

Environmental Quality (CEQ) issued the *National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change* (88 FR 1196) (CEQ guidance) to assist agencies in analyzing greenhouse gas (GHG) emissions and climate change effects of their proposed actions under NEPA. The CEQ guidance provides a framework for agencies to consider the effects of a proposed action on climate change, as indicated by its estimated GHG emissions. It also advises agencies to assess the effects of climate change on their proposed actions.

The CEQ guidance acknowledges that incorporation by reference is of great value in considering GHG emissions or the implications of climate change for the proposed action and its environmental effects. The CEQ guidance also notes that an agency may decide that it would be useful and efficient to provide an aggregate analysis of GHG emissions or climate change effects in a programmatic analysis and then incorporate that analysis by reference into future NEPA reviews. FTA considers it practicable to assess the effects of GHG emissions and climate change for transit projects at a programmatic level, where possible.

The Programmatic Assessment of Greenhouse Gas Emissions from Transit Projects (Programmatic Assessment) is a NEPA streamlining tool that creates greater efficiency by: (1) reporting on whether certain types of proposed transit projects merit detailed analysis of their GHG emissions at the project-level; and (2) providing a source of data and analysis for FTA and its project sponsors to reference in future environmental documents for projects where detailed, project-level GHG analysis would provide only limited information beyond what is collected and considered in the Programmatic Assessment. The Programmatic Assessment is intended to update and supersede FTA's January 2017 Programmatic Assessment of Greenhouse Gas Emissions from Transit Projects (82 FR 5636).

The Programmatic Assessment presents results from an analysis to estimate direct and indirect GHG emissions generated from the construction, operations, and maintenance phases for a sample of bus rapid transit, streetcar rail, light rail, commuter rail, and heavy rail projects, as well as an estimate of personal vehicle emissions displaced due to transit's "ridership effect." Emissions estimates were calculated using FTA's Transit Greenhouse Gas Estimator, version 3.0 (<https://www.transit.dot.gov/regulations-and-guidance/>

environmental-programs/ftas-transit-greenhouse-gas-emissions-estimator), which is an Excel-based tool that allows users to calculate partial lifecycle GHG emissions estimates by transit mode based on limited data inputs. The CEQ guidance also indicates that project proponents should place potential GHG emissions and their impacts in appropriate context. In order to provide additional context for the GHG estimates included in the Programmatic Assessment, the net social benefits of reduced operational emissions resulting from each transit project in the sample were estimated.

The Programmatic Assessment provides a reference for FTA and its project sponsors to use in future NEPA documents to describe the effects of proposed transit investments on partial lifecycle GHG emissions. The Programmatic Assessment's results can inform transit project proponents who are considering the GHG emissions of future transit investments or who might independently want to evaluate the GHG emissions benefits and cost of such investments.

FTA requests comments on the Programmatic Assessment, which is available in the docket. FTA will respond to comments received on the Programmatic Assessment in a second **Federal Register** notice to be published after the comment period closes. That second notice will also announce the availability of a final Programmatic Assessment that reflects any changes implemented as a result of comments received.

Authority: 42 U.S.C. 4321 *et seq.*; 40 CFR 1507.3; 49 CFR 1.81(a)(5).

Felicia L. James,

Associate Administrator for Planning and Environment.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2023-0048]

Motorcyclist Advisory Council

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

ACTION: Notice of establishment of the Motorcyclist Advisory Council (MAC) and solicitation for appointment to the MAC.

SUMMARY: NHTSA announces the establishment of MAC for a 2-year

period. The MAC will coordinate with and advise the Secretary of Transportation, the NHTSA Administrator and the Federal Highway Administration (FHWA) Administrator on transportation issues of concern to motorcyclists, including: motorcycle and motorcyclist safety; barrier and road design, construction, and maintenance practices; and the architecture and implementation of intelligent transportation system technologies. NHTSA is also soliciting nominations for appointment to the MAC.

DATES: Applications for membership must be received by NHTSA on or before 5 p.m. EST, December 15, 2023.

ADDRESSES: If you wish to apply for membership, your application should be submitted to:

- *Email:* MotorcyclistAdvisoryCouncil@dot.gov.
- *Mail:* Use only overnight mail and send to: U.S. Department of Transportation, National Highway Traffic Safety Administration, Office of Safety Programs, Room W44-308, 1200 New Jersey Avenue SE, Washington, DC, 20590.

FOR FURTHER INFORMATION CONTACT: John W. Marshall, Director, Office of Safety Programs, Office of Research and Program Development, National Highway Traffic Safety Administration, U.S. Department of Transportation, john.marshall@dot.gov or 202-366-3803. Any Council related questions should be sent to the persons listed in this section.

