and described in FTA Circular 9040.1F. In cases where the allocation amount is less than the proposer's requested amount, grantees should work with their regional office to reduce scope or scale the project such that a completed phase or project is accomplished. A discretionary project identification number has been assigned to each project for tracking purposes and must be used in the TEAM application. The post-award reporting requirements include submission of the Federal Financial Report (FFR) and Milestone Report in TEAM as appropriate (see FTA Circular 9040.1F).

The grantee must comply with all applicable Federal statutes, regulations, executive orders, FTA circulars, and other Federal requirements in carrying out the project supported by the FTA grant. Funds allocated in this announcement must be obligated in a grant by September 30, 2014.

Issued in Washington, DC, this 29th day of December, 2011.

Peter M. Rogoff,
Administrator.

Appendix A

FTA REGIONAL AND METROPOLITAN OFFICES

Mary Beth Mello, Regional Administrator, Region 1-Boston, Kendall Square, 55 Broadway, Suite 920, Cambridge, MA 02142-1093, Tel. (617) 494-2055.

Regional Tribal Liaisons: Laurie Ansaldi and Judi Molloy.

States served: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

Anthony Carr, Acting Regional Administrator, Region 2-New York, One Bowling Green, Room 429, New York, NY 10004-1415, Tel. (212) 668-2170, Regional Tribal Liaison: Darin Allan.

States served: New Jersey, New York.

New York Metropolitan Office, Region 2-New York, One Bowling Green, Room 428, New York, NY 10004-1415, Tel. (212) 668-2202.

Robert C. Patrick, Regional Administrator, Region 6-Ft. Worth, 819 Taylor Street, Room 8A36, Ft. Worth, TX 76102, Tel. (817) 978-0550.

Regional Tribal Liaison: Lynn Hayes.

States served: Arkansas, Louisiana, Oklahoma, New Mexico and Texas.

Mokhtee Ahmad, Regional Administrator, Region 7-Kansas City, MO, 901 Locust Street, Room 404, Kansas City, MO 64106, Tel. (816) 329-3920.

Regional Tribal Liaisons: Joni Roeseler and Cathy Monroe.

States served: Iowa, Kansas, Missouri, and Nebraska.