

do not meet the recipient's original specifications. If there are no domestically produced products that also meet the recipient's specifications, and the recipient has exercised appropriate diligence, FRA may waive its Buy America requirements based on nonavailability, consistent with 49 U.S.C. 22905(a)(2)(B).

If FRA determines a waiver is appropriate, FRA will provide notice and seek comment from the public in accordance with the requirements of both section 22905(a) and BABA, if applicable. In addition, FRA will consult with the National Institute of Standards and Technology's Manufacturing Extension Partnership before granting a waiver, consistent with section 70916 of BABA. Unless otherwise specified, waiver decisions are non-precedential and are only applicable to the entities and products for the specific project identified in the final decision.

#### IV. Summary of Products Requiring Waiver

ASPA requests a waiver for two (2) rubber-tired gantry cranes, including spreaders. The total value of the non-compliant materials is 7–8 percent of the total project cost.

#### V. ASPA's Request for Waiver

In its request for a waiver, ASPA described its efforts to identify domestic sources and consider the use of alternative products. ASPA conducted a market research study to determine the availability of rubber-tired gantry cranes from domestic manufacturers and to get ahead of long-lead times in manufacturing. The study found one U.S.-based manufacturer who had made similar products; however, this manufacturer had not made a product that met the technical specifications ASPA developed for the Project. ASPA issued a request for proposals (RFP) in late 2023 based on its technical specifications. ASPA contacted six manufacturers, including the sole U.S.-based manufacturer identified in ASPA's market research. Of the six manufacturers contacted, five acknowledged receipt, and three submitted proposals. However, only non-domestic manufacturers whose products would not be compliant with Buy America requirements submitted proposals; the sole U.S.-based manufacturer declined to submit a proposal, with no reasons given in their email response.

Upon receipt and confirmation of the three responsive bids, ASPA conducted an evaluation of bids using price, performance, compliance with ASPA's

technical specifications, references and quality track record of similar equipment delivered and operating in the U.S., schedule, geographic location of parts and service, alternatives offered and substitutions, and warranties. ASPA used a point system to evaluate and rank the proposals. Based on its review, ASPA has selected a preferred manufacturer for the crane, which ASPA indicated will be assembled domestically, but will not be manufactured in the US. FRA was not involved in ASPA's procurement process. FRA's role is limited to reviewing ASPA's request for a waiver, consistent with 49 U.S.C. 22905(a)(2).

Due to the lack of responsive bids from domestic manufacturers and based on its market research, ASPA has concluded that cranes that meet FRA's Buy America requirements are not domestically available. In the absence of a waiver, ASPA asserts that it would not be able to deliver the Project, as planned operations are not possible without two rubber-tired gantry cranes meeting ASPA's technical specifications.

#### VI. Findings and Proposed Waiver

FRA has preliminarily determined that the two rubber-tired gantry cranes, including spreaders, that meet ASPA's technical specifications are not produced in the United States in a sufficient and reasonably available amount or satisfactory quality, consistent with 49 U.S.C. 22905(a)(2)(B). FRA finds ASPA has conducted appropriate due diligence through market research and an open procurement process to identify potential domestic suppliers for the products. ASPA's efforts included a market research study that identified one potential supplier that ultimately did not respond to ASPA's RFP for the Project. Based on its review of the waiver request and ASPA's market research, FRA proposes to waive its Buy America requirements for the products listed in section IV of this notice. FRA is not proposing to waive any requirements under BABA, as the proposed waiver does not apply to construction materials used in the Project.

The proposed waiver would apply only to products listed above for use in the Project, as described in the grant agreement between FRA and ASPA. The proposed waiver would not apply to other FRA recipients or to other grants that might be made to ASPA for other projects. The proposed waiver will expire upon the end of the period of performance and closeout of the grant agreement for the project, estimated to be April 30, 2028.

#### VII. Request for Comment

FRA will consider comments received during the 15-day comment period, consistent with BABA and 2 CFR 184.7. FRA may consider comments received after this period to the extent practicable. Consistent with 49 U.S.C. 22905(a)(4), if FRA determines it is necessary to waive its Buy America requirements, FRA will publish its decision in the **Federal Register** and provide an opportunity for public comment on such finding for a reasonable period of time not to exceed 15 days. After such period, FRA's decision will be effective.

Issued in Washington, DC.

**Amitabha Bose,**  
Administrator.

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Notice of Meeting of the Transit Advisory Committee for Safety

**AGENCY:** Federal Transit Administration, Department of Transportation.

**ACTION:** Notice of public meeting.

**SUMMARY:** The Federal Transit Administration (FTA) announces a public meeting of the Transit Advisory Committee for Safety (TRACS).

**DATES:** The TRACS meeting will be held on December 4, 2024, from 10 a.m. to 4:30 p.m. Eastern Time and December 5, 2024, from 9 a.m. to 2 p.m. eastern time. Requests to attend the meeting in person or virtually must be received no later than November 29, 2024. Requests for disability accommodations must be received no later than November 29, 2024. Requests to verbally address the committee during the meeting must be submitted with a written copy of the remarks to the U.S. Department of Transportation (DOT) no later than November 29, 2024. Requests to submit written materials to be reviewed during the meeting must be received no later than November 29, 2024.

