

projects based on the types of projects (capital or operating) and/or types of subrecipients, e.g., non-profit, public entity, etc.

Finally, one commenter asked if a current four-year coordinated plan is in place, could the plan be updated to meet the new MAP-21 requirements? FTA recognizes that some entities may need to modify existing coordinated plans to address the specific needs of seniors and individuals with disabilities and/or be approved by seniors and individuals with disabilities. Modifications to existing plans are acceptable.

FTA has made clarifying edits to Chapter V to address the above comments.

#### *F. Chapter VI—Program Management and Administrative Requirements*

The vast majority of comments received for Chapter VI related to the proposed reporting requirements. FTA had proposed meeting the requirements of 49 U.S.C. 5335(c) by combining all of the performance measure and asset inventory reporting requirements into a single requirement, and allow States and designated recipients to report on behalf of their subrecipients under a single, unified reporting system. While some commenters supported this approach, most commenters expressed concern that such reporting would be burdensome on small Section 5310 non-profit providers. As discussed in the Chapter II summary, above, FTA is retaining the existing performance measures for the program (including the measures for the former New Freedom program) while we review comments received as a result of additional outreach with non-profit agencies. In addition, the National Transit Database (NTD) reporting requirement will only be effective after FTA conducts a rulemaking on this requirement.

The remaining comments were related to vehicle use. One commenter asked that FTA define the word “incidental” and provide examples of permissible incidental use. Incidental use means occasional or infrequent use of vehicles that does not interfere with the project activities originally funded. Examples are provided in section 5, Vehicle Use, and include meal delivery as well as use for other Federal programs, as when the recipient is coordinating service with other entities that provide transportation for seniors or individuals with disabilities. Operating assistance available under Section 5310 may not be used for such incidental purposes.

#### *G. Chapter VII—State and Program Management Plans*

FTA proposed only minor changes to Chapter VII, generally to address the change from a State-managed program to a program managed by designated recipients as well as States. FTA received one comment on this chapter. In section 1, General, the commenter asked FTA to be more specific about the State Management Plan and Program Management Plan contents that should be coordinated with the STIP and TIP. We have amended the language for clarity. We would note, however, that there is flexibility in the coordination of the STIP and the State Management Plan, as well as the TIP and the Program Management Plan. Each State and urbanized area has different needs and as such the management plan will be different; therefore, FTA has elected not to be too specific in what must be included in the management plan.

#### *H. Chapter VIII—Other Provisions*

This chapter describes cross-cutting FTA and Federal requirements that apply to the Section 5310 program. Two commenters suggested modifying the Title VI program requirements for Section 5310 subrecipients. FTA’s Title VI program circular states that Section 5310 non-profits that serve only their own clientele (closed door service) are required to submit a Title VI Program every three years, but it is a streamlined Program that includes only basic information. Interested stakeholders are invited to visit [http://www.fta.dot.gov/legislation\\_law/12349\\_14792.html](http://www.fta.dot.gov/legislation_law/12349_14792.html) and review page IV–1 of the Title VI circular. One commenter suggested that typical categorical exclusions be included in the Environmental Review section of this chapter. Operating assistance and most vehicle acquisitions will be categorically excluded, but many other capital projects may not be. We recommend recipients consult with their FTA regional office if they have specific questions related to environmental reviews. One commenter suggested that FTA include the human service transportation exception to the charter service prohibition in the circular. We have added this text to the section on Charter Bus Services.

#### *I. Appendices*

One commenter suggested that FTA remove the union contact information from the checklist in Appendix A, since labor protections do not apply to the Section 5310 program. We have made that change. We have not made any other substantive edits to the appendices.

Issued in Washington, DC, 2nd day of June 2014.

**Dorval R. Carter, Jr.,**  
Chief Counsel.

[FR Doc. 2014–13178 Filed 6–5–14; 8:45 am]

**BILLING CODE P**

## **DEPARTMENT OF TRANSPORTATION**

### **Maritime Administration**

**[Docket Number MARAD–2014–0068]**

### **Adoption and Recirculation of the Final Environmental Impact Statement for the Masonville Dredged Material Containment Facility (DMCF)**

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice, Adoption of Environmental Impact Statement (EIS).

**SUMMARY:** The Maritime Administration (MARAD) is issuing this notice to advise the public and interested agencies that MARAD is adopting the United States Army Corps of Engineers (COE) May 2007 Final Environmental Impact Statement and subsequent Record Of Decision (FEIS, ROD; August 2007) for the Masonville Dredged Material Containment Facility (DMCF) proposed by the Maryland Port Administration (MPA).

MARAD is adopting the 2007 EIS to satisfy MARAD’s National Environmental Policy Act (NEPA) obligations related to MPA’s receipt of a Transportation Investment Generating Economic Recovery (TIGER) grant from the US DOT. MARAD is administering that grant.

