

meetings and hearing. The Draft EIS will be available for public and agency review and comment prior to the hearing. As part of the scoping process, coordination activities have begun. A Corridor Preservation Study is underway and will be a large contributor to the EIS study and the alternate development. Coordination with public officials and local residents will continue with focus groups, set up to help determine the alternatives to be evaluated. Scoping meetings will continue to be held on an individual or group meeting basis. Agency coordination will be accomplished during these meetings.

To ensure that the full range of issues related to this proposed action are addressed, and all substantive issues are identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to FHWA or the Wisconsin Department of Transportation at the addresses provided in the caption **FOR FURTHER INFORMATION CONTACT.**

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program).

Authority: 23 U.S.C. 315; 49 CFR 1.48.

Issued on: November 17, 2003.

Johnny M Gerbitz,

Field Operations Engineer, Federal Highway Administration, Madison, Wisconsin.

[FR Doc. 03-29215 Filed 11-21-03; 8:45 am]

BILLING CODE 4910-22-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Safety Advisory 2003-03

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Notice of safety advisory.

SUMMARY: FRA is issuing Safety Advisory 2003-03, which provides additional information on the potential catastrophic failure of 100-ton truck bolsters manufactured by National Castings of Mexico's (NCM) Sahagun, Mexico facility with Association of America Railroads (AAR) Identification Numbers B-2410 and B-2409 and National Patterns 52122 and 52202, respectively, used in 263,000 pound and 286,000 pound gross rail load freight cars. These two bolster patterns were manufactured by NCM from 1995 through 1998 and were installed on

29,186 U.S. freight cars of various type construction. Additionally, an overview of the railroad industry's AAR Safety Action Plan for appropriate handling and disposition of these cars is contained in this advisory.

FOR FURTHER INFORMATION CONTACT:

Ronald Newman, Staff Director, Motive Power and Equipment Division (RRS-14), FRA Office of Safety Assurance and Compliance, 1120 Vermont Avenue, NW., Washington, DC 20590, telephone: (202) 493-6241 or Thomas Herrmann, Staff Attorney, FRA Office of Chief Counsel, 1120 Vermont Avenue, NW., Washington, DC 20590, telephone: (202) 493-6036.

SUPPLEMENTARY INFORMATION: On

December 30, 2002, FRA issued Safety Advisory 2002-03 which identified a problem with National Castings of Mexico (NCM) bolsters bearing AAR identification #B-2410, and National Pattern 52122 used in 263,000 and 286,000 pound gross rail load freight cars. In that advisory, FRA referenced AAR Maintenance Advisory MA-81 and AAR Early Warning Letters EW-5191, EW-5191-S1, and EW-5191-S2 that indicated there were as many as 15,000 freight cars in revenue service, which may be equipped with the NCM bolsters. Since publication of FRA Safety Advisory 2002-03, FRA has been made aware of another series of bolsters, AAR Identification # B-2409 and National Pattern 52202, which pose a similar potential safety hazard. The NCM bolsters with pattern 52202 have been referenced in AAR Early Warning Letters EW-5194, EW-5195, EW-5196, and EW-5197. The total estimated population of defective truck bolsters from both NCM patterns is 58,373 bolsters. This large number of truck bolsters represents a fleet of roughly 29,186 freight cars, which may be equipped with the defective NCM bolsters. Extensive fatigue testing of both types of bolsters (both patterns 52122 and 52202) at the AAR Transportation Test Center in Pueblo, CO and two other laboratories confirmed a tendency of these bolsters to develop internal cracking (design flaw) which can lead to sudden and catastrophic failure. The fatigue testing indicated that the action plan, as outlined by the AAR and contained herein, would be an appropriate industry response for dealing with these defective bolsters.

During the week of March 10, 2003, the AAR tendered its *Industry Safety Action Plan* (the Plan), to FRA for the handling of potentially defective NCM bolsters. In this plan, a unique risk analysis was developed by the AAR to

prioritize the removal of the bolsters (from tank cars and other high risk commodity shipments) without causing industry operating impacts due to unavailable and/or extremely delayed equipment for loading. AAR's risk assessment was built upon hazardous material commodity classifications, mileage (utilization) factors, loading/impact factors, to arrive at a composite risk rating. AAR also considered the original equipment manufacturer (OEM), supply/demand and existing inventory of replacement bolsters when determining the degree of risk to be assigned to each car type identified as having been equipped with the defective bolsters.

The Plan approved and implemented by AAR's Technical Services Working Committee (TSWC) provided the following proactive safety measures:

1. Tank car owners must complete 20% of their HAZMAT cars (complete bolster replacements) no later than May 31, 2003, and a minimum of 20% per month, thereafter, with 100% replacement no later than September 30, 2003 (Group I, HAZMAT cars).

2. Mill gondola and coal cars (subject to vertical loading impacts) must have bolsters either replaced or requalified (via radiographic inspection) no later than December 31, 2003 (Group II cars).

3. All other cars must either have bolsters replaced or requalified (via radiographic inspection) no later than April 1, 2004 (Group III and Category III, Tank cars, non-HAZMAT service).

FRA recognizes that some of the dates in the AAR industry action plan have not been met for a variety of reasons, primarily the result of not having a sufficient quantity of replacement bolsters. AAR, the railroads and car owners have taken additional measures to ensure safety based on AAR's waiver review, cars held out of service and special inspection procedures. Since initiation of the *Industry Safety Action Plan*, there have been no reported in-service bolster failures.

It should be noted that FRA Hazardous Materials Regulations (HMR), contained in 49 CFR parts 171-180, set forth the requirements for the safe transportation of hazardous materials in commerce by railcar, aircraft, vessel, and motor vehicle. The HMR prescribe requirements for classification, packaging, hazard communication, shipping papers, incident reporting, handling, loading, unloading, segregation, and movement of hazardous materials. FRA understands that there may be as many as 3,300 tank cars originally equipped with either the NCM bolsters in pattern(s) 52122 or 52202, some of

which may be in assigned hazardous materials shipments.