SUPPLEMENTARY INFORMATION:

Background: Section 24111 of the Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act (Pub. L. 117-58) (codified at 49 U.S.C. 355) requires the establishment of a Motorcyclist Advisory Council (MAC). The Secretary of Transportation is required to establish a MAC to advise on transportation safety issues of concern to motorcyclists, including:

- (1) Motorcycle and motorcyclist safety
- (2) Barrier and road design, construction, and maintenance practices; and
- (3) The architecture and implementation of intelligent transportation system technologies.

Description of Duties: The Council shall:

- a. Provide advice on transportation safety issues of concern to motorcyclists consistent with the statutorily specified advising duties.
- b. Provide a forum for the development, consideration, and communication of information from a

knowledgeable and independent perspective.

c. Not later than October 31 of the calendar year following the calendar year in which the Council is established, and not less than once every 2 years thereafter, submit to the Secretary a report containing recommendations of the Council regarding (1) Motorcycle and motorcyclist safety; (2) Barrier and road design, construction, and maintenance practices; and (3) The architecture and implementation of intelligent transportation system technologies.

Membership: Consistent with the statute, the MAC shall be comprised of 13 members appointed by the Secretary of Transportation for a single term of up to 2 years. The MAC seeks to have a fairly balanced membership with expertise in motorcycle and motorcyclist safety, highway engineering, and safety analysis. Specifically, as set by statute, the MAC shall be comprised of the following groups: “(A) 5 shall be representatives of units of State or local government with expertise relating to highway engineering and safety issues, including—(i) motorcycle and motorcyclist safety; (ii) barrier and road design, construction, and maintenance; or (iii) intelligent transportation systems; (B) 1 shall be a motorcyclist who serves as a State or local—(i) traffic and safety engineer; (ii) design engineer; or (iii) other transportation department official; (C) 1 shall be a representative of a national association of State transportation officials; (D) 1 shall be a representative of a national motorcyclist association; (E) 1 shall be a representative of a national motorcyclist foundation; (F) 1 shall be a representative of a national motorcycle manufacturing association; (G) 1 shall be a representative of a motorcycle manufacturing company headquartered in the United States; (H) 1 shall be a roadway safety data expert with expertise relating to crash testing and analysis; and (I) 1 shall be a member of a national safety organization that represents the traffic safety systems industry.” 49 U.S.C. 355(b)(1).

Members serve on the basis of selection by the Secretary for 2 years. If a successor is not appointed for a member of the Council before the expiration of the term of service of the member, the member may serve on the Council for a second term of no longer than 2 years. The Secretary may extend appointments and may appoint replacements for members who have resigned outside of a stated term, as

necessary. Members may continue to serve until their replacements have been appointed. If a member of the Council resigns before the expiration of the 2-year term of service of the member—“(i) the Secretary may appoint a replacement for the member, who shall serve the remaining portion of the term; and (ii) the resigning member may continue to serve after resignation until the date on which a successor is appointed.” *Id.* section 355(b)(2). A vacancy on the Council shall be filled in the manner in which the original appointment was made.

MAC members will not receive pay or other compensation from NHTSA for their MAC service, but are entitled to reimbursement for their travel expenses, including per diem. The MAC shall meet approximately twice a Federal fiscal year. Members appointed solely for their expertise will serve as special Government employees and relevant ethics laws will apply.

Qualifications: Members will be selected based on their expertise, training, and experience and their ability to represent one of the identified groups.

Materials To Submit: Individuals interested in serving on the MAC are invited to apply for appointment by submitting a resume or curriculum vitae. Individuals also may submit letters of recommendation that highlight their qualifications as to expertise, training, or experience or their ability to represent one of the identified groups. Application materials must be submitted to one of the locations listed in the **ADDRESSES** section by the deadline listed in the **DATES** section. Please include your full legal name and date of birth in your application. Each applicant must identify the category that he or she seeks to represent. Members will be selected on the basis of materials submitted and in a manner that ensures equal opportunity for all people consistent with all Federal anti-discrimination laws that prohibit discrimination on the basis of race, color, religion, sex, gender identity, sexual orientation, national origin, disability or age. Moreover, selection will be undertaken in a manner that encourages participation by members of underrepresented and underserved communities.

Authority: 49 CFR 1.95 and 501.8.

Issued in Washington, DC.

Nanda Narayanan Srinivasan,
Associate Administrator, Research and Program Development.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Hazardous Materials: Notice of Applications for Modification to Special Permits

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: List of applications for modification of special permits.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation’s Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein.

DATES: Comments must be received on or before October 10, 2023.

ADDRESSES: Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

FOR FURTHER INFORMATION CONTACT: Donald Burger, Chief, Office of Hazardous Materials Safety General Approvals and Permits Branch, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington, DC 20590-0001, (202) 366-4535.

SUPPLEMENTARY INFORMATION: Each mode of transportation for which a particular special permit is requested is indicated by a number in the “Nature of Application” portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

Copies of the applications are available for inspection in the Records Center, East Building, PHH-13, 1200 New Jersey Avenue Southeast,