

occur. DOT finds this collection of information is essential to the mission of the agency, and it is, therefore, requesting OMB approval of this collection of information as soon as possible.

Upon OMB approval of its emergency clearance request, DOT will follow the normal clearance procedures for the information collection associated with the EO.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Authority:** 44 U.S.C. 3501–3520.

Issued in Washington, DC on May 8, 2014.

**Erin McCarthy,**

*Acting Chief Financial Officer.*

[FR Doc. 2014–10991 Filed 5–12–14; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Safety Advisory 2014–01]

#### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2014–0049; Notice No. 14–07]

#### Recommendations for Tank Cars Used for the Transportation of Petroleum Crude Oil by Rail

**AGENCY:** Federal Railroad Administration (FRA) and Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

**ACTION:** Notice of Safety Advisory.

**SUMMARY:** This safety advisory provides notice to all persons who offer for transportation, or transport, in tank cars by rail in commerce to, from or within the United States, a bulk quantity of UN 1267, petroleum crude oil, Class 3, that originates in or is sourced from the Bakken formation in the Williston Basin (Bakken crude oil). The purpose of this advisory is to encourage offerors and rail carriers to take additional precautionary measures to enhance the safe shipment of bulk quantities of Bakken crude oil by rail throughout the United States. Specifically, in light of recent accidents involving the shipment of Bakken crude oil by rail, the Federal Railroad Administration (FRA) and the Pipeline and Hazardous Materials Administration (PHMSA) urge offerors

and carriers of Bakken crude oil by rail tank car to select and use the railroad tank car designs with the highest level of integrity reasonably available within their fleet for shipment of these hazardous materials by rail in interstate commerce. Further, FRA and PHMSA advise offerors and carriers of Bakken crude oil to avoid the use of older, legacy DOT Specification 111 or CTC 111 tank cars for the shipment of such oil to the extent reasonably practicable.

**FOR FURTHER INFORMATION CONTACT:** Karl Alexy, Staff Director, FRA Hazardous Materials Division, 1200 New Jersey Ave. SE., Washington, DC 20590–0001, telephone (202) 493–6245 or Charles Betts, Director, Standards and Rulemaking Division, telephone (202) 366–8553, Pipeline and Hazardous Materials Safety Administration.

**SUPPLEMENTARY INFORMATION:** Changes in railroad operations over the last several years, including increased rail traffic, higher in-train forces due to the transportation of hazardous materials tank cars at higher gross rail loads, and the likelihood of individual tank cars accumulating more miles annually, have resulted in tank car design changes to accommodate these increased stresses and to significantly reduce the chances of a catastrophic failure (i.e., the sudden and total failure of the tank resulting in a release of the tank's contents). Design changes include new tank car steel and improvements of structural features. Older “legacy” tank cars, however, without more modern construction and design enhancements, continue to be used to transport hazardous materials, including Bakken crude oil. Petroleum crude oil (including petroleum crude oil from the Bakken) is a hazardous material subject to regulation under 49 CFR 172.101 of the Hazardous Materials Regulations (HMR; 49 CFR parts 171 to 180).

While the overall number of railroad accidents and derailments has actually decreased over the past several years, the number and type of railroad accidents involving Bakken crude oil that have occurred during the last year has increased, and the quantity of petroleum crude oil released as a result of those accidents is higher than past precedents. Due to the volume of Bakken crude oil currently being offered for rail transportation resulting in the demonstrated recent propensity for rail accidents involving trains transporting Bakken crude oil to occur, and the subsequent releases of large quantities of such oil, FRA and PHMSA recommend that offerors and carriers of Bakken crude oil select and use the tank car designs with the highest level of

integrity reasonably available within their fleet.