Recommended Action: In recognition of the need to assure safety, FRA recommends that railroads, manufacturers, and car owners make every attempt to adhere to the *Industry Safety Action Plan* developed by AAR and expedite wherever possible the handling of potentially defective NCM bolsters. FRA realizes that the industry has been delayed to some extent in meeting the time schedules detailed in the Safety Action Plan due to the short supply of replacement bolsters and the desire to minimize operating impacts. With this in mind, FRA expects owners of hazardous materials tank cars equipped with these defective bolsters to have the cars shipped once the cars become empty and NOT RELOAD until defective bolsters have been removed and once defective bolsters have been removed to so notify the AAR.

Failure of the rail industry to voluntarily take action consistent with the AAR *Industry Safety Action Plan* may result in FRA pursuing other corrective measures to enforce public safety under its rail safety authority. FRA may modify this Safety Advisory 2003-03, issue additional safety advisories, or take other appropriate action necessary to ensure the highest level of safety on the nation's railroads.

Issued in Washington, DC, on November 18, 2003.

George A. Gavalla,

Associate Administrator for Safety.

[FR Doc. 03-29338 Filed 11-21-03; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Over-the-Road Bus Accessibility Program Grants

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of availability of fiscal year 2004 funds; solicitation of grant applications.

SUMMARY: The U.S. Department of Transportation (DOT) Federal Transit Administration (FTA) announces the availability of funds in fiscal year (FY) 2004 for the Over-the-Road Bus (OTRB) Accessibility Program, authorized by Section 3038 of the Transportation Equity Act for the 21st Century (TEA-21). The OTRB Accessibility Program makes funds available to private operators of over-the-road buses to finance the incremental capital and training costs of complying with DOT's

over-the-road bus accessibility final rule, published in a **Federal Register** notice on September 24, 1998. The OTRB Accessibility Program calls for national solicitation of applications, with grantees to be selected on a competitive basis. Federal transit funds are available to intercity fixed-route providers and other OTRB providers at up to 90 percent of the project cost.

FTA expects that in FY 2004, \$5.25 million will be appropriated for intercity fixed-route service providers and \$1.7 million will be appropriated for other over-the-road bus service providers. As of the date of this announcement, TEA-21 has been extended through February 29, 2004, and the FY 2004 funding for FTA programs has not yet been appropriated by Congress. This announcement describes application procedures for the OTRB Accessibility Program and the procedures FTA will use to determine which projects it will fund when the status of FY 2004 funding is resolved.

This announcement is available on the Internet on the FTA website at: <http://www.fta.dot.gov>. FTA will announce final selections on the website and in the **Federal Register**. A synopsis of this announcement will be posted in the FIND module of the government-wide electronic grants website at <http://www.grants.gov>.

DATES: Complete applications for OTRB Accessibility Program grants must be submitted to the appropriate FTA regional office (see Appendix A) by the close of business February 2, 2004.

The appropriate FTA regional office is that office which serves the state in which an applicant's headquarters office is located. FTA will announce grant selections in summer 2004, or when FY 2004 funds are fully available.

FOR FURTHER INFORMATION: Contact the appropriate FTA Regional Administrator (Appendix B) for application-specific information and issues. For general program information, contact Blenda Younger, Office of Program Management, (202) 366-2053, e-mail: blenda.younger@fta.dot.gov. A TDD is available at 1-800-877-8339 (TDD/FIRS).

SUPPLEMENTARY INFORMATION:

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 - Appendix B FTA Regional Offices

I. General Program Information

A. Authority

The program is authorized under Section 3038 of the Transportation Equity Act for the 21st Century (TEA-21). Although FY 2004 funds have not yet been appropriated as of the date of this notice, FTA is issuing the solicitation notice now to get the application cycle started.

B. Background

Over-the-road buses are used in intercity fixed-route service as well as other services, such as commuter, charter, and tour bus services. These services are an important element of the U.S. transportation system. TEA-21 authorized FTA's Over-the-road Bus Accessibility Program to assist over-the-road bus operators in complying with the Department's Over-the-road Bus Accessibility rule, "Transportation for Individuals with Disabilities" (49 CFR part 37) published in a **Federal Register** notice on September 24, 1998.

Summary of DOT's Over-the-Road Bus Accessibility Rule

Deadlines for Acquiring Accessible Vehicles. Under the over-the-road bus accessibility rule, all new buses obtained by large (Class I carriers, *i.e.*, those with gross annual operating revenues of \$5.3 million or more), fixed-route carriers after October 30, 2000 must be accessible, with wheelchair lifts and tie-downs that allow passengers to ride in their own wheelchairs. The rule requires 50 percent of the fixed-route carriers' fleets to be accessible by 2006, and 100 percent of the vehicles in their fleets to be accessible by 2012. The buses acquired by small (gross operating revenues of less than \$5.3 million annually) fixed-route providers after October 29, 2001 also are required to be lift-equipped, although they do not have a deadline for total fleet accessibility. Small providers also can provide equivalent service in lieu of obtaining accessible buses. Starting in 2001, charter and tour companies have to provide service in an accessible bus on 48 hours' advance notice. Fixed-route companies must also provide this kind of service on an interim basis until their fleets are completely accessible.

Deadlines for Delivering Accessible Service. The rules for delivering accessible motorcoach service went into effect October 29, 2001 for large fixed-route, charter, tour and other demand-responsive motorcoach companies. The rules went into effect for small operators on October 28, 2002. After these dates, companies must provide service in an accessible coach to a passenger who