**ADDRESSES:** The meeting will be held in person at DOT Headquarters, 1200 New Jersey Avenue SE, Washington, District of Columbia, 20590 and virtually via Zoom for Government. Any committee related requests should be sent by email to [TRACS@dot.gov](mailto:TRACS@dot.gov). The virtual meeting's online access link and a detailed agenda will be provided upon registration. They will also be posted on the TRACS web page at: <https://www.transit.dot.gov/regulations-and->

*guidance/safety/transit-advisory-committee-safety-tracs* one week in advance of the meeting. A copy of the meeting minutes and other TRACS related information will also be available on the TRACS web page.

**FOR FURTHER INFORMATION CONTACT:** Joseph DeLorenzo, TRACS Designated Federal Officer, Associate Administrator, FTA Office of Transit Safety and Oversight, (202) 366-1783, *Joseph.DeLorenzo@dot.gov*; or Bridget Zamperini, TRACS Program Manager, FTA Office of Transit Safety and Oversight, *TRACS@dot.gov*.

**SUPPLEMENTARY INFORMATION:** This notice is provided in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. ch. 10). TRACS is composed of up to 25 members representing a broad base of perspectives on transit safety necessary to discharge its responsibilities. Please see the TRACS web page for additional information at <https://www.transit.dot.gov/regulations-and-guidance/safety/transit-advisory-committee-safety-tracs>.

### I. Background

The U.S. Secretary of Transportation (Secretary) established TRACS in accordance with FACA to provide information, advice, and recommendations to the Secretary and FTA Administrator on matters relating to the safety of public transportation systems.

### II. Agenda

TRACS Meeting—Wednesday, December 4, 2024 (Day One, 10 a.m.–4:30 p.m. ET):

1. 10:00 a.m.–10:15 a.m. ET: Welcoming Remarks from Bridget Zamperini, TRACS Program Manager
2. 10:15 a.m.–10:25 a.m. ET: TRACS Designated Federal Office (DFO)

Remarks from Joe DeLorenzo, *Associate Administrator for Transit Safety and Oversight (TSO) and Chief Safety Officer*

3. 10:25 a.m.–10:40 a.m. ET: Introduction from Veronica Vanterpool, *FTA Deputy Administrator*
4. 10:40 a.m.–10:50 a.m. ET: Break
5. 10:50 a.m.–11:00 a.m. ET: Updates from TRACS Chairperson and Vice Chairperson, Jim Keane and Lisa Staes
6. 11:00 a.m.–11:30 a.m. ET: Update from Advancing Rider and Worker Safety Subcommittee Lead, Raymond Lopez
7. 11:30 a.m.–12:00 p.m. ET: Update from Reducing Bus Collisions, Subcommittee Lead, Brian Lapp
8. 12:00 p.m.–1:00 p.m. ET: Lunch
9. 1:00 p.m.–1:30 p.m. ET: Update from Cyber and Data Security Systems Subcommittee Lead, Brian Alberts
10. 1:30 p.m.–4:10 p.m. ET: Subcommittee Breakout Working Sessions
11. 4:10 p.m.–4:30 p.m. ET: Summary of Deliverables and Concluding Remarks TRACS Meeting—Thursday, December 5, 2024 (Day Two, 9 a.m.–2 p.m. ET):
1. 9:00 a.m.–9:15 a.m. ET: Welcoming Remarks from Bridget Zamperini, TRACS Program Manager
2. 9:15 a.m.–11:30 a.m. ET: Subcommittee Breakout Working Sessions
3. 11:30 a.m.–12:15 p.m. ET: Lunch
4. 12:15 p.m.–12:45 p.m. ET: Advancing Rider and Worker Safety Subcommittee Presentation and Discussion
5. 12:45 p.m.–1:15 p.m. ET: Reducing Bus Collisions Subcommittee Presentation and Discussion
6. 1:15 p.m.–1:45 p.m. ET: Cyber and Data Security Systems Subcommittee Presentation and Discussion

7. 1:45 p.m.–1:55 p.m. ET: Public Comments

8. 1:55 p.m.–2:00 p.m. ET: Summary of Deliverables, Next Steps, and Concluding Remarks

### III. Public Participation

The meeting will be open to the public. Members of the public who wish to participate are asked to register via email by submitting their name and affiliation to the email address listed in the **ADDRESSES** section.

DOT is committed to providing equal access to this meeting for all participants. If you need alternative formats or services because of a disability, such as sign language, interpretation, or other ancillary aids, please contact the email address listed in the **ADDRESSES** section.

There will be a total of 30 minutes allotted for oral comments from members of the public at the meeting. To accommodate as many speakers as possible, the time for each commenter may be limited. Individuals wishing to reserve speaking time during the meeting must submit a request with the individual's name, address, and organizational affiliation to the email address listed in the **ADDRESSES** section.

Written and oral comments for consideration by TRACS during the meeting must be submitted no later than the deadline listed in the **DATES** section to ensure transmission to TRACS members prior to the meeting. Comments received after that date will be distributed to the members but may not be reviewed prior to the meeting.

**Joseph P. DeLorenzo,**

*Associate Administrator for Transit Safety and Oversight.*

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