

Order to be kept secret in the interest of national defense or the conduct of foreign affairs.

Retaliation against a USDOT employee or applicant for making a protected disclosure is prohibited (5 U.S.C. 2302(b)(8)). If you believe you are a victim of whistleblower retaliation, you may file a written complaint with the U.S. Office of Special Counsel at 1730 M Street NW., Suite 218, Washington, DC 202-036-4505 using Form OSC-11. Alternatively, you may file online through the OSC Web site at <http://www.osc.gov>.

### Disciplinary Actions

Under existing laws, USDOT retains the right, where appropriate, to discipline a USDOT employee who engages in conduct that is inconsistent with Federal Antidiscrimination and Whistleblower Protection laws up to and including removal from Federal service. If OSC initiates an investigation under 5 U.S.C. 1214 according to 5 U.S.C. 1214(f), USDOT must seek approval from the Special Counsel to discipline employees for, among other activities, engaging in prohibited retaliation. Nothing in the No FEAR Act alters existing laws, or permits an agency to take unfounded disciplinary action against a USDOT employee, or to violate the procedural rights of a USDOT employee accused of discrimination.

### Additional Information

For more information regarding the No FEAR Act regulations, refer to 5 CFR part 724, as well as the appropriate office(s) within your agency (e.g., EEO/civil rights offices, human resources offices, or legal offices). You can find additional information regarding Federal antidiscrimination, whistleblower protection, and retaliation laws at the EEOC Web site at <http://www.eeoc.gov> and the OSC Web site at <http://www.osc.gov>.

### Existing Rights Unchanged

Pursuant to section 205 of the No FEAR Act, neither the Act nor this notice creates, expands, or reduces any rights otherwise available to any employee, former employee, or applicant under the laws of the United States, including the provisions of law specified in 5 U.S.C. 2302(d).

Issued in Washington, DC, on October 2, 2013.

#### Camille Hazeur,

Director, Departmental Office of Civil Rights, United States Department of Transportation.

[FR Doc. 2013-24811 Filed 10-22-13; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. DOT-OST-2013-0184]

### Senior Executive Service Performance Review Boards Membership

**AGENCY:** Office of the Secretary, Department of Transportation (DOT).

**ACTION:** Notice of Performance Review Board (PRB) appointments.

**SUMMARY:** DOT publishes the names of the persons selected to serve on the various Departmental PRBs as required by 5 U.S.C. 4314(c)(4).

**FOR FURTHER INFORMATION CONTACT:** Keith Washington, Director, Departmental Office of Human Resource Management, (202) 366-4088.

**SUPPLEMENTARY INFORMATION:** The persons named below have been selected to serve on one or more Departmental PRBs.

Issued in Washington, DC, on October 03, 2013.

#### Daphne Jefferson,

Assistant Secretary for Administration.

### Department of Transportation

#### Federal Highway Administration

Alicandri, Elizabeth; Arnold, Robert E.; Bezio, Brian R.; Brown, Janice W.; Conner, Clara H.; Curtis, Joyce A.; Elston, Debra S.; Evans, Monique Redwine; Fleury, Nicole M.; Furst, Anthony T.; Griffith, Michael S.; Holian, Thomas P.; Kehrl, Mark R.; Knopp, Martin C.; Konove, Elissa K.; Lindley, Jeffrey A.; Lucero, Amy C.; Mammano, Vincent P.; Marchese, April Lynn; McDade, Jonathan D.; McElroy, Regina Selva; Nadeau, Gregory G.; Pagan-Ortiz, Jorge E.; Paniati, Jeffrey F.; Peters, Joseph I.; Ridenour, Melisa Lee; Saunders, Ian C.; Schmidt, Robert T.; Shepherd, Gloria Morgan; Shores, Sarah J.; Solomon, Gerald L.; St Denis, Catherine; Stephanos, Peter J.; Suarez, Ricardo; Tischer, Marylynn; Trentacoste, Michael F.; Wagner, Fred R.; Waidelich, Walter C. Jr.; Whitlock, Warren S.; Winter, David R.; Wlaschin, Julius.

#### Federal Motor Carrier Administration

Amos, Anna J.; Collins, Anne L.; Delorenzo, Joseph P.; Dillingham, Steven D.; Fromm, Charles J.; Leone, Geraldine K.; Minor, Larry W.; Paden, William R.; Quade, William A. III; Smith, Steven K.; Van Steenburg, John W.

#### Federal Railroad Administration

Cummings, Stacy A.; Haley, Michael T.; Hedlund, Karen J.; Hill, Corey W.; Hynes, Ronald E.; Lauby, Robert C.; Moscoso, Brenda J.; Nissenbaum, Paul; Pennington, Rebecca A.; Porter, Melissa L.; Tunna, John M.