The United States has experienced a rapid growth in the quantity of petroleum crude oil being shipped by rail in recent years. The growth has largely been sparked by developments in North Dakota, where the Bakken formation in the Williston Basin (the Bakken) has become a major source of petroleum crude oil in the United States. Much of the Bakken crude oil is shipped via rail to refineries located near the U.S. Gulf Coast or to pipeline connections, most notably to connections located in Oklahoma.<sup>1</sup>

Shipping hazardous materials is inherently dangerous. Transporting petroleum crude oil can be problematic if released into the environment because it is flammable. This risk of ignition is compounded in the context of rail transportation because petroleum crude oil is commonly shipped in unit trains that consist of over 100 loaded tank cars. With the rising demand for rail carriage of Bakken crude oil<sup>2</sup> throughout the United States, the risk of rail incidents increases.

In light of the above discussion, and in an effort to maintain the safety of the Nation's rail system and the communities through which trains transporting Bakken crude oil travels, FRA and PHMSA recommend that offerors and carriers of Bakken crude oil by rail select and only use the tank car designs with the highest level of integrity reasonably available within their fleet. The features that offerors should consider in assessing tank car integrity include, without limitation, tank shell jacket systems, head shields, and top fittings protection. Further, FRA and PHMSA advise offerors and carriers of Bakken crude oil to avoid the use of older, legacy DOT Specification 111 or CTC 111 tank cars for the shipment of such oil to the extent reasonably practicable.

<sup>1</sup> See Association of American Railroads' (AAR) December 2013 paper “Moving Crude Oil by Rail”, available online at: <https://www.aar.org/keyissues/Documents/Background-Papers/Crude-oil-by-rail.pdf>.

<sup>2</sup> In 2011 there were 65,751 originations of tank car loads of crude oil. In 2012, there were 233,811 originations. AAR, *Moving Crude Petroleum by Rail*, <https://www.aar.org/keyissues/Documents/Background-Papers/Moving%20Crude%20Petroleum%20by%20Rail%202012-12-10.pdf> (December 2012).

Issued in Washington, DC on May 7, 2014.

**Robert C. Lauby,**

*Associate Administrator for Railroad Safety and Chief Safety Officer, Federal Railroad Administration.*

**Magdy El-Sibaie,**

*Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.*

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## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### Funding Opportunity Title: Notice of Guarantee Availability (NOGA) Inviting Qualified Issuer Applications and Guarantee Applications for the Community Development Financial Institutions (CDFI) Bond Guarantee Program

*Announcement Type:* Announcement of opportunity to submit Qualified Issuer Applications and Guarantee Applications.

*Catalog of Federal Domestic Assistance (CFDA) Number:* 21.011.

**DATES:** Qualified Issuer Applications and Guarantee Applications may be submitted to the CDFI Fund starting on the date of publication of this NOGA. Applications will be reviewed by the CDFI Fund on an ongoing basis, in the order in which they are received or by such other criteria that the CDFI Fund may establish and publish, in its sole discretion. In order to be considered for the issuance of a Guarantee under FY 2014 program authority, Qualified Issuer Applications must be submitted by June 23, 2014 and Guarantee Applications must be submitted by June 30, 2014. Qualified Issuer Applications and Guarantee Applications received in FY 2013 and that were neither withdrawn nor declined in FY 2013 will be considered under FY 2014 authority.

*Executive Summary:* This NOGA is published in connection with the CDFI Bond Guarantee Program, administered by the Community Development Financial Institutions Fund (CDFI Fund), the U.S. Department of the Treasury (Treasury). The purpose of this NOGA is to notify the public that: (i) Parties interested in being approved as Qualified Issuers may submit Qualified Issuer Applications and (ii) Qualified Issuers may submit Guarantee Applications to be approved for a Guarantee under the CDFI Bond Guarantee Program. This NOGA also explains application submission and evaluation requirements and processes,

agency contacts, and information on CDFI Bond Guarantee Program outreach.

#### I. Guarantee Opportunity Description

*A. Authority; Program summary; Additional reference documents; Definitions*

1. *Authority.* The CDFI Bond Guarantee Program is authorized by the Small Business Jobs Act of 2010 (Pub. L. 111-240; 12 U.S.C. 4713a) (the Act). Section 1134 of the Act amended the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701, *et seq.*) to provide authority to the Secretary of the Treasury to establish and administer the CDFI Bond Guarantee Program.