Under applicable Council on Environmental Quality (CEQ) regulations, MARAD may adopt and recirculate the COE’s Final EIS because MARAD’s proposed action is substantially the same as the action covered by the COE’s FEIS.

**DATES:** Comments regarding the adoption of the 2007 EIS must be received on or before July 7, 2014.

**ADDRESSES:** You may submit comments identified by DOT Docket Number MARAD–2014–0068 by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Search MARAD–2014–0068 and follow the instructions for submitting comments.

- *E-Mail:* Mr. Andrew Larimore at [Rulemakings.MARAD@dot.gov](mailto:Rulemakings.MARAD@dot.gov). Include MARAD–2014–0068 in the subject line of the message.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Room W12–140, Washington, DC 20590.

If you would like to know that your comments reached the facility, please enclose a stamped, self-addressed postcard or envelope.

- *Hand Delivery/Courier:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Room W12-140, Washington, DC 20590. The Docket Management Facility is open 9:00 a.m. to 5:00 p.m., Monday through Friday, except on Federal holidays.

**Note:** If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8 1/2 by 11 inches, suitable for copying and electronic filing.

**Instructions:** All submissions received must include the agency name and docket number. All comments received will be posted without change to the docket at [www.regulations.gov](http://www.regulations.gov), including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:**

Colleen Vaughn, Environmental Protection Specialist, Maritime Administration, 1200 New Jersey Ave., SE MS -1, Washington, DC 20590, Telephone: (202) 366-8024 or via email at [Colleen.Vaughn@dot.gov](mailto:Colleen.Vaughn@dot.gov). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during business hours. The FIRS is available twenty-four hours a day, seven days a week, to leave a message or question. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The Masonville Final Environmental Impact Statement (FEIS) was prepared to support a permit application by the MPA to the COE pursuant to Section 10 of the River and Harbor Act of 1899 and Section 404 of the Clean Water Act for the construction of a DMCF. The FEIS presents a consolidation of State and Federal study findings, as well as an evaluation of the suitability of the Masonville site to help meet the 20-year Baltimore Harbor dredged material annual placement capacity needs. Potential impacts and site development issues, including the use of dredged material from the Seagirt dredging area, were investigated and documented. The Masonville DMCF was determined to be the preferred option from an environmental and engineering standpoint.

The MARAD TIGER project builds on currently permitted dredging and filling activities at the Masonville DMCF. It will result in the filling of a Wet Basin, development of 7.6 acres of new terminal, widening of the Seagirt Marine terminal access channel, expanding the existing rail yard at the Masonville Marine Terminal, and extending rail to the new Masonville vessel berth, located at the Port of Baltimore.

The CEQ regulations allow Federal agencies, such as MARAD, to adopt environmental documents prepared by another Federal agency when the proposed actions are "substantially the same" and the adopting agency has concluded that the initial statement meets the standards for an adequate statement under the CEQ regulations. The CEQ regulations state that when the actions are substantially the same, "the agency adopting the agency's statement is not required to recirculate it except as a final statement." Further, CEQ's regulations implementing NEPA strongly encourage agencies to reduce paperwork and duplication (40 CFR 1500.4). One of the methods identified by CEQ to accomplish this goal is adopting the environmental documents prepared by other agencies in appropriate circumstances (40 CFR 1500.4(n), 1500.5(h), and 1506.3). MARAD has conducted an independent review of the 2007 EIS for the purpose of determining whether MARAD could adopt it pursuant to 40 CFR 1506.3. MARAD's review concluded that the proposed action is substantially the same as the action documented in the 2007 EIS, that the EIS adequately assessed the environmental impacts associated with the proposed improvements and meets the standards of the CEQ NEPA Regulations (40 CFR parts 1500 through 1508).

The final stage in the environmental review process under NEPA is the issuance of a Record of Decision by the agency describing the agency's decision and the basis for it. Under the timelines included in the CEQ regulation (40 CFR 1506.10), a Record of Decision cannot be issued by an agency earlier than thirty days after the EPA publishes its **Federal Register** notice announcing to the public of the availability of the final EIS. Any Record of Decision issued by MARAD will be consistent with 40 CFR 1505.2 and MARAD's Procedures for Considering Environmental Impacts.

Accordingly, MARAD is adopting and recirculating the 2007 FEIS and has concluded that no supplemental or additional environmental review is required to support MARAD's proposed action.

## Participation

Your comments must be written and in English. To ensure that your comments are correctly filed in the Docket, please include the docket number in your comments. MARAD encourages you to provide concise comments. However, you may attach necessary additional documents to your comments. There is no limit on the length of the attachments. Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**.

If you wish to submit any information under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. When you send comments containing information claimed to be confidential information, you should include a cover letter setting forth with specificity the basis for any such claim.

