

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Buy America Waiver Notification**

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice.

SUMMARY: This notice provides information regarding FHWA's finding that a Buy America waiver is appropriate for the use of non-domestic stainless steel grooved butterfly valves, grooved couplings, and electrical conduit bodies and fittings for the I-90 project in the State of Washington.

DATES: The effective date of the waiver is October 26, 2015.

FOR FURTHER INFORMATION CONTACT: For questions about this notice, please contact Mr. Gerald Yakowenko, FHWA Office of Program Administration, (202) 366-1562, or via email at gerald.yakowenko@dot.gov. For legal questions, please contact Mr. Jomar Maldonado, FHWA Office of the Chief Counsel, (202) 366-1373, or via email at Jomar.Maldonado@dot.gov. Office hours for the FHWA are from 8:00 a.m. to 4:30 p.m., E.T., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:**Electronic Access**

An electronic copy of this document may be downloaded from the Federal Register's home page at: <http://www.archives.gov> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

Background

The FHWA's Buy America policy in 23 CFR 635.410 requires a domestic manufacturing process for any steel or iron products (including protective coatings) that are permanently incorporated in a Federal-aid construction project. The regulation also provides for a waiver of the Buy America requirements when the application would be inconsistent with the public interest or when satisfactory quality domestic steel and iron products are not sufficiently available. This notice provides information regarding FHWA's finding that a Buy America waiver is appropriate for use of non-domestic stainless steel grooved butterfly valves, grooved couplings, and electrical conduit bodies and fittings for the I-90 project in the State of Washington.

In accordance with Division K, section 122 of the "Consolidated and Further Continuing Appropriations Act, 2015" (Pub. L. 113-235), FHWA

published a notice of intent to issue a waiver on its Web site (<http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=114>) on September 10th. The FHWA received no comments in response to the publication. Based on all the information available to the agency, FHWA concludes that there are no domestic manufacturers of stainless steel grooved butterfly valves, grooved couplings, and electrical conduit bodies and fittings for the I-90 project in the State of Washington.

In accordance with the provisions of section 117 of the SAFETEA-LU Technical Corrections Act of 2008 (Pub. L. 110-244, 122 Stat. 1572), FHWA is providing this notice as its finding that a waiver of Buy America requirements is appropriate. The FHWA invites public comment on this finding for an additional 15 days following the effective date of the finding. Comments may be submitted to FHWA's Web site via the link provided to the waiver page noted above.

(**Authority:** 23 U.S.C. 313; Pub. L. 110-161, 23 CFR 635.410)

Dated: October 16, 2015.

Gregory G. Nadeau,
Administrator, Federal Highway
Administration.

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DEPARTMENT OF TRANSPORTATION**Federal Highway Administration**

[Docket No. FHWA-2013-0050]

Final Designation of the Highway Primary Freight Network

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice; response to comments.

SUMMARY: This notice publishes the final designation of the highway-only Primary Freight Network (highway-only PFN). Section 167(d) of title 23, United States Code (U.S.C.) requires the Secretary of Transportation to establish the highway-only PFN and re-designate it every 10 years, giving consideration to certain factors. This designation meets the requirements of the law, but the Department and a multitude of public comments recognize that the highway-only PFN fails to demonstrate that freight moves through a complex and extensive network of highways, railroads, waterways, pipelines, and airways. While specific commodities are likely to be moved on a particular mode

or series of modes, a complex multimodal system is required to carry the growing volume of bulk and high-velocity, high-value goods in the United States. In addition, the 27,000-mile cap required by the law does not yield a PFN representative of all the critical highway elements of the United States freight system. While the Department is designating the highway-only PFN to meet the statutory requirements of the authorizing law, the Department is concurrently and simultaneously proposing a comprehensive Multimodal Freight Network for public comment in the draft National Freight Strategic Plan to identify key infrastructure for all modes that is critical for the efficient movement of freight.

FOR FURTHER INFORMATION CONTACT: For questions about this program, contact Coral Torres, FHWA Office of Freight Management and Operations, (202) 366-7602, or by email at Coral.Torres@dot.gov. For legal questions, please contact William Winne, FHWA Office of the Chief Counsel, (202) 366-1397, or by email at William.Winne@dot.gov. Business hours for the FHWA are from 8:00 a.m. to 4:30 p.m., EST/EDT, Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:**Electronic Access**

You may retrieve a copy of the notice through the Federal eRulemaking portal at: <http://www.regulations.gov>. The Web site is available 24 hours each day, every day of the year. Electronic submission and retrieval help and guidelines are available under the help section of the Web site. You may also download an electronic copy of this document from Office of the Federal Register's home page at: http://www.archives.gov/federal_register and the Government Printing Office's Web page at: <http://www.gpoaccess.gov>.

Background

Section 167(c) of title 23, U.S.C., directs the Secretary to establish a National Freight Network (NFN) to assist States in strategically directing resources toward improved system performance for efficient movement of freight on the highway portion of the Nation's freight transportation system, including the National Highway System (NHS), freight intermodal connectors, and aerotropolis transportation systems.

Under 23 U.S.C. 167(c), the NFN will consist of three components: The highway-only PFN, the portions of the Interstate System not designated as part of the highway-only PFN, and Critical Rural Freight Corridors (CRFC), which are designated by the States.