#### Federal Transit Administration

Ahmad, Mokhtee; Biehl, Scott A.; Buchanan-Smith, Henrika; Carter, Dorval R.; Garliauskas, Lucy; Gehrke, Linda M.; Hynes-Cherin, Brigid; Krochalis, Richard F.; McMillan, Therese Watkins; Mello, Mary E.; Nifosi, Dana C.; Patrick, Robert C.; Rogers, Leslie T.; Shazor, Marilyn G.; Simon, Marisol R.; Taylor, Yvette G.; Tuccillo, Robert J.; Valdes, Vincent; Welbes, Matthew J.

#### Maritime Administration

Bohnert, Roger V.; Brennan, Dennis J.; Brohl, Helen A.; Kumar, Shashi N.; Lesnick, H. Keith; McMahan, Christopher J.; Moschkin, Lydia; Pixa, Rand R.; Szabat, Joel M.; Tokarski, Kevin M.

#### National Highway Traffic Safety Administration

Beuse, Nathaniel M.; Bonanti, Christopher J.; Borris, Frank S. II; Brown, Michael L.; Coggins, Colleen P.; Donaldson, K. John; Guerci, Lloyd S.; Gunnels, Mary D.; Harris, Claude H.; Johnson, Tim J.; Lewis, Nancy L.; McLaughlin, Brian M.; McLaughlin, Susan; Michael, Jeffrey P.; Saul, Roger A.; Shelton, Terry T.; Simons, James F.; Smith, Daniel C.; Vincent, O. Kevin; Wood, Stephen P.

#### Office of the Secretary

Abraham, Julie; Brown, Gregory A.; Fields, George C.; Forsgren, Janet R.; Geier, Paul M.; Gretch, Paul L.; Herlihy, Thomas W.; Homan, Todd M.; Horn, Donald H.; Hurdle, Lana T.; Jackson, Ronald A.; Jefferson, Daphne Y.; Jones, Mary N.; Lee, Robert M. Jr.; Lefevre, Maria S.; Lowder, Michael W.; McDermott, Susan E.; Osborne, Elizabeth D.; Petrosino-Woolverton, Marie; Podberesky, Samuel; Rivait, David J.; Scarton, Amy M.; Smith, Willie H.; Washington, Keith E.; Wells, John V.; Ziff, Laura M.

#### Pipeline and Hazardous Materials Safety Administration

El-Sibaie, Magdy A.; Mayberry, Alan K.; Posten, Raymond R.; Poyer, Scott A.; Schoonover, William S.; Summitt, Monica J.; Sutherland, Vanessa L. Allen; Wiese, Jeffrey DD.

*Research and Innovative Technology Administration*

Aylward, Anne D.; Brecht-Clark, Jan M.; Farley, Audrey L.; Hu, Patricia S.; Ishihara, David S.; Johns, Robert C.; Lang, Steven R.; Partridge, Ellen L.; Schmitt, Rolf R.; Womack, Kevin C.

*Saint Lawrence Seaway Development Corporation*

Middlebrook, Craig H.; Pisani, Salvatore L.

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**Interim Policy, FAA Review of Solar Energy System Projects on Federally Obligated Airports**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of interim policy; opportunity to comment.

**SUMMARY:** This notice establishes interim FAA policy for proposals by sponsors of federally obligated airports to construct solar energy systems on airport property. FAA is adopting an interim policy because it is in the public interest to enhance safety by clarifying and adding standards for measuring ocular impact of proposed solar energy systems which are effective upon publication. FAA will consider comments and make appropriate modifications before issuing a final policy. The policy applies to any proposed on-airport solar energy system that has not received from the FAA either an unconditional airport layout plan approval or a “no objection” finding on a Notice of Proposed Construction or Alteration Form 7460-1.

**DATES:** The effective date of this interim policy is October 23, 2013.

Comments must be received by November 22, 2013.

**ADDRESSES:** You can get an electronic copy of the interim policy and the comment form on the FAA Airports Web site at <http://www.faa.gov/airports/environmental/>.

You can submit comments using the Comments Matrix, using any of the following methods:

*Electronic Submittal to the FAA:* Go to <http://www.faa.gov/airports/environmental/> and follow the instructions for sending your comments electronically.

*Mail:* FAA Office of Airports, Office of Airport Planning and Programming,

Routing Symbol APP-400, 800 Independence Avenue SW., Room 615, Washington, DC 20591. Please send two copies.

*Fax:* 1-202-267-5302.

*Hand Delivery:* To FAA Office of Airports, Office of Airport Planning and Programming, Routing Symbol APP-400, 800 Independence Avenue SW., Room 615, Washington, DC 20591; between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays. Please provide two copies.

For more information on the notice and comment process, see the **SUPPLEMENTARY INFORMATION** section of this document.

*Privacy:* We will post all comments we receive, without change, to <http://www.faa.gov/airports/environmental/>, including any personal information you provide.

*Comments Received:* To read comments received, go to <http://www.faa.gov/airports/environmental/> at any time.

**FOR FURTHER INFORMATION CONTACT:**

Ralph Thompson, Manager, Airport Planning and Environmental Division, APP-400, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591, telephone (202) 267-3263; facsimile (202) 267-5257; email: [ralph.thompson@faa.gov](mailto:ralph.thompson@faa.gov).

**SUPPLEMENTARY INFORMATION:** The FAA invites interested persons to join in this notice and comment process by filing written comments, data, or views. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data.

**Availability of Documents**

You can get an electronic copy of this interim policy by visiting the FAA’s Airports Web page at <http://www.faa.gov/airports/environmental/>.

**Authority for the Policy**

This notice is published under the authority described in Subtitle VII, part B, chapter 471, section 47122 of title 49 United States Code.

*Background*

There is growing interest in installing solar photovoltaic (PV) and solar hot water (SHW) systems on airports. While solar PV or SHW systems (henceforth referred to as solar energy systems) are designed to absorb solar energy to maximize electrical energy production or the heating of water, in certain situations the glass surfaces of the solar energy systems can reflect sunlight and produce glint (a momentary flash of bright light) and glare (a continuous source of bright light). In conjunction

with the United States Department of Energy (DOE), the FAA has determined that glint and glare from solar energy systems could result in an ocular impact to pilots and/or air traffic control (ATC) facilities and compromise the safety of the air transportation system. While the FAA supports solar energy systems on airports, the FAA seeks to ensure safety by eliminating the potential for ocular impact to pilots and/or air traffic control facilities due to glare from such projects.

The FAA established a cross-organizational working group in 2012, to establish a standard for measuring glint and glare, and clear thresholds for when glint and glare would impact aviation safety. The standards that this working group developed are set forth in this notice.

A sponsor of a federally-obligated airport must request FAA review and approval to depict certain proposed solar installations (e.g., ground-based installations and collocated installations that increase the footprint of the collocated building or structure) on its airport layout plan (ALP), before construction begins.<sup>1</sup> A sponsor of a federally-obligated airport must notify the FAA of its intent to construct any solar installation<sup>2</sup> by filing FAA Form 7460-1, “Notice of Proposed Construction or Alteration” under 14 CFR Part 77 for a Non-Rulemaking case (NRA)<sup>3,4</sup>. This includes the intent to permit airport tenants, including Federal agencies, to build such

<sup>1</sup> FAA Technical Guidance for Evaluating Selected Solar Technologies on Airports, Section 2.3.5, states that “solar installations of any size, located on an airport, that are not collocated on an existing structure (i.e., roof of an existing building) and require a new footprint, need to be shown on the Airport Layout Plan (ALP). Collocated solar installations need to be shown on the ALP only if these installations substantially change the footprint of the collocated building or structure. Available at: [http://www.faa.gov/airports/environmental/policy\\_guidance/media/airport\\_solar\\_guide\\_print.pdf](http://www.faa.gov/airports/environmental/policy_guidance/media/airport_solar_guide_print.pdf). Title 49 of the United States Code (USC), sec. 47107(a), requires, in part, a current ALP approved by the FAA prior to the approval of an airport development project. See Grant Assurance No. 29, AC No. 150/5070-6B, and FAA Order No. 5100.38.

<sup>2</sup> Any solar installation means any ground-based solar energy installation and those solar energy installations collocated with a building or structure (i.e., rooftop installations).

<sup>3</sup> FAA Technical Guidance for Evaluating Selected Solar Technologies on Airports Section 3.1 reads in part “All solar projects at airports must submit to FAA a Notice of Proposed Construction Form 7460 . . .”. This section further states “Even if the project will be roof mounted . . . the sponsor must still submit a case” [i.e., file a Form 7460-1].

<sup>4</sup> The requirements of this policy are not mandatory for a proposed solar installation that is not on an airport and for which a form 7460-1 is filed under part 77 and is studied under the Obstruction Evaluation Program. However, the FAA urges proponents of off-airport solar-installations to voluntarily implement the provisions in this policy.