

### D. On Board Accessibility

#### 1. Mobility Aid Seating Location Size

The Access Board's existing guidelines require clear floor space for mobility aid seating locations of 48 inches by 30 inches. See 36 CFR 1192.83(a)(1), 1192.57(b), 1192.125(d)(2) & 1192.95(d)(2). In the RVAAC Report, the Committee recommended increasing required clear floor space to 54 inches by 32 inches where the space is confined on no more than two sides, and 59 inches by 32 inches where the space is confined on three sides. RVAAC Report, Chap 4, § IV.A. See also Center for Inclusive Design and Environmental Access, Anthropometry of Wheeled Mobility Project—Final Report (Dec. 2010), available at [http://www.udeworld.com/documents/anthropometry/pdfs/AnthropometryofWheeledMobilityProject\\_FinalReport.pdf](http://www.udeworld.com/documents/anthropometry/pdfs/AnthropometryofWheeledMobilityProject_FinalReport.pdf). The Metropolitan Transportation Authority of the State of New York raised concerns in a RVAAC Minority Report about the loss of additional seats with the increased floor space. RVAAC Report, Appendix C (MTA—SNY Minority Report, p. 68).

*Question 18:* What would be the effect on the design and operation of rail cars if the required size of mobility aid seating locations were increased from 48 inches by 30 inches to a requirement of (1) 54 inches by 32 inches where the space is confined on no more than two sides and (2) 59 inches by 32 inches where the space is confined on three sides?

#### 2. Vertical Access

There is no requirement in the existing guidelines to provide vertical access on rail cars. In the RVAAC report, the committee recommended adding a requirement for vertical access in new intercity bi-level lounge cars. The Committee explained that a lounge “means any car with a primary function that is to enhance the passenger experience beyond the purchased coach or sleeper accommodation and is so designed to enhance viewing from the second level.” Such lounge cars include open platform observation areas that are accessible to passengers, whether or not an extra fare is charged, and single level cars (known as “dome cars”) that offer an elevated area designed for viewing scenery. The Committee explained that the goal is to expand the full rail travel experience for passengers who might otherwise miss out on key features of the travel. This would include providing a lift, an accessible restroom (if an upper level restroom is provided), and accessible wheelchair spaces on the

upper level. RVAAC Report, Chap 4, § IX.

*Question 19:* Should vertical access be required on new intercity bi-level lounge cars? If so, should such a requirement apply only to certain types of intercity bi-level cars (such as those that provide a viewing dome on the upper level)?

*Question 20:* Is it technically feasible for platform lifts to serve the upper levels of bi-level rail cars?

*Question 21:* What are the likely costs, including both one-time equipment installation costs and ongoing maintenance, if vertical access was required on intercity bi-level rail cars?

#### 3. Handrails and Stanchions for Onboard Circulation

The Access Board's existing guidelines require that handrails and stanchions not encroach on the accessible routes and permit safe boarding, onboard circulation, seating and standing assistance, and alighting by persons with disabilities. 36 CFR 1192.57, 1192.77, 1192.97 & 1192.115. The RVAAC recommended retaining the existing requirement for the diameter of the interior handrails and stanchions with additional specifications that (a) handrails or handholds be included on transverse passenger seats in all rail cars, and (b) in light and rapid rail systems, vertical stanchions be provided adjacent to, or as part of, seats on alternate rows and sides of the aisle. RVAAC Report, Chap. 4, § VI.B. The current regulation does not address the visibility of handholds, handrails, and stanchions. The Access Board is interested in obtaining public comment on any potential need for visual contrast for handholds, handrails, or stanchions.

*Question 22:* Are additional types of handholds, handrails, or stanchions needed on rapid, light rail, intercity or commuter rail vehicles beyond those currently required? If so, please describe.

*Question 23:* Are handholds, handrails, or stanchions for rail vehicles currently designed with visual contrast?

*Question 24:* Is there a need for visual contrast on handholds, handrails, or stanchions? If so, please explain.

### E. Dining Cars

Regarding accessible seating in dining cars, the RVAAC proposed to increase the required wheelchair spaces and transfer seating at tables from one to two spaces. The Committee also noted that this requirement could be met with convertible spaces. RVAAC Report, Chap. 5, § II.A. In response to this suggested requirement, Amtrak, in a minority report, indicated that when

they attempted to use convertible spaces during the development of their new dining cars, the convertible spaces were criticized as “making a spectacle” of the arrival of someone using a wheelchair. RVAAC Report, Appendix C (Amtrak Minority Report, p. 54).

*Question 25:* What would be the advantages and disadvantages of having convertible/readily removable seating in dining cars on rail vehicles to accommodate passengers using wheelchairs.

**David M. Capozzi,**  
Executive Director.

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R01-OAR-2020-0029; FRL-10005-07-Region 1]

### Air Plan Approval; New Hampshire; Approval of Single Source Order

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of New Hampshire. The revision approves a single source order for PSI Molded Plastics. The intended effect of this action is to propose approval of this item into the New Hampshire SIP. This action is being taken in accordance with the Clean Air Act.

**DATES:** Written comments must be received on or before March 16, 2020.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R01-OAR-2020-0029 at <https://www.regulations.gov>, or via email to [mccconnell.robert@epa.gov](mailto:mccconnell.robert@epa.gov). For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to

make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. Publicly available docket materials are available at <https://www.regulations.gov> or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

**FOR FURTHER INFORMATION CONTACT:** Bob McConnell, Environmental Engineer, Air and Radiation Division (Mail Code 05-2), U.S. Environmental Protection Agency, Region 1, 5 Post Office Square, Suite 100, Boston, Massachusetts 02109-3912; (617) 918-1046. [mccconnell.robert@epa.gov](mailto:mccconnell.robert@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Final Rules Section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

For additional information, see the direct final rule which is located in the Rules Section of this **Federal Register**.

Dated: January 30, 2020.

**Dennis Deziel,**

*Regional Administrator, EPA Region 1.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### 42 CFR Part 37

[Docket No. CDC-2019-0088; NIOSH-330]

RIN 0920-AA68

### Coal Workers' Health Surveillance Program: B Reader Decertification and Autopsy Payment

**AGENCY:** Centers for Disease Control and Prevention, HHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** HHS proposes to revise the National Institute for Occupational Safety and Health (NIOSH), Coal Workers' Health Surveillance Program (Program) regulations by adding a provision to allow NIOSH to suspend or revoke B Reader certification. Certification may be revoked for any B Reader found by NIOSH to have engaged in a pattern of providing unreasonably inaccurate chest radiograph classifications in practice—those that are found by the Program to diverge substantially from a competent interpretation of the radiographs, as determined by a panel of practicing, certified B Readers selected by NIOSH. In addition to the B Reader provisions, HHS would also amend existing regulatory text to allow compensation for pathologists who perform autopsies on coal miners at a market rate, on a discretionary basis as needed for public health purposes.

**DATES:** Comments must be received by May 14, 2020. Comments on the information collection approval request sought under the Paperwork Reduction Act must be received by April 14, 2020.

**ADDRESSES:** *Written comments:* Comments may be submitted by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments to the docket.

- *Mail:* NIOSH Docket Office, Robert A. Taft Laboratories, MS-C34, 1090 Tusculum Avenue, Cincinnati, OH 45226.

*Instructions:* All submissions received must include the agency name (Centers for Disease Control and Prevention, HHS) and docket number (CDC-2019-0088; NIOSH-330) or Regulation

Identifier Number (0920-AA68) for this rulemaking. All relevant comments, including any personal information provided, will be posted without change to <http://www.regulations.gov>. For detailed instructions on submitting public comments, see the "Public Participation" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Rachel Weiss, Program Analyst; 1090 Tusculum Ave., MS: C-48, Cincinnati, OH 45226; telephone (855) 818-1629 (this is a toll-free number); email [NIOSHregs@cdc.gov](mailto:NIOSHregs@cdc.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Public Participation

Interested parties may participate in this rulemaking by submitting written views, opinions, recommendations, and data. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you do not wish to be disclosed. You may submit comments on any topic related to this notice of proposed rulemaking.

#### II. Statutory Authority

The Federal Mine Safety and Health Act of 1977 (Pub. L. 91-173, 30 U.S.C. 801 *et seq.*) (Mine Act), authorizes the HHS Secretary (Secretary) to work with coal mine operators to make available to coal miners the opportunity to have regular and routine chest radiographs (X-rays) in order to detect coal workers' pneumoconiosis (*i.e.*, black lung) and prevent its progression in individual miners. The Mine Act grants the Secretary general authority to issue regulations as is deemed appropriate to carry out provisions of the Act and specifically directs that medical examination of coal miners shall be given in accordance with specifications prescribed by the Secretary (30 U.S.C. 843(a), 957). The Mine Act also authorizes the Secretary to establish specifications for the reading of radiographs and to pay for autopsies submitted to the Program.

#### III. Background and Need for Rulemaking

All mining work generates fine particles of dust in the air. Coal miners who inhale excessive dust are known to develop a group of diseases of the lungs and airways, including dust-induced fibrotic lung disease (pneumoconiosis) and chronic obstructive pulmonary disease, including chronic bronchitis and emphysema. To address such