MARAD will consider all comments received before the close of business on the comment closing date indicated above under **DATES**.

For in-person access to the docket to submit or read comments received, go to the Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Room W12-140, Washington, DC 20590. The Docket Management Facility is open 9:00 a.m. to 5:00 p.m., Monday through Friday, except on Federal holidays. To review documents, read comments or to submit comments, the docket is also available online at <http://www.regulations.gov>, keyword search MARAD-2014-0068.

Please note that even after the comment period has closed, MARAD will continue to file relevant information in the Docket as it becomes available. Accordingly, MARAD recommends that you periodically check the Docket for new material.

## Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the DOT Privacy Act system of records notice for the Federal Docket Management System (FDMS) in the

**Federal Register** published on January 17, 2008, (73 FR 3316) at <http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf>.

**Authority:** 49 CFR Sections 1.92 and 1.93.

By Order of the Maritime Administrator.

Dated: June 2, 2014.

**Julie P. Agarwal,**

Secretary, Maritime Administration.

[FR Doc. 2014-13161 Filed 6-5-14; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2013-0143; Notice 1]

#### General Motors, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Receipt of Petition.

**SUMMARY:** General Motors, LLC (GM) has determined that certain model year (MY) 2010-2014 GM Cadillac SRX multipurpose passenger vehicles (MPVs), do not fully comply with paragraph S4.4 of Federal Motor Vehicle Safety Standard (FMVSS) FMVSS No. 110, *Tire selection and rims and motor home/recreation vehicle trailer load carrying capacity information for motor vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or less* and paragraph S4.4 of FMVSS No. 109, *New pneumatic and certain specialty tires*. GM has filed an appropriate report dated November 27, 2013, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*.

**DATES:** The closing date for comments on the petition is July 7, 2014.

**ADDRESSES:** Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods:

- **Mail:** Send comments by mail addressed to: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- **Hand Deliver:** Deliver comments by hand to: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE.,

Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.

- **Electronically:** Submit comments electronically by: logging onto the Federal Docket Management System (FDMS) Web site at <http://www.regulations.gov/>. Follow the online instructions for submitting comments. Comments may also be faxed to (202) 493-2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Documents submitted to a docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at <http://www.regulations.gov> by following the online instructions for accessing the dockets. DOT's complete Privacy Act Statement is available for review in the **Federal Register** published on April 11, 2000, (65 FR 19477-78).

The petition, supporting materials, and all comments received before the close of business on the closing date indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

#### SUPPLEMENTARY INFORMATION:

##### I. GM's Petition

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), GM submitted a petition for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of GM's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

##### II. Vehicles Involved

Affected are approximately 51,704 MY 2010-2014 GM Cadillac SRX

manufactured between June 18, 2009, and October 31, 2013.

### III. Noncompliance

GM explains that the noncompliances are due to both an error in the spare rim marking, and that the tire and rim matching information is not contained in The European Tyre and Rim Technical Organization (ETRTO) publication. The dimensions of the rims are consistent with the dimensions listed by ETRTO, and should have been marked "E" as required by FMVSS No. 110, S4.4.2(a). Due to the rim marking error, the rims were marked "T," indicating The Tire and Rim Association, Inc. (T&RA), as a consequence some of the actual dimensions of the rims are inconsistent with the published nominal dimensions in the T&RA Year Book. In addition, the combination of T135/70R18 temporary spare tires and 18x4.5B rims is not listed in ETRTO, which is a noncompliance with FMVSS No. 109, S4.4.1(b).

### IV. Rule Text

Paragraph S4.4.2 of FMVSS No. 110 requires in pertinent part: Each rim shall be marked with the information listed in S4.4.2(a) through (e) . . .

(a) designation that indicates the source of the rim's published nominal dimensions, as follows:

(1) "T" indicates The Tire and Rim Association.

(2) "E" indicates The European Tyre and Rim Technical Organization . . .

Paragraph S4.4.1 of FMVSS No. 109 requires in pertinent part: . . . a listing of the rims that may be used with each tire is provided to the public . . . in one of the following forms:

(b) Contained in publications, current at the date of manufacture of the tire or any later date, of at least one of the following organizations: Tire and Rim Association, The European Tyre and Rim Technical Organization, . . .

### V. Summary of GM's Analyses

GM stated its belief that the subject noncompliances are inconsequential to motor vehicle safety for the following reasons:

1. GM stated that the tire and rim of the affected spare wheels are properly matched, and are appropriate for the load-carrying characteristics of the subject vehicles. The subject tire/rim assembly meets S4.4.1(b) rapid air loss requirement of FMVSS No. 110. The subject vehicles also met GM's internal ride and handling guidelines with the subject spare tire/rim assembly installed. The incorrect association marking has no effect on the performance of the tire/rim combination.