

CFR Section	Respondent universe	Total annual responses (A)	Average time per responses (B)	Total annual burden hours (C = A * B)	Total cost equivalent in U.S. dollar (D = C * wage rates) <sup>4</sup>
238.113(d)—Emergency window exits—Markings/and instructions.  —(e) Periodic Testing of representative sample of car emergency exit windows as part of periodic mechanical inspection. The sampling method must conform with a formalized statistical test method..	34 railroads .....	60 window markings .....	15 minutes .....	15.00 hours ....	\$1,288.95
The paperwork burden for this requirement is covered under OMB Control No. 2130–0544 under §238.307(e)(1).					
238.114(d)—Rescue access windows—Markings with retro-reflective material on each exterior car.	34 railroads .....	1,500 access window markings.	5 minutes .....	125.00 hours ..	\$10,741.25
238.121(b)—Emergency communications—Marking of each intercom intended for passenger use on new Tier I & Tier II passenger cars.	34 railroads .....	375 marked intercom locations.	5 minutes .....	31.25 hours ....	\$2,685.31
238.123(e)—Marked emergency roof access locations .....	34 railroads .....	150 marked emergency roof access locations.	30 minutes .....	75.00 hours ....	\$6,444.75
238.303—Exterior calendar day mechanical inspection of passenger equipment: Replacement of missing, illegible, or inconspicuous markings, signage, & instructions.  —Record of Non-complying marking, signage, or instruction.	The burden for this requirement is covered under OMB Control No. 2130–0544 under §238.303(e)(15).				
The burden for this requirement is covered under OMB Control No. 2130–0544 under §238.303(g).					
238.305—Interior calendar day mechanical inspection of passenger cars:  —(c)(10), (12), and (13) Written notification to train crew of non-complying condition.  —(c)(13)(i) Written procedures for mitigating hazards of non-complying condition..	The burden for this requirement is covered under OMB Control No. 2130–0544 under §238.305.				
	34 railroads .....	250 notices .....	2 minutes .....	8.33 hours .....	\$715.80
The burden for this requirement is covered under OMB Control No. 2130–0599 under §270.103.					
238.307—Records of inspection, testing, and maintenance of passenger car emergency window exits.	The burden for this requirement is covered under OMB Control No. 2130–0544 under §238.307(e)(1).				
238.311—Single Car Test: RR Copy of American Public Transportation Association (APTA) Standard (SS–M–005–98) for RR Head Trainer.  —Other RR copies of APTA Standard .....	All the members have the option to obtain a copy of APTA’s Standard on APTA’s website for free.				
	All the members have the option to obtain a copy of APTA’s Standard on APTA’s website for free.				
<b>Total .....</b>	34 railroads .....	8,335 responses .....	NA .....	755 hours .....	\$64,841

*Total Estimated Annual Responses:* 8,335.  
*Total Estimated Annual Burden:* 755.  
*Total Estimated Annual Burden Hour Dollar Cost Equivalent:* \$64,841.  
 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 that does not display a currently valid OMB control number.

(Authority: 44 U.S.C. 3501–3520)

**Christopher S. Van Nostrand,**  
*Acting Deputy Chief Counsel.*

[FR Doc. 2023–16890 Filed 8–7–23; 8:45 am]

**BILLING CODE 4910–06–P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

[Docket Number FRA–2023–0047]

**Petition for Waiver of Compliance**

Under part 211 of title 49 Code of Federal Regulations (CFR), this

document provides the public notice that on June 25, 2023, Whitewater Valley Railroad (WVRR) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 215 (Railroad Freight Car Safety Standards) and 224 (Reflectorization of Rail Freight Rolling Stock). FRA assigned the petition Docket Number FRA–2023–0047.

Specifically, WVRR requested a special approval pursuant to 49 CFR 215.203, *Restricted cars*, for a total of 6 cars, comprised of 1 side dump car (CN 56752) and 5 cabooses (B&O C–2125, Erie 04946, NKP 759, EJ&E 521, and C&O 90299) that are more than 50 years from the date of original construction. WVRR also requests relief from § 215.303, *Stenciling of restricted cars*, and § 224.101, *General requirements*, to operate the cars in tourist/excursion service. In support of its request, WVRR states that the cars will not be

interchanged and will be operated at a maximum speed of 15 miles per hour.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Communications received by October 10, 2023 will be considered by FRA

before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), the U.S. Department of Transportation (DOT) solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy,**

Associate Administrator for Railroad Safety,  
Chief Safety Officer.