2. *Program summary.* The purpose of the CDFI Bond Guarantee Program is to support CDFI lending by providing Guarantees for Bonds issued for Eligible Community or Economic Development Purposes, as authorized by section 1134 and 1703 of the Act. The Secretary, as the Guarantor of the Bonds, will provide a 100 percent Guarantee for the repayment of the Verifiable Principal, Interest, and Call Premium of Bonds issued by Qualified Issuers. As the CDFI Bond Guarantee Program has been structured, a Qualified Issuer, approved by the CDFI Fund, will issue Bonds that will be purchased by the Federal Financing Bank. The Qualified Issuer will use Bond Proceeds to provide Bond Loans to Eligible CDFIs. The Eligible CDFIs will use Bond Loan proceeds for Eligible Community and Economic Development Purposes, including providing Secondary Loans to Secondary Borrowers.

In FY 2014, the Secretary may guarantee Bond Issues having a minimum Guarantee of \$100 million each up to an aggregate total of \$750 million. The maximum maturity of the Bonds will be 30 years; the Bonds will be taxable. The Bonds will support CDFI lending in Investment Areas by providing a source of low-cost, long-term capital to CDFIs.

3. *Guarantee availability.* Pursuant to this NOGA, the Guarantor may provide Guarantees requested by Qualified Issuers in FY 2014, including applications that were submitted, but not withdrawn or declined, in FY 2013. Guarantees will be provided in the order in which Guarantee Applications are approved. The review and evaluation of Guarantee Applications will be initiated in chronological order by date of receipt; however, Guarantee Applications that are incomplete or require the CDFI Fund to request additional or clarifying information may delay the ability of the CDFI Fund to move the Guarantee Application to the

next phase of review. Submitting an incomplete Guarantee Application earlier than other applicants does not ensure first approval.

4. *Additional reference documents.* In addition to this NOGA, the CDFI Fund encourages interested parties and applicants to review the following documents, which will be posted on the CDFI Bond Guarantee Program page of the CDFI Fund's Web site at <http://www.cdfifund.gov>.

(a) *CDFI Bond Guarantee Program Regulations.* The interim rule that governs the CDFI Bond Guarantee Program was published on February 5, 2013 (78 FR 8296; 12 CFR part 1808) (the Regulations) and provides the regulatory requirements and parameters for CDFI Bond Guarantee Program implementation and administration including general provisions, eligibility, eligible activities, applications for Guarantee and Qualified Issuer, evaluation and selection, terms and conditions of the Guarantee, Bonds, Bond Loans, and Secondary Loans. In addition to the Regulations, the CDFI Fund has provided a document that summarizes certain program terms and conditions, which may be found on the CDFI Fund's Web site.

(b) *Application materials.* Details regarding Qualified Issuer Application and Guarantee Application content requirements are found in this NOGA and the respective applications materials.

(c) *Program documentation.* Interested parties should review certain CDFI Bond Guarantee Program template documents, which will be used in connection with each Guarantee and will be posted on the CDFI Fund's Web site for review. Such documents include, among others:

(i) The Agreement to Guarantee, which describes the roles and responsibilities of the Qualified Issuer, will be signed by the Qualified Issuer and the Guarantor and will include term sheets as appendices that will be signed by each individual Eligible CDFI;

(ii) The Bond Trust Indenture, which describes responsibilities of the Master Servicer/Trustee in overseeing the servicing of the Bonds and will be entered into by the Qualified Issuer and the Master Servicer/Trustee (selected by the CDFI Fund);

(iii) The Bond Loan Agreement, which describes the terms and conditions of Bond Loans and will be entered into by the Qualified Issuer and each Eligible CDFI that receives a Bond Loan;

(iv) The Bond Purchase Agreement, which describes the terms and conditions under which the Bond