[FR Doc. 2023-16949 Filed 8-7-23; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### FY 2023 Competitive Funding Opportunity: Pilot Program for Transit-Oriented Development Planning

**AGENCY:** Federal Transit Administration (FTA), Department of Transportation (DOT).

**ACTION:** Notice of funding opportunity (NOFO).

**SUMMARY:** The Federal Transit Administration (FTA) announces the opportunity to apply for \$13,460,978 in Fiscal Year (FY) 2022 and FY 2023 funding under the Pilot Program for Transit-Oriented Development Planning (TOD Pilot Program). As required by Federal public transportation law and subject to funding availability, funds will be awarded competitively to support comprehensive planning or site-specific planning associated with new fixed guideway and core capacity improvement projects. FTA may award additional funding that is made available to the TOD Pilot Program prior to the announcement of project selections.

**DATES:** Complete proposals must be submitted electronically through the [GRANTS.GOV](http://GRANTS.GOV) "APPLY" function by 11:59 p.m. October 10, 2023.

**ADDRESSES:** Prospective applicants should initiate the process by registering

on the [GRANTS.GOV](http://GRANTS.GOV) website immediately to ensure completion of the application process before the submission deadline. Instructions for applying can be found on FTA's website at <https://www.transit.dot.gov/TODPilot> and in the "FIND" module of [GRANTS.GOV](http://GRANTS.GOV). The [GRANTS.GOV](http://GRANTS.GOV) funding opportunity ID is FTA-2023-011-TPE-TODP. Mail and fax submissions will not be accepted.

**FOR FURTHER INFORMATION CONTACT:**

April McLean-McCoy, FTA Office of Planning and Environment, (202) 366-7429, or [April.McLeanMcCoy@dot.gov](mailto:April.McLeanMcCoy@dot.gov). A TDD is available at 1-800-877-8339 (TDD/FIRS).

**SUPPLEMENTARY INFORMATION:**

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*A. Program Description*

Section 20005(b) of the Moving Ahead for Progress in the 21st Century Act (MAP-21; Pub. L. 112-141), as amended by section 30009 of the Infrastructure Investment and Jobs Act (Pub. L. 117-58) (also called the Bipartisan Infrastructure Law (BIL)), authorizes FTA to award grants under the TOD Pilot Program in the amounts provided by 49 U.S.C. 5338(a)(2)(B). This funding opportunity is occurring under Federal Assistance Listing number 20.500.

This program supports FTA's priorities and objectives through investments that (1) renew our transit systems, (2) reduce greenhouse gas emissions from public transportation, (3) advance racial equity by removing transportation related disparities to all populations within a project area and increasing equitable access to project benefits, (4) maintain and create good-paying jobs with a free and fair choice to join a union, and (5) connect communities by increasing access to affordable transportation options. The TOD Pilot Program grants are competitively awarded to local communities to integrate land use and transportation planning with a new fixed guideway or core capacity improvement transit capital project as defined in Federal public transportation law (49 U.S.C. 5309(a)). (See Section C of this NOFO for more information about eligibility). FTA seeks to fund projects under the TOD Pilot Program that:

- Reduce greenhouse gas emissions in the transportation sector, incorporate evidence-based climate resilience measures and features, reduce the lifecycle greenhouse gas emissions from the project materials, and avoid adverse environmental impacts to air or water quality, wetlands, and endangered species, and address the disproportionate negative environmental impacts of transportation on disadvantaged communities, consistent with Executive Order 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619).

- Create proportional impacts to all populations in a project area, remove transportation related disparities to all populations in a project area, and increase equitable access to project benefits, consistent with Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009).

- Address equity and environmental justice, particularly for communities that have experienced decades of underinvestment and are most impacted by climate change, pollution, and environmental hazards, consistent with Executive Order 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619).

- Support the creation of good-paying jobs with the free and fair choice to join a union and the incorporation of strong labor standards and training and placement programs, especially registered apprenticeships, in project planning stages, consistent with Executive Order 14025, Worker Organizing and Empowerment (86 FR 22829), and Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64335).

- Support wealth creation, consistent with the Department's Equity Action Plan, through the inclusion of local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises, Minority-owned Businesses, Women-owned Businesses, or 8(a) firms.

- Qualify for Transportation Infrastructure Finance and Innovation Act (TIFIA) 49 and Railroad Rehabilitation and Improvement Financing (RRIF) TOD financing program(s) once the TOD planning study is complete.

Additionally, in support of the Federal House America Initiative led by the Department of Housing and Urban Development, DOT, through this NOFO, is looking for opportunities to strongly prioritize TOD planning grants in areas of high incidence rates of homelessness, in the hope of providing